PARLIAMENTARY DEBATES

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HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SIXTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1997–98

COMPRISING PERIOD
12 January—23 January 1998

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THE
PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-SIXTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 304**

ELEVENTH VOLUME OF SESSION 1997-98

House of Commons

Monday 12 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Gulf War (Illnesses)

1. **Helen Jones:** What research the Government are undertaking into illnesses possibly related to Gulf war service. [20196]

The Secretary of State for Defence (Mr. George Robertson): In addition to two existing epidemiological studies, we are undertaking a major programme of research into the possible health effects of the combination of vaccines and tablets which British troops were given during the Gulf war to protect them against the threat of Iraqi biological and chemical warfare agents.

Helen Jones: I thank my right hon. Friend for that reply and welcome the research that is being done. Does he accept the need to disseminate that information? What steps will he take to make the results of the research known both to Gulf war veterans and to members of the general public?

Mr. Robertson: In the normal course of events, that question would have been answered by the Minister for the Armed Forces but, as the House knows, the tragic death of his wife last Thursday means that he cannot be with us today. I know that hon. Members would want their condolences sent to my hon. Friend at this time of bereavement.

My hon. Friend the Minister for the Armed Forces has an extremely good record in these matters. Not only has he had three meetings with representatives of the veterans' organisations: he has made it clear that all those who believe that they have been affected will have access to advice through the medical assessment programme; that appropriate research will be undertaken—and new projects have already been started in that area—that maximum information will be put into the public domain; and that all information relevant to the circumstances that applied in that war to the forces who served in it will be made public.

I draw the House's attention to the words of the Royal British Legion:

> "The Legion has no axe to grind for this, or any other government, but it, with most of the Gulf War Veterans Organisations believes that the new Minister has made a determined and positive attempt to urgently review the cases of those who are unwell and to speedily bring a conclusion to this very real problem."

I strongly agree with the Royal British Legion's view.

Mr. Viggers: I support the Government's vigorous approach to investigations into Gulf war syndrome, and rise principally to say that all hon. Members would wish to be associated with the Secretary of State's words. The Minister for the Armed Forces has many friends on both sides of the House and we would all wish to express to him our deep sympathy for his loss.

Mr. Robertson: I am extremely grateful for the hon. Gentleman's words. When I go to the funeral with a number of other hon. Members tomorrow, I shall take those sentiments with me.

Mr. Barry Jones: Is my right hon. Friend sure that Gulf war veterans, such as Mr. Ritchie Turnbull,

Mr. Mark Doyle and Mr. David Robertson from my constituency, can see consultants of their choice about the illnesses from which they suffer? Does he understand that cash-strapped health authorities may not want constituents to travel long distances to see such consultants? May I, too, thank my hon. Friend the Minister for the Armed Forces for the excellent way in which he has tackled those problems during the past seven short months?

Mr. Robertson: I am grateful to my hon. Friend for those words about my hon. Friend the Minister for the Armed Forces. We have always made it clear that, where there are problems with access to NHS services—we recognise that problems are inevitable, especially where illnesses have not been pinned down or made specific—we shall do our best to ensure that appropriate attention is paid to them. The priority that we have set ourselves is that Gulf war veterans will be dealt with openly, sympathetically and seriously and that, wherever problems in the system arise, we shall take immediate action to deal with them where we can.

Mr. Hancock: Will the Secretary of State pass on the condolences, prayers and thoughts of Liberal Democrat Members on the sad and tragic loss of the wife of the Minister for the Armed Forces and tell him that our thoughts are with him and his family?

I thank the Secretary of State and the Minister for the Armed Forces for their work on behalf of Gulf war veterans who are service men. May I also draw the Secretary of State's attention to the fact that, of the 1,520 claims that the Ministry of Defence has received so far, a number have come from civilians who were in the Gulf, such as my constituent Mr. John Laffey, who believes that he has not be able to work for the past four and a half years because of illnesses that he contracted in the Gulf? Those civilians should not be disadvantaged. Will the Ministry support and help them: they were not enlisted into the armed forces, unlike civilians during the Falklands crisis? Will the Secretary of State give an assurance that the same facility offered to service personnel will be given to civilians or their families who lodge claims related to Gulf war-associated illnesses?

Mr. Robertson: I thank the hon. Gentleman for his comments about my hon. Friend the Minister for the Armed Forces, whose close personal friends straddle party boundaries. I shall give him the hon. Gentleman's good wishes. I shall look into the points that he raised concerning others who may have been affected by the as yet undetermined nature of Gulf war illnesses.

Farnborough Aerodrome

2. **Mr. Gerald Howarth:** If he will make a statement on progress in the sale of the Farnborough aerodrome. [20197]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): The disposal of Farnborough aerodrome to the Geneva-based TAG Finance is progressing well, and an agreement for a lease is expected to be signed at the end of this month.

TAG is required to complete the acquisition of the aerodrome in 2000, once it has secured the necessary planning consents and the Civil Aviation Authority licence.

Mr. Howarth: I thank the Minister for that reply. I am delighted that progress is being made on the sale of the airfield, which represents an immense opportunity for Farnborough and the local area. It will relieve some of the congestion at Heathrow, with executive jets being able to operate out of Farnborough. May I also thank the Minister and his Department for their support for the Farnborough Air Sciences Trust, which seeks to safeguard the tremendously historic buildings on the Farnborough site? Will he take FAST's proposals firmly into account when he considers the disposal of the factory site? I should be most grateful if he would give me a timetable for that.

Mr. Spellar: I thank the hon. Gentleman for his kind comments. We have worked closely with the Society of British Aerospace Companies and Rushmoor district council on the future of the site. A number of aspects will be taken into account in the planning considerations, and we shall work with the council to bring about the result that the hon. Gentleman wants, which is to ensure the overall aspects of the site and to achieve the best possible economic future for the area.

Courts Martial

3. **Mr. Blunt:** What assessment he has made of the effect of incorporation of the European convention on human rights on the court martial system. [20198]

Mr. George Robertson: We are satisfied that the recent changes to the court martial system will ensure compliance with the convention.

Mr. Blunt: Does the Secretary of State deny that the potential for an appeal under the convention was one of the reasons given by the Lord Chancellor in a letter to him for not court-martialling Major Eric Joyce? Does he deny that that letter was copied to the Minister without Portfolio and was passed to the Army prosecuting authority? Does he deny that the Lord Chancellor advised that the timing of any appeal would be during the run-up to the next election, and so would be unfortunate? Does he deny that that blatant political advice by the Lord Chancellor sits uneasily with his letter to me on Friday, in which he denied absolutely any political involvement in the prosecuting process?

Mr. Robertson: As the hon. Gentleman knows only too well—and better than most hon. Members—correspondence between Ministers is confidential, and is quite rightly withheld under the code of access to Government information, which was established by the Conservative Government. I am completely satisfied that the Army's treatment of Major Joyce was fair, reasonable and in proportion to his conduct, and no disciplinary action against him is outstanding. Any decision not to prosecute is taken by the Army prosecuting authority for solely legal, procedural and evidential reasons. That body is completely autonomous, and is analogous to the Crown Prosecution Service. It is independent of the chain of command and of Ministers. I repudiate entirely the implications of what the hon. Gentleman said. To make such allegations or imputations is to question in a most disgraceful manner the integrity and independence of the Army prosecuting authority.

Mr. Dalyell: When, just before Christmas, my right hon. Friend saw those powerful television images of men

coming out of the Maze prison—men who had done their premeditated best to assassinate the British Cabinet—did his mind stray to the case of Guardsmen Wright and Fisher? Should they not have been tried by court martial; and does the Ministry of Defence believe that although this is technically the responsibility of the Northern Ireland Office, it has some moral responsibility too?

Mr. Robertson: It is not just technically the responsibility of the Northern Ireland Office: it is the responsibility of the Northern Ireland Office. It would be strange indeed if it were a matter for the Ministry of Defence. I have not yet heard it suggested that those individuals should have been tried by military court. Their case will be reviewed in due course. The decisions made by my right hon. Friend the Secretary of State for Northern Ireland are made in the best interests of the judicial system that applies there.

Sir George Young: May I associate Opposition Front Benchers with the remarks made earlier about the Minister for the Armed Forces? Our thoughts are with him and his two sons following Cathy's tragic early death.

To revert to the point raised by my hon. Friend the Member for Reigate (Mr. Blunt) a moment ago, the Secretary of State can resolve the matter quite easily. Will he deny that the Lord Chancellor wrote to him in the terms described by my hon. Friend?

Mr. Robertson: The right hon. Gentleman was a Cabinet Minister in the last Government. He therefore knows that correspondence between Ministers is confidential. It is thus quite proper that it should not be mentioned here—the code was determined by the Conservative Government.

The Army prosecuting authority will take into account all the evidence and all the legal advice that it requires before arriving at its independent decision, based on the legalities. The authority bore in mind not just domestic law but the European convention on human rights, to which we are party, when deciding independently, without political guidance or interference of any kind, what to do in the case of Major Joyce.

Iraq

4. **Mr. Savidge:** What the United Kingdom's contribution is to policing the no–fly zones in Iraq. [20199]

Mr. George Robertson: To monitor Iraqi compliance with UN resolutions the UK contributes 12 Tornado aircraft and up to three VC10 tankers to the coalition operations over the northern and southern no-fly zones in Iraq.

Mr. Savidge: I thank the Secretary of State for that reply. Does he share my hope that, by diplomatic means, we can ensure that Saddam Hussein fully complies with all relevant United Nations resolutions? Does he further agree that the recent crisis over the United Nations Special Commission inspections shows that diplomacy must sometimes be backed up by the credible threat of military force?

Mr. Robertson: My hon. Friend is absolutely right. The crisis over Iraq's non-compliance with Security Council resolutions, especially in relation to weapons of mass destruction, is certainly not over. That is why HMS Invincible, along with RAF aircrew and GR7 jets, is still in the Mediterranean and will be replaced by HMS Illustrious, which leaves Portsmouth next Monday.

I should like to take this opportunity to thank the crew of HMS Invincible, and the RAF crew embarked on it, for giving up their Christmas in the interests of ensuring that the menace to local and world security that Saddam represents is fairly and properly dealt with.

Mr. Wilshire: The great majority of people in the House and the country fully support the contribution made by British forces, but can the right hon. Gentleman assure the House that that contribution will continue for as long as the threat continues?

Mr. Robertson: I can give that assurance. Few hon. Members and few people outside the House do not see Saddam Hussein as a menace and a threat to his neighbours and to the wider international community. The purpose of the UNSCOM inspectors in seeking compliance with UN Security Council resolutions is not simply in the interests of Iraq's close neighbours, because a country that has already used these dreadful instruments of war—chemical and biological weapons—and which continues to deceive and to hide its future capabilities cannot be trusted. Until Saddam Hussein has complied with the Security Council resolutions, we shall have to remain on alert while hoping for a diplomatic solution. However, we must have in reserve the option of military force.

Ann Clwyd: As the no-fly zone has unfortunately not been fully effective in protecting the Kurdish population of northern Iraq, given the recent invasion by both Turkish forces and those of Saddam Hussein, will my right hon. Friend consider, with the UN Security Council, the setting up of a no-drive zone so that the Kurdish population of northern Iraq can be protected against invasion by tanks and against heavy artillery?

Mr. Robertson: We act within the provisions of UN Security Council resolutions. Nobody regrets more than I do the fact that internal conflict between Kurdish groups in northern Iraq has been the source of problems for ordinary Kurdish people in that part of the world. The use of some bases in northern Iraq for terrorist incursions into Turkey has complicated the way in which, up to now, we have been able to protect the civilian population in those areas. These matters must be discussed and decided on by the United Nations. As and when they are, we shall—as we have already—make sure that United Nations authority is maintained by the assignment of forces such as those that we have deployed in that area for some time.

European Defence Industry

5. **Mr. Bob Russell:** What steps he is taking to promote the consolidation of the European defence industry. [20200]

Mr. Spellar: It is for the defence companies themselves to take the lead in determining the future structure of the industry, but we recognise that Governments have a major constructive influence.

Accordingly, the UK, France and Germany, whose industries form the bulk of the European defence industrial base, issued a statement on 9 December with the clear message that they are now working together to facilitate the process of change.

A programme of work to resolve practical issues falling mainly within the sphere of Defence Ministers has been agreed and is being taken forward by the national armaments directors of the three nations.

Mr. Russell: I welcome what the Minister has said, but could we have a bit more enthusiasm during our six months' presidency of the European Union in promoting the British defence industry throughout the EU? I particularly draw attention to companies in Essex which have been hit harder than many others in the defence-related industries, notably, Paxmans in my Colchester constituency and GEC elsewhere in the county.

Mr. Spellar: As my right hon. Friend the Secretary of State flew to Germany during the recess to sign the agreement on Eurofighter, nobody could accuse the Government of a lack of enthusiasm for the British defence industry. We are certainly looking forward during our presidency to proposals from the industry by 31 March setting out its precise views about how the European industry can be restructured so that it can become an even more formidable international competitor.

Mr. Borrow: My constituents, and those of many of my Lancashire colleagues, welcome the Government's decision to complete the signing of the Eurofighter agreement. It is an example of exactly the sort of consolidation of the European defence industry that the question highlights. Does my hon. Friend agree that the example of Eurofighter could be followed by many other parts of the defence industry in the United Kingdom? Does he further agree that the implications for co-ordinating defence and industrial policies are crucial for this country's defence and for the pursuit of a vigorous industry throughout the UK?

Mr. Spellar: I thank my hon. Friend for those comments. Of course, the first decision on Eurofighter was taken in 1982, but it has taken this Government to bring it to completion and to sign the agreement. *[Interruption.]* The signing of the agreement, the visit to Germany of my right hon. Friend the Secretary of State for Defence at an early stage of this Government's term of office and the Prime Minister's initiative with the German Chancellor all show the impetus and energy that were put behind the decision, which was welcomed by most parts of the industry, if not by some of those on the Conservative Benches who treat it so lightheartedly. Their attitude will be noted by the industry. We are certainly examining the restructuring of industry, particularly on a corporate basis, and therefore the creation of a genuine European defence industrial base.

Mr. Key: I am sure that the Minister is not suggesting that the Germans put off their decision just to wait for the general election result, but he is indeed pushing at the bounds of credibility by telling Britain's defence industries to do it his way or else. Which is in the national interest: is it for those industries to pursue the integration that the Government request when there is no formal legal basis throughout the European Union for such collaboration; or is it to maintain and to promote the interests of the British defence industry with those of the world's greatest defence industries in the United States of America?

Mr. Spellar: I think that the hon. Gentleman is under a misapprehension. A consolidated, stronger European defence industry will be better able not only to compete with the new American giants that have restructured, but, in many cases, to collaborate with them. We cannot have a fragmented industry throughout Europe which is at the mercy of the American industrial giants. We are taking the initiative and the hon. Gentleman should apologise to the House for his lack of action, rather than carping.

Armed Forces Recruitment (Ethnic Minorities)

6. **Mr. Fitzpatrick:** If he will make a statement on the Government's plans to increase recruitment of ethnic minorities into the United Kingdom's armed forces. [20201]

Mr. Spellar: It is the Government's aim that the armed forces should recruit the best people and should better reflect the ethnic composition of the society that they defend. All three services are placing particular importance on ethnic minorities recruitment. The tri-service initiatives in Newham and Sandwell and the Army's specific campaign are being supported by local single-service initiatives.

Mr. Fitzpatrick: I thank the Minister for his response. I am sure that the House welcomes the Government's aim to have modern forces that better reflect the society that they protect. With that in mind, and with reference to the Newham initiative, what arrangements will my hon. Friend put in place to monitor the success, or otherwise, of those initiatives?

Mr. Spellar: I thank my hon. Friend for his comments and for the co-operation of Newham council and Newham Members of Parliament in the initiative. He is right that initiatives alone are not enough. We should also, not only during recruitment, monitor the development and progress of individuals who join the armed forces, first, to ensure that we are doing things right and, secondly—where we find that certain avenues are not working—so that we can refine our processes. That will be important. We look forward not only to working with the local authorities that are involved but, obviously, to examining the activities of the armed forces themselves to ensure that we monitor progress and developments.

Mr. Brazier: In welcoming the principle of attracting more people from ethnic minorities into the armed forces, it is perhaps worth remembering that the largest volunteer army was the Indian army, which fought with us against the Japanese. Will the Minister none the less assure the House that, in the initiatives that he has mentioned, there will be no attempt to introduce affirmative action? The recruitment of ethnic minorities must be on the basis of attracting them and of merit; it should not be a case of

our saying to anyone else in the armed forces, "Someone else is being chosen for the post instead of you because of affirmative action."

Mr. Spellar: I think the hon. Gentleman would accept that the reverse is true. If only a small percentage of one group comes into our armed forces, it is likely that we are not getting the best people from that group. Therefore, if we can bring in more people, particularly from the ethnic community, who, for several reasons, have not joined before—although, as the hon. Gentleman rightly says, in many cases, they did so in the past—we will enhance the armed forces and it will be better for the armed forces and for our society.

Ms Abbott: Does my hon. Friend accept that one reason why large numbers of black ethnic minority people do not join the armed forces is that they hear recurrent reports of the sad brutality towards and harassment of black members? I have in mind a particular case, which relates to the Marines, that has been reported over the past few days. The brutality and harassment go far beyond mere horseplay and teasing. What steps are the Government taking to stamp out that sort of behaviour towards black people who join the armed forces?

Mr. Spellar: The Army has introduced a confidential support hotline, outside the chain of command, which people can use to make their complaints if they feel that they are not being addressed. My hon. Friend should accept that all three services are seized of their responsibilities in this matter. They are not just making strong statements—they are taking action to eliminate racial harassment, bullying and discrimination. Unfortunately, the success stories are not publicised, but, as always, the exceptions are.

The armed forces are determined to stamp out the sort of behaviour to which my hon. Friend referred. There is a real career available in the armed forces for those from the ethnic community—as, indeed, there is for those from the rest of the community. After all, the armed forces recruit about 25,000 people a year for good, fulfilling jobs.

Service Personnel (Asbestos-related Illnesses)

7. **Mr. Dismore:** If he will make a statement concerning compensation for service personnel suffering from asbestos-related illnesses contracted during their service with the armed forces. [20202]

Mr. Spellar: We are sympathetic to concerns that former service personnel suffering from asbestos-related illnesses may be disadvantaged by comparison with civilians, and have asked for advice on a comparison between the compensation arrangements for service personnel and civilians. Although this has taken longer than originally anticipated, the advice should be available shortly. The issues are not straightforward and they involve officials in the Department of Social Security as well as in my Department. If service personnel are shown to be disadvantaged, we will consider options for creating fairer arrangements.

Mr. Dismore: I thank my hon. Friend for that answer. As I am sure he knows, my hon. Friends the Members for Plymouth, Devonport (Mr. Jamieson) and for Portsmouth, North (Mr. Rapson) and I have been campaigning on the issue for some time. Asbestos-related illnesses are severe, wasting and painful, so urgent action is needed. Can my hon. Friend give an assurance that, whatever wider review of war pensions may be taking place, early action will be taken to deal with the apparent injustices suffered by the group of people to whom I have referred, who contracted their illnesses while serving their country?

Mr. Spellar: I thank my hon. Friend and his colleagues for their constructive attitude to and position on the issue. The Minister for the Armed Forces very much regrets that work on the matter has taken rather longer than originally anticipated. As my hon. Friend knows from previous experience, the issues are not straightforward and they involve officials in the DSS as well as in my Department. However, that work is entirely separate from my hon. Friend the Minister's review of compensation arrangements for service personnel more generally. I can give my hon. Friend the assurance that its conclusions will not be delayed by that review.

Bosnia

8. **Mr. Winnick:** How many troops are currently serving as part of Britain's contribution to SFOR in Bosnia. [20203]

Mr. George Robertson: We currently contribute some 5,200 troops in the former Yugoslavia as part of the stabilisation force. About 3,500 of those are based in Bosnia and the rest, some 1,700, are based in Croatia.

Mr. Winnick: I again pay tribute to all those forces, including the British contribution, serving in the former Yugoslavia. In view of the acute dangers—and I believe that they are acute—of killings occurring yet again, especially in Bosnia, would it be possible for a decision soon to be reached on extending the time frame beyond June for troops serving in the former Yugoslavia? Is my right hon. Friend aware that many of us very much welcomed President Clinton's suggestion that such a decision is likely to be made?

Mr. Robertson: First, I thank my hon. Friend for his tribute to the forces, especially the British forces, which are serving in the former Yugoslavia. They are doing a job that is now largely out of the headlines but that is heroic and incredibly dedicated. We should all be very proud of what they are doing and what they are achieving.

My hon. Friend is also right to say that, although there have been big improvements and much progress has been made, there have been signs that, if the effort were to be diminished or the NATO-led force were to leave, there would be a return to some of the worst excesses that we have seen. That is why, at the NATO meetings at the end of last year, NATO Defence and Foreign Ministers put in place the necessary planning, without a commitment for a continuing follow-on force.

I, too, was extremely glad that President Clinton made it clear that American ground troops will be in Bosnia after June 1998. I believe that, as long as the force there is NATO-led, commanded and controlled, and as long as

we have the most appropriate force configuration for the situation applying there, we can bring some further lights of hope to the ordinary people of that benighted country.

Mr. Wilkinson: Can the right hon. Gentleman ensure that his Department's responsible planning for the continued presence of British troops in the NATO-led stabilisation force in Bosnia beyond June will not be vitiated by the outcome of the strategic defence review? Can he make quite certain that the strategic defence review will enable the United Kingdom always to maintain the capacity to keep in the field two operational forces of significant status and size—for example, in Northern Ireland and in Bosnia?

Mr. Robertson: The hon. Gentleman is asking me to pre-empt the outcome of the strategic defence review, but I will not be drawn on that matter. However, I see no likelihood of the strategic defence review affecting our commitments to Northern Ireland and to Bosnia. Our commitment to Bosnia-Herzogovina is to pursue the principles that were agreed at Dayton and that were re-emphasised, in 1996, at Lancaster house. We are interested, first, in the welfare of the people of Bosnia-Herzogovina; secondly, in creating a multi-ethnic nation in that part of the world; and, thirdly, in ensuring that any violence in that area is contained within it and does not spread to the surrounding region. That remains a priority of this Government, as it was of the previous Government. I foresee no likelihood of any change to that commitment or to the dedication of our forces in pursuing it.

Laura Moffatt: Does the Secretary of State agree—I know that he, like members of the Defence Select Committee, has visited Bosnia—that the best indicator of the job done by our forces there is the fact that they do that job with professionalism, enthusiasm and complete good grace? They believe that the job that they are doing is worth while and that it is very important that they stay there.

Mr. Robertson: I welcome my hon. Friend's comments, and I warmly welcome the Defence Select Committee's report on Bosnia. The report was produced very quickly, yet it contained some profound comments and recommendations. We are giving full consideration to those conclusions and recommendations, and we shall be providing a response in due course. The report underlined the commitment, dedication and practical application of British troops in Bosnia, and it showed just how much our troops have achieved in the period that we have been there and how critical their role will be in the future.

Sir George Young: I endorse the comments made by hon. Members from both sides of the House on the work of our troops in Bosnia and the Secretary of State's comment on President Clinton's recent decision. As we approach the end of the financial year, can the Secretary of State say whether the costs of our operations in Bosnia will be borne, as previously, as a charge on the reserves, or whether he will have to find that very substantial sum from his own depleted resources?

Mr. Robertson: When the costs are finally established, the Ministry of Defence, as has been the practice, will determine how much of the costs can be absorbed within its budget. If there is a difference between what can be absorbed and the cost—*[Interruption.]* Is that sudden illumination of the Chamber light at the end of the tunnel for the Government or for the Opposition? As and when we reach that point, clearly discussions will then commence with the Treasury.

Trident

9. **Dr. Julian Lewis:** If a decision to reduce the number of warheads on a Trident missile would result in cost savings. [20204]

Mr. George Robertson: The financial implications of any changes we might make in deployed warhead numbers on Trident missiles are being considered in the strategic defence review.

Dr. Lewis: I am in no way asking the Secretary of State to prejudge the findings of the strategic defence review, but I am asking whether it is physically possible for the number of warheads on a Trident missile to be reduced without massive cost. Is he aware that, the last time an incoming Labour Government cut the warhead potential of the deterrent—that was the Wilson Government in the 1960s—and cut it for similar political reasons, it was necessary to introduce the Chevaline project to multiply the number of warheads, which added 60 per cent. to the cost of the entire system? Can he promise us that the same sort of mistake will not be made again for doctrinal reasons?

Mr. Robertson: I can tell the hon. Gentleman a fact, known to the previous Government and to this Government, which is that the Trident system allows considerable flexibility in the number of warheads loaded on the missiles, and changes can be made without any additional cost. I also underline the fact that we will deploy on our Trident submarines only the minimum number of warheads required for credible deterrence in current circumstances.

Mr. Cohen: Is this not so much a matter of cost as a matter of non-proliferation? Did we not say in opposition that there was not a case for any more warheads on Trident than there were on Polaris? Does it not take a leap of imagination to say that, with the cold war over, there should be more warheads on Trident now than there were on Polaris then?

Mr. Robertson: As my hon. Friend knows only too well, we fought the election on a manifesto which said that we would maintain Trident. However, we also made it clear—I draw this specifically to my hon. Friend's attention in view of what he said—that, within the framework of the Trident missile system, the strategic defence review will look at all aspects of our current deterrence requirements, including nuclear warhead numbers, as we assess the prevailing circumstances.

Mrs. Ewing: On behalf of the nationalist parties I extend our sincere condolences to the Minister for the Armed Forces on the tragic and sudden loss of his wife.

In the context of Trident, does the Secretary of State recall a written answer given on 4 December which said that operational costs were estimated at £200 million per

annum? However, since then, additional nuclear warheads have been purchased. How does he square that with stories suggesting that he has done a deal which would mean that the national minimum wage would not apply to the armed forces? What does he regard as more important—Trident or the personnel who give us such good service?

Mr. Robertson: On the hon. Lady's first point, the operating costs of the Trident submarine fleet have been estimated at £200 million a year over the 30-year lifetime of the system. That would include the ordering of the Trident missile bodies, which was actioned in the summer of last year.

The question of the national minimum wage in no way relates to the civilian employees of the Ministry of Defence, who will be fully covered by that legislation. In relation to the armed forces, as the hon. Lady would expect, what concerns us is their operational and military effectiveness. Against that background, we shall make judgments about the national minimum wage. However, I remind the hon. Lady that an independent pay review body was established specifically to examine the circumstances, pay and conditions of members of the armed forces. One of the duties of that pay review body is to take into account the circumstances prevailing in industry outside the armed forces.

Naval Co-operation (Russia)

10. **Mrs. Gilroy:** If he will make a statement on United Kingdom-Russia naval co-operation. [20205]

Mr. George Robertson: In November 1997 in Moscow, the Russian Defence Minister, Marshal Sergeyev, and I agreed that our two navies should co-operate closely together to improve inter-operability in peacekeeping and humanitarian missions. Last month, we were able to follow this up by endorsing proposals on a programme of joint training leading to a short combined deployment in 1999.

Mrs. Gilroy: I welcome that statement. Are there any implications in it for my constituency of Plymouth, Sutton? My right hon. Friend may recollect that it was a Plymouth frigate, HMS Avenger, which was the first after the end of the cold war to visit Novorossiysk in Russia, with which we have been twinned for a number of years. I am sure that my constituents would welcome a return visit from the Russian navy—a friendly one.

Mr. Robertson: Before I respond to my hon. Friend's friendly question, I must rectify an omission in that I did not register the sympathy expressed by the hon. Member for Moray (Mrs. Ewing) to my hon. Friend the Minister for the Armed Forces. I know that he will very much welcome the views of the Scottish National Party and of Plaid Cymru in his moment of tragedy.

I hope that Plymouth will play a major part in the historic new relationship that we are establishing between the Royal and Russian navies. We have invited the Russian navy to Plymouth to view surface sea training facilities and to discuss associated training methods and techniques. We always welcome foreign warships at flag officer sea training in Plymouth and we would be very pleased if the Russian navy made use of those facilities, as other nations do.

Nuclear Waste

11. **Mr. Baker:** What plans he has to reduce the stockpile of nuclear waste held at MOD establishments. [20206]

Mr. Spellar: My Department's plan to reduce its accumulated intermediate-level waste is dependent upon the national strategy for disposal of waste of this type which is being developed by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions. MOD's low-level waste is disposed of through established routes.

Mr. Baker: Does the Minister share my concern about the answers I was given to written questions on 16 December, which show that there are 11 decommissioned—or in the process of being decommissioned—nuclear submarines, two of them at Rosyth, which contain high-level nuclear waste? There is also more than 2,500 cu m of intermediate nuclear waste at Aldermaston. Is it not irresponsible to create so much nuclear waste in the first place and is it not even more irresponsible to hold such waste close to areas of population? Will the Minister set a deadline for the removal of all intermediate and high-level waste from MOD sites?

Mr. Spellar: That was a highly complicated and varied question, most of which was factually inaccurate. The Department holds no high-level nuclear waste. The submarines at Rosyth have been decommissioned and are regularly inspected. They do not contain any major levels of nuclear radiation—indeed, we are waiting while the level reduces further. If the hon. Gentleman had listened to my reply, he would have heard me say that, for the problem of intermediate-level nuclear waste, we are waiting for a national strategy following the rejection by the previous Administration of the Nirex—Nuclear Industry Radioactive Waste Executive—proposals. Like the rest of the nuclear industry, we shall be covered by that strategy.

Obviously we are taking, as we always do, the utmost care in dealing with the levels of nuclear waste that we have. Low-level nuclear waste, which is ultimately transported to the national site at Drigg, is material, such as gloves and overalls, which is at a low level of contamination. We take our responsibilities seriously and we are awaiting the responses of other Departments to build the national picture.

Mr. Cousins: Can the Minister give the House an assurance that when, as required by the Treasury, his Department goes over to resource accounting, full provision will be made in published departmental accounts for the decommissioning costs of all nuclear waste, stockpiles and materials, contaminated land and buildings?

Mr. Spellar: Similar considerations will apply not only to the Ministry of Defence but to a wide range of civil nuclear facilities. Inevitably, we shall need to look precisely at decommissioning nuclear submarines. As I have said, we have removed the reactor cores from the submarines, and they therefore have relatively low and decreasing levels of radioactivity. We are awaiting a response from the Department of the Environment,

Transport and the Regions on the disposal of other nuclear waste. Obviously, nuclear waste decontamination and disposal is dependent on a national strategy for the industry, and is not simply a matter for the Ministry of Defence.

Persian Gulf

12. **Mr. Robathan:** If he will make a statement on the deployment of British forces in the Persian Gulf. [20207]

Mr. George Robertson: British forces are deployed to the Gulf in support of our national interests and to assist in international efforts to ensure that the Iraqi Government comply with the requirements of the United Nations Security Council.

Mr. Robathan: The House will know that this week is the seventh anniversary of the start of hostilities in the Gulf war. Almost everyone in the House will agree that it is a great pity that Saddam Hussein is still terrorising the civilian population of Iraq, making mischief in the middle east and impeding efforts towards peace there. May I pay tribute to the Government for their steadfast attitude towards Iraq, despite some opposition? Will the Secretary of State reassure the House that the Government will maintain their strong position against Saddam Hussein until he accepts the United Nations resolutions, and while it remains in our national interest so to do?

Mr. Robertson: I can indeed confirm that. I also thank the hon. Gentleman for his contribution to cross-party support for the firm, steadfast and, I believe, correct stance that the Government have taken in respect of the continuing crisis created by Saddam Hussein and for the regret that he expressed that, seven years after the end of the Gulf war, Saddam Hussein continues to persecute his own people and threaten his neighbours. I can assure the hon. Gentleman that the inspectors in the United Nations Special Commission on Iraq, including some from the British Ministry of Defence, are working not simply on behalf of the United Nations and the neighbours of Iraq, but for the rest of the world. I offer the House one piece of evidence that highlights that message and underlines the frightening potential of Saddam Hussein. UNSCOM verified that 16 sarin-filled warheads and 14 missile warheads filled with binary chemical weapon components were found and destroyed by international weapons inspectors. There are more and they represent a huge and terrifying threat to the region and the world.

PUBLIC ACCOUNTS COMMISSION

The Chairman of the Public Accounts Commission was asked—

National Audit Office (Scrutiny Role)

36. **Mr. Clifton-Brown:** If he will make a statement on the impact on National Audit Office expenditure of the recent enlargement of its scrutiny role. [20231]

Mr. Robert Sheldon (Chairman of the Public Accounts Commission): The scrutiny role of the National Audit Office will increase as the Government's policy to introduce resource accounting comes into effect and as new agencies and business units are set up, as for example in the Ministry of Defence. Those are the main determinants that require an increase in the National Audit Office's budget of some £2.6 million or 2.8 per cent. in real terms in 1998-99, as approved by the Public Accounts Commission in December 1997. Other important areas of developing scrutiny include changes in the way in which Government Departments deliver their services, for example through the private finance initiative and the office's increasing attention to performance measurement and the quality assurance of the services provided to the citizen.

Mr. Clifton-Brown: I thank the right hon. Gentleman for that answer and ask him a question of which I have given him notice. The housing association movement has a outturn of around £1 billion this year. Can he confirm that the National Audit Office has no remit to audit individual housing associations? Given that the Harambee housing association collapsed with debts of £500,000 in 1994 and that, in 1996, the Focus and Circle 33 housing associations were investigated for fraud, would it not make sense for the National Audit Office remit to be enlarged so that all housing associations could be audited on a national and consistent basis, and such financial failures might be avoided?

Mr. Sheldon: I agree completely with the hon. Gentleman, who has identified a clear gap in the work of the National Audit Office. The £1.8 billion covered by housing association accounts is a substantial sum. The fact that the NAO has no access to those accounts is a glaring omission. The Public Accounts Committee and the commission have recommended that that should be changed.

Mr. Campbell-Savours: My right hon. Friend will be aware that, under the National Audit Act 1983, the NAO has a responsibility to follow taxpayers' money—public money. My right hon. Friend may, like me, regard national lottery revenue as a form of voluntary taxation. Is there not an argument for extending the role of the National Audit Office—perhaps the 1983 Act should be amended—to allow it to pursue the use of lottery revenue, which is public money, to ensure proper value for money?

Mr. Sheldon: It is a number of years since 1983. I agree that some of those issues need to be looked at again. I hope that the Government will give urgent attention to the gaps in the ability of the NAO to follow public money. The 1983 Act requires some revision in that respect.

Social Security Accounts

37. **Mr. Robathan:** What assessment he has made of the impact on the resources of the National Audit Office of the need for recurrent qualification of Department of Social Security accounts. [20232]

Mr. Sheldon: In 1997, the Comptroller and Auditor General qualified his certificate on three accounts for the Department of Social Security and its agencies. The vote that accounts for major benefits expenditure has been qualified due to the level of error in benefit awards each

year since the introduction of income support in 1988–89. The national insurance fund account has been qualified every year since 1987–88. The Child Support Agency client funds account has been qualified each year since the creation of the agency in 1993. Apart from the additional costs to the National Audit Office of around £100,000, those qualifications over so long a period represent serious failures in accountability.

Mr. Robathan: The right hon. Gentleman will agree that that is a rather sorry tale. May I urge him to ensure that the NAO continues to pursue the matter? A year ago, it was alleged that £1.4 billion had been fraudulently misspent on income support alone. The issue is vital to any review of the accounts and expenditure of the Department of Social Security. I am sure that the right hon. Gentleman agrees that we must concentrate on that. I hope that he is able to assist.

Mr. Sheldon: Obviously, the main work will fall to the Public Accounts Committee. I am sure that the top civil servants concerned will be brought before the Committee and will be pursued vigorously. It is shameful that the situation has been allowed to go on for so long.

Mrs. Dunwoody: With his extensive experience, I am sure that my right hon. Friend is worried about the situation. Will he draw to the attention of the Ministers concerned the fact that, even without any question of fraud, the incompetence of the Child Support Agency system is leading to enormous personal upset and to the taxpayer ending up with the worst of the deal, as usual? I hope that my right hon. Friend will be able to bring his considerable influence to bear to ensure that that is not allowed to continue.

Mr. Sheldon: I fully share my hon. Friend's anxieties. She is quite right. The issue is mainly for the Public Accounts Committee, which will, I am sure, pursue it diligently.

Non-departmental Public Bodies

38. **Mr. David Heath:** What proportion of National Audit Office resources is directed to the auditing of those non-departmental public bodies not statutorily required to be audited by the National Audit Office. [20233]

Mr. Sheldon: Work on cases in which statutes provide discretion on the appointment of auditors and the relevant Secretary of State appoints the National Audit Office accounted for less than 2 per cent. of the resources spent by the NAO on financial audit in 1996–97 and for 1 per cent. of overall resources. In cases in which the Comptroller and Auditor General is not responsible for the audit, the relevant Secretary of State appoints the auditors and sets the terms of the audit, which makes the bodies more accountable to the Executive than to Parliament. The Public Accounts Committee has repeatedly urged that the Comptroller and Auditor General should become the appointed auditor of all non-departmental public bodies.

Mr. Heath: I am grateful to the right hon. Gentleman for that reply. Does he agree that there is a need to extend the scope of the National Audit Office and the Audit Commission—and the equivalent bodies in Scotland and Northern Ireland—to ensure that no quango can spend public money, whether from Government, the European Union, or, as the hon. Member for Workington (Mr. Campbell-Savours) said, from lotteries, without it being properly audited and the audit being made available to the House?

Mr. Sheldon: I fully agree with the hon. Gentleman. One of the shameful aspects is that the European Court of Auditors has access to some areas to which our own Comptroller and Auditor General does not have access. That needs to be looked at urgently.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Bishops

39. **Mr. Baker:** What is the total cost of supporting the bishops within the Church of England. [20234]

Mr. Stuart Bell (Second Church Estates Commissioner): In 1996, the commissioners spent £13.7 million—10 per cent. of their total expenditure—on supporting episcopal ministry. That included the stipends, staff and administrative costs of the 44 diocesan bishops and 66 suffragan bishops and the housing, including Lambeth palace, of diocesan bishops. The housing of suffragan bishops is funded by dioceses, and full details of that expenditure are not held by the commissioners.

Mr. Baker: Will the hon. Gentleman contrast the arrangements of the Church of England with the much flatter managerial arrangements of the Church of Scotland? Would it not be better all round if the Church of England were to stop supporting hierarchies and use the money that would be freed to help the poor and house the homeless?

Mr. Bell: I am always grateful for comparisons with another Church for which I am not responsible. It should be pointed out that the vast bulk of bishops' expenses—84 per cent.—goes on staff salaries. The remaining 16 per cent. comprises office expenses, including equipment, sundries, resettlement costs, hospitality, travel and, for diocesan bishops, heating, lighting—not lightning—cleaning and house and garden items. Almost every piece of legislation passed by the General Synod and approved by Parliament imposes some new responsibility on bishops. They need adequate office back-up if they are to fulfil their very wide range of responsibilities.

Orders of the Day

Scotland Bill

Order for Second Reading read.—[Queen's consent, on behalf of the Crown, signified.]

Madam Speaker: Before I call the Minister, I should let the House know that I have selected the amendment in the name of the Leader of the Opposition.

3.32 pm

The Secretary of State for Scotland (Mr. Donald Dewar): I beg to move, That the Bill be now read a Second time.

On 1 May, the Government were elected with a mandate to deliver a Scottish Parliament. We have kept that promise, and have done so in a remarkably tight time scale. The pace—I do not think that anyone would accuse me of exaggeration—has been brisk. The referendums Bill was published after only two weeks; the White Paper appeared in 12 weeks; the referendum was fought and won in 16 weeks; and the legislation was introduced before 1997 had died away—seven months all in. I pay tribute to the commitment of political colleagues and, above all, to the remarkable patience, tenacity and skill of the civil service team and those who drafted the Bill.

Of course, there has been much doubt, doom and gloom. Indeed, many hon. Members present are privately fearful; others are openly dismissive. I would contend that the sceptics have been confounded. The Bill will be welcomed by democrats everywhere. It is not simply about Scotland. Nor is it in any sense routine reform, tinkering with the detail of our political system. It goes to the heart of our democracy, and offers hope for the democratic process itself. It is part of the most far-reaching programme of constitutional reform that the country has seen for well over a century. In years to come, people will look back on it as a decisive step in the fight to modernise our constitution. The intention, the objective, is a new covenant with the people.

The prescription is not one for Scotland's needs alone. The programme includes the Welsh Assembly, London government, a new voting system for European elections, the commission on voting reform, regional development agencies in England, reform of the House of Lords, and measures to buttress individual liberties, such as incorporation of the European convention on human rights and freedom of information. It is a formidable programme—one of which this country can be proud.

Madam Speaker, British public life has been scarred by cynicism.

Mr. Richard Shepherd (Aldridge-Brownhills): I cannot let the democratic argument pass. After the Bill is enacted, we within the United Kingdom will not be equal citizens in respect of the functions of this Parliament—the Parliament of this island. In breaking the first democratic principle, how can the Secretary of State say that the Bill advances the cause of democracy?

Mr. Dewar: I recognise the genuineness with which the hon. Gentleman holds that view, and I suspect that this will not be the last time we disagree on this matter. However, I have some confidence in this House, even if he does not. I take the view that if, in its wisdom, the House of Commons decides to trust people in Scotland to take decisions about Scotland's domestic affairs, and to take charge of a package of legislation that is distinctly Scottish and separate from the other business of this House, it is entitled to do so. Exercising its democratic prerogative in this way is not in any sense offensive to democracy.

Mr. Douglas Hogg (Sleaford and North Hykeham): If that is true, would it not be desirable also for this House to decide that English business should not be addressed, spoken to or voted on by hon. Members who represent Scottish constituencies?

Mr. Dewar: The right hon. and learned Gentleman is entitled to that view. If he were to advocate a federal system, he would have some allies; perhaps not ones he likes or expects, but, in pursuit of what he sees as truth, he cannot be particular about the company he keeps. In any event, it is a matter for this House. If he wishes to come to what will be, no doubt, the extensive debates later and argue that case, we will listen to him with respect, as we always do—however eccentric or wrong we may think his ideas to be.

Mr. Shepherd: The right hon. Gentleman did not address my point—that, in the purpose of our votes across this Union, we will not have equal status. That is the essential principle behind the argument. We will not be equal citizens within the Union. By referring to the disposition of parliamentary power, the right hon. Gentleman did not answer that point.

Mr. Dewar: The hon. Gentleman is wrong. He above all argues for the sovereignty of Parliament. If Parliament uses its power and sovereignty to dispose of business in the way in which we are suggesting—*[Interruption.]* The hon. Gentleman is denying the simple fact that this House makes these arrangements. He may not like the outcome; I understand that, of course. I have not liked the outcome of the business of this House for many years. I have tholed my assize bravely and waited my chance, and I hope that he will not deny me a little pleasure that it has at last come.

Mr. Dominic Grieve (Beaconsfield): In light of the comments of the Secretary of State, why is the Prime Minister not introducing this Bill, which is of constitutional importance? It must be the first time that a Prime Minister has not introduced such legislation.

Mr. Dewar: Perhaps there is one distinction between the Prime Minister and the hon. Gentleman—the Prime Minister trusts Scots to do this. It would seem odd in a devolution measure if that were not so.

To be fair, I recommend that the hon. Gentleman does his homework. I think he will find that the previous incumbent at No. 10 did not introduce all constitutional measures during his time. I am absolutely sure that he did not, although I have not checked what is a rather obscure point. Madam Speaker, I know that you would disapprove totally of bets exchanged across the House, but perhaps I can make a two-to-one bet—a very nice afternoon tea for

me if I win or for the hon. Gentleman if he wins, with the loser paying for you, Madam Speaker, as well. I do not know whether that is proper within the rules of the House.

Mr. Grieve: The one thing I do accept is that it is more pleasant to hear the Secretary of State introducing the Bill than the Prime Minister.

Mr. Dewar: Maintaining the simile of afternoon tea, it sounds as though the hon. Gentleman is trying to have his cake and eat it. On this occasion, that is not a laudable activity.

To return to my theme, British public life has been scarred by cynicism, sometimes amounting to contempt in public places for parliamentary democracy. My genuine hope for the new Scottish Parliament is that it can earn the trust of Scotland's peoples, and it is the people who have played the key role in making change possible.

The referendum was much criticised, and the subject of much hostility and doubt, even in my party, but it gave the country its chance to speak, and it was an example of trusting the people, of an exercise in direct democracy and of an occasion on which politicians practised what they preached. The people gave us a handsome majority, not in a blaze of razzmatazz but with a quiet determination that left no room for doubt that this is the settled will of the people.

The nationalists—I understand this—spent years claiming that Labour could not win, and that anything we did deliver would be a watered-down scheme, motivated by partisan advantage—no more than a betrayal. I like to think that they may have rethought that position. The Tories claimed that devolution would lead inexorably to the break-up of Britain, and argued that the British constitution was so perfect in every respect that it was incapable of improvement.

However, the world has moved on, and, at least in Scotland, the Tories know it. It will be fascinating to see the contest develop between the diehards and the last ditchers on the Opposition Benches and those back home who think that they know on which side the party's bread is buttered.

There can be no doubt about the change back in Scotland. Sir Malcolm Rifkind, writing, perhaps typically, in the *Daily Mail* on 2 December last year, after referring delicately to

"our election wipe out in May",

went on:

"it is good that Scottish Tories accept the new Scottish Parliament and will work for its success. The Union continues but it will be a new United Kingdom with many of the characteristics of a federal system. We must become its champions."

Some may say simply that Sir Malcolm was reverting to type—recognising many previous convictions on the issue in his earlier years—but those who do so might try this for size:

"we are genuinely enthusiastic about engaging in the process of this major change to our constitution and our candidates will fight the forthcoming election in order to win and participate."

Those words must have been as fire in the mouth of the hon. Member for North Essex (Mr. Jenkin), but, for all that, I still welcome his views. At this rate, the right hon. Member for Bromley and Chislehurst (Mr. Forth)—I do not know whether he is here, but I will be disappointed if he has fled the field on this occasion—will be left lonely and alone, the last darling of the blue-rinse brigade, still sheltering in the inner recesses of Newton Mearns and Morningside.

The Bill is a catalyst for change. We want literally to create a new politics in Scotland, bringing back popular legitimacy, while creating the basis to reinvigorate Scottish life. My party has had the courage to lead that change—not to play for narrow party interest, but to work in the national interest, even at the price of short-term electoral interest.

We can all remember the locust years, when energy and talent were frustrated, and precious resources needlessly squandered. We all remember that embittered disaster of the poll tax and the investment in the private Health Care International hospital in Clydebank rather than in the national health service. We all remember that, while parents wanted investment in their children's education, energy and resources were devoted to encouraging schools to opt out, and almost none of them did.

This Bill is the means of ensuring that such madness—it was madness, with each and every one of those measures standing as an affront to the democratic wishes of the communities that the Administration responsible purported to represent—can certainly never happen again. We have won a popular mandate in the referendum, and we are now creating an institution that can speak for the people of Scotland, is closer to their needs and concerns, and is ultimately accountable to them.

Mr. Andrew Rowe (Faversham and Mid-Kent): Does the right hon. Gentleman agree that this madness, as he calls it, was almost a direct consequence of the fact that English Members were voting on Scottish matters? Is there not a severe danger that, if he allows Scottish Members to vote on English matters, a similar madness will ensue?

Mr. Dewar: I am afraid that the historical record is rather against that. The essential cause of the bitterness and frustration to which I refer is the fact that we put the control of the legislative programme in the hands of a group of politicians who did not command significant support in Scotland; that was one of the problems, and it is at the heart of the devolution argument.

The arrival of the Bill on the Floor of the House is a milestone. It is easy to undervalue, because of the extensive debate and publicity over many months, and there is an almost routine atmosphere about its appearance, but that was not always so. It is difficult to overestimate the sweep of legislative power that will be transferred. No longer will apologetic Scottish provisions be unhappily tacked on to basically English legislation; no longer will there be the agonised debate about which of the pressing options should have a place in the Westminster legislative queue.

I look forward to a Parliament that will consider radical reforming legislation with the opportunity, time and energy to abolish the feudal system; tackle the lack of integration in our urban transport system; revive local democracy; and deal with the problems of health,

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education and housing. Those are the issues that matter to the people of Scotland, and those will be the daily responsibility of the new Scottish Parliament.

Mrs. Margaret Ewing (Moray): In the context of the reform of the feudal system, will the Secretary of State advise us about who will be the immediate lawful superior of the site and the building of the Scottish Parliament?

Mr. Dewar: The Scottish Office will certainly be the owner of the site. If the hon. Lady is asking a very technical question about feudal superiority, she will not be surprised to hear that I have not yet personally inspected the title deeds. I can promise her that, if she is interested, I will pass them to her; I have no doubt that she will have an absolutely smashing afternoon—or week, or fortnight—trying to decipher them. She has given me a perfect link to my next paragraph, which is extremely good of her.

Much else, of course, is happening: last week, I was able to announce that the Parliament building would be on a cleared new-build site in the historic heart of Edinburgh, next to the palace of Holyroodhouse, and with the superb backdrop of the Royal park, Salisbury crags and Arthur's seat. It will be an architectural opportunity of the first order: a chance to prove that this generation can literally build for the future with imagination and flair.

There will be much discussion, and no doubt perfectly legitimate dispute, about financial arrangements and the Parliament's European role and relations with Westminster. Those are, indeed, important issues, but the main case, the drive and thrust, is the democratic case for change and for trusting the people to take decisions that affect their lives: the attempt to reconnect the individual citizen to the political process.

Today is about acknowledging the fundamental nature of the reform that this country is about to embark on; it is not about the detail, which the House will debate over the coming weeks. It is my duty to highlight some of the key principles.

Mr. Michael Ancram (Devizes): Before he moves on, will the Secretary of State give the House his latest estimate of the cost of the new building?

Mr. Dewar: I am sure that the right hon. Gentleman will have read the reports of the press conference, where I outlined several factors, including the size of the building, that have led us to revise our estimate. For good commercial and practical reasons, I cannot go beyond what I said then: we think that the cost will be in the region of £50 million. As further firm information emerges, we will try to keep the House in touch with developments, as the right hon. Gentleman will recognise we have done all along.

The Bill delivers the commitments that we gave in the White Paper. Indeed, the vision that stirred so much interest and excitement last July is here in the fine print of the clauses and schedules. The message is that we remain committed to establishing a substantial and powerful Parliament in Scotland.

I now give way with pleasure to the hon. Member for Stone (Mr. Cash), who is part of my past.

Mr. William Cash (Stone): The Secretary of State says that the Bill implements the White Paper. He will recall that the White Paper specifically stated that the Secretary of State's role would not be that of a governor general, but that, if legislation was submitted by the Scottish Parliament, it would automatically be endorsed; but clause 33 makes it clear that that position has been reversed, and that the Secretary of State would have power by order to prohibit the Presiding Officer from submitting a Bill for Royal Assent. Is that not wholly undemocratic, and completely at variance with what he has just said?

Mr. Dewar: I think that the hon. Gentleman—I say this with some sympathy—has misunderstood the situation. It is perfectly true that there is permission to proceed in clause 33. In fact, the clause goes beyond what was suggested in the White Paper.

The White Paper originally set out that, in the areas of devolved power, the Scottish Parliament could operate on its own behalf but could not impact—perhaps "trespass" is a better word—on reserved areas. That seemed to us to be too restrictive. I am glad that the hon. Gentleman has drawn the House's attention to the fact that there is machinery that allows legislation to go ahead even if it trespasses on a reserved power, but in those circumstances, obviously, there has to be agreement. It is an important extension of power that gives flexibility and sensible provision. No doubt it will be used properly in the time ahead.

Mr. Grieve: I am much obliged to the Secretary of State. I may have appeared churlish earlier, but I was a little tongue-tied and surprised that his invitation to me to intervene had been accorded. I now take up his invitation with pleasure.

There is a most surprising provision in clause 54, by which the Secretary of State may compel the Scottish Executive to introduce a Bill into the Scottish Parliament if he so orders. Would he care to explain how that is supposed to work? What will happen if Parliament decides that it is not prepared to accede to and pass that measure?

Mr. Dewar: In that case, the Secretary of State referred to will be the Secretary of State for Foreign and Commonwealth Affairs. There is always a balance in the interests of good government. Subsection (1) of section 54—I should say clause 54(1), as it is not yet on the statute book, so I must not get ahead of myself—says:

"If the Secretary of State has reasonable grounds to believe that any action proposed to be taken by a member of the Scottish Executive would be incompatible with any international obligations, he may by order direct that the proposed action shall not be taken."

Is the hon. Gentleman saying that he would rather have a situation in which a member of the Scottish Executive could act in a way that was clearly incompatible with the international obligations of the United Kingdom, and that there should be no provision to cover that very unlikely event? Unlikely events have to be covered, just in case they become reality. I thought that he would have greeted the clause with some interest, perhaps, but also approval.

I repeat that these are safety devices to deal with situations which I hope will be rare. They may never occur, but they have to be anticipated.

The hon. Member for Stone raised the matter of an extension of power for the Scottish Parliament that is important and sensible.

Mr. Alex Salmond (Banff and Buchan): The Secretary of State will not get any quarrel from me on his

£50 million price tag for a Scottish Parliament. Relative to the £150 million or £200 million for office blocks across the road, sanctioned by the previous Administration, it seems like good value.

On a substantive matter, there has been worrying speculation in the press over the past two days that forestry, which is a devolved function, may be at risk of privatisation or sell-off. Five million of the 8 million hectares of forestry land lie in Scotland. Can the Secretary of State give the House a guarantee that that land will not be substantially sold off or privatised before the Scottish Parliament comes into being, and to protect that land for the people of Scotland?

Mr. Dewar: The hon. Gentleman just about got into order at the end. I read with interest the front-page story in *The Observer* yesterday, which included, for example, the information—which came as a complete surprise to me—that we had decided to sell standing timber to meet the very substantial—admittedly—gap in the financial affairs of the Forestry Commission that were bequeathed to us by the previous Administration. There was a gap of £10 million last year. There will be a gap of £25 million next year, and £40 million for the year after that.

We have not been selling land other than that which was contracted and legally obliged—in other words, in process. I do not anticipate having to do that, certainly not in the next year. Obviously, we have to look carefully at this and find ways to deal with a very genuine difficulty. I say that in a spirit of frankness. I would not pretend that there is not a problem. It is an inherited problem, but it is one that we hope to meet.

Let me describe the structure of the Bill. Part I, clauses 1 to 40, provides for the establishment of the Parliament and for elections to it. It also defines its wide-ranging legislative powers. Part II, clauses 41 to 60, establishes the Scottish Administration, which will effectively be the Government in Scotland in respect of devolved matters. Part III, clauses 61 to 68, provides for the financial arrangements for the Parliament and the Executive, and for the accounting and auditing of the funds made available to them. Part IV, clauses 69 to 75, gives the Scottish Parliament the power to vary the basic rate of income tax for Scottish taxpayers by up to 3p. Part V, clauses 76 to 99, and part VI, clauses 100 to 116, deal with miscellaneous, general and supplementary matters, which will be looked at in detail in Committee.

As my Scottish colleagues well know, clause 1 provides that there shall be a Scottish Parliament. It goes on to provide for how Members of that Parliament will be elected. It is a succinct, straightforward statement of intent.

The White Paper said that the electoral system will enable us to build a Parliament based on fairness, which is what we have achieved in clauses 1 to 17. The principal features of the system are: there will be a fixed four-year parliamentary term with provision for elections within that period in exceptional circumstances; and electors will be asked to vote twice in the elections to the Scottish Parliament—once for a constituency member and once for regional members drawn from lists submitted by registered political parties or individuals standing in their own right.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): The Secretary of State deserves credit for introducing the Bill in such a short time. It is not perfect, but there is no such thing as a perfect Bill.

Notwithstanding the fact that the electoral process was part of an admittedly agreed system under the constitutional convention, what is the Secretary of State's view about the possibility of opening the regional lists to get rid of their party political aspect ? Would he consider allowing a free vote—at least within the ranks of the payroll vote, if not for the whole House—on an amendment to open those lists and get rid of the party political aspect, so as to enable voters to select candidates themselves?

Mr. Dewar: The hon. Gentleman always puts his points so reasonably that I am temporarily beguiled. I cannot give him the undertaking that he wants, although I am prepared to discuss with him the practicalities of that issue, and to explain why it would not be a practical solution.

That is partly because of the number of candidates likely to be involved and the complexities of working such a system, and partly because, unlike the European elections, in this vote a preference could be expressed for a candidate for the constituency seat in which the individual elector lives. That makes it a different situation, and leads me to believe that our proposal, which the hon. Gentleman fairly agrees was discussed extensively in Scotland, is sensible.

Mr. Dennis Canavan (Falkirk, West): I agree in principle with proportional representation for elections to the Scottish Parliament, but why are the proposed regions based on the European Parliamentary Constituencies (Scotland) Order 1996? The European parliamentary constituencies proposed under that order will never have effect for their primary purpose—elections to the European Parliament—because of legislation currently before the House on the new form of elections to the European Parliament.

If the Secretary of State is intent on using European constituencies as the basis for the regional structure, would it not be better to base it on existing rather than amended European constituencies? In my area, people at least have an established affinity with their existing European constituencies, whereas they do not have the same established affinity with the proposed ones.

Mr. Dewar: We can discuss this matter. There was an agreement after detailed discussion at the Scottish Constitutional Convention at which the Labour party was a full partner, and the current European seats seem still to be as convenient a grouping as we have. If my hon. Friend argues that there should be one Scottish constituency, the list of candidates would be enormous; but if he suggests that it would be better to move away from the present familiar groupings within the European constituencies, that would be a matter for the boundary commissioner when the matter is reviewed. We can return to this matter in Committee, but my proposal is sensible.

Dr. Liam Fox (Woodspring): Will the Secretary of State give an assurance that there will be no interference from London in the selection of candidates to appear on the Labour party's list for the regions?

Mr. Dewar: Oh, dear me! Given its source, I am not terribly impressed by that question. We shall produce very Scottish candidates. In the past, the Conservative party

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has had an enormously interesting travelling army, sometimes with famous names, but it has been unable to attract many votes. If the hon. Gentleman is worried about selection systems and strength of candidates, he would be well advised to take lessons from us.

Regional Members will be returned on a corrective basis, which will reflect the proportion of votes cast for the party or individual, while taking account of seats already gained in the constituency ballot. I apologise if that explanation did not run smoothly because I took too many interventions on points of information. I should perhaps learn a lesson from that in the next few minutes. Those arrangements will ensure a strong constituency link, and a closer correlation between votes cast and seats won.

This uncomplicated statement reflects my party's major principled stand, and points to very significant changes in political practice in Scotland. In a four-party system, it is not easy to achieve a simple majority. The Labour party has long been the beneficiary of the weighted results that come with the first-past-the-post system. The decision to move to a more proportional system is an unusual example of principle triumphing over narrow political interests. Our vote was for a Parliament in which every significant strand of Scottish opinion will be fairly represented. That will be achieved: no longer will it be possible for 20 per cent. of the votes to bring no reasonable return of seats.

There will also be a weighting in favour of rural areas, given the population distribution and the regional list system. That commitment is reinforced by the proposal to have separate constituencies for Orkney and for Shetland.

Even a politician with half a wit can see the implications. The arrangements will herald a new flexibility, new thinking and perhaps new forms of co-operation. We have introduced this far-reaching reform because we firmly believe that it is right, and that we can make better democratic progress on that basis.

I should like to highlight the provision that will allow independent candidates to stand as regional Members. That is another advance on the proposals in the White Paper, so it is important that I draw it to the House's attention. It reflects our commitment to open the doors of the Parliament as wide as possible, and to encourage new talent, possibly from outwith the political establishment. All that could add up to a rough ride for the established political parties. If it does, so be it.

Much has been made of our determination to develop a new type of Parliament fit for the purpose, equipped for the future, modern, efficient and accessible. The key decisions about how the Parliament will work will be taken by the Parliament itself. If we were to lay down in tablets of stone how a Parliament with such wide-ranging legislative powers should organise its own affairs, we would be contradicting the principle of devolution at the heart of the Bill.

We shall put in place a framework that the Parliament can develop and build upon. The Bill will ensure, for example, that Members of the Scottish Parliament have rights of parliamentary privilege in relation to the law of defamation similar to those of Westminster Members, and that they declare any relevant interest before taking part in parliamentary proceedings. We shall legislate to give the Parliament substantial powers to order documents to be produced, and to summon witnesses to give evidence on matters within its remit.

Mr. Cash *rose—*

Mr. Grieve *rose—*

Mr. Dewar: I am sorry. I must make progress, or hon. Members will rightly complain about the length of my speech. I know that it is a two-day debate, but nevertheless I cannot give way.

We have established a cross-party working group, under the chairmanship of my hon. Friend the Minister for Home Affairs and Devolution, to draw up proposals on how the Parliament could operate. Our aim is to achieve consensus on best practice by drawing on experience both in this House and in other parliamentary bodies. The results of the group's deliberations will be presented to the new Parliament once it is elected. I stress again that it will be for the Parliament ultimately to decide how to conduct its business, but those proposals should provide a useful starting point.

We promised that the Parliament would have wide-ranging legislative powers, and that we have delivered. Clause 27 of the Bill gives the Scottish Parliament the power to make laws for Scotland. Clauses 28 and 29 and schedule 5 together define those powers in detail by stating what is outside the Parliament's powers. This approach will help to achieve clarity and stability, and by allowing for amendment of the list of reserved matters, it will provide flexibility for the longer term. The procedure for amendment depends on the consent of both Edinburgh and London.

The Bill also provides for all powers under existing Westminster legislation to be transferred to the Scottish Executive where they concern subjects that are not reserved; and for certain specified powers in reserved areas to be devolved to Ministers of the Scottish Executive by order under clause 59, a draft of which will be made available in time for the relevant part of the Committee stage.

Beyond the devolved matters, the Scottish Parliament will be specifically entitled to make laws that trespass on reserved matters, in order to maintain a consistent and coherent body of Scots law. That will allow the Parliament to maintain and develop the distinctive traditions of Scots private and criminal law, while protecting the legitimate interests of the United Kingdom Government.

Mr. Norman A. Godman (Greenock and Inverclyde): With reference to clause 32, am I right in thinking that the members of the Judicial Committee of the Privy Council will be the final arbiters when questions of the legislative competence of a Bill arise?

Mr. Dewar: Yes, my hon. Friend is right about that, and I shall say a brief word about it shortly.

Mr. Cash: The right hon. Gentleman has just said that proper measures are being taken to ensure the integrity of the United Kingdom Government. What about the United Kingdom Parliament? At no point in his speech has he referred to the so-called West Lothian question. When

Members of this Parliament at Westminster have important functions that coincide with functions that would be transferred to the Scottish Parliament, surely they should be allowed to speak but not to vote. Amending our Standing Orders would seem to be the best way of doing that.

Mr. Dewar: No one has argued that proposition to me, and in any case it is not one that I would favour. I have no doubt that the hon. Gentleman will find other occasions to put his point of view across—but he must not see the Scotland Bill as a substitute for European legislation. I for one do not want to fall victim to his relentless energy during the passage of the Bill. He is certainly entitled to put any point of view that he believes in: I know that he will before we are done.

A central theme of the White Paper was that, while the devolved Parliament and Executive will have considerable autonomy, Scotland will remain an integral part of the United Kingdom. I hope that that is of some satisfaction to the hon. Member for Stone. Relations between Edinburgh and London will be based on consultation, consent and co-operation at official and ministerial level, buttressed when necessary by non-statutory agreements between Departments. No provision is required or made in the Scotland Bill, because relations will evolve and build on the present good working relationship between Whitehall and the Scottish Office.

Our aim is always to minimise friction, via a settlement which achieves that. The Bill includes a fair and open system for resolving disputes over vires. The Law Officers either of the UK Government or of the Scottish Executive will be able to refer a Scottish Bill to the Judicial Committee of the Privy Council if they have doubts about its competence. The Judicial Committee, for these purposes, will be composed of people who are or have been Lords of Appeal in Ordinary, or who otherwise hold or have held high judicial office. That is an important advance on the proposal in the White Paper to restrict membership to the 12 Lords of Appeal in Ordinary. It will mean a bigger pool of available candidates, north and south of the border.

The second part of the Bill deals with the Scottish Administration. That will in effect be the Scottish Government in relation to devolved matters. The Scottish Executive will, as we promised, be headed by a First Minister appointed by the Queen. It will consist also of Scottish Ministers, and the Lord Advocate and the Solicitor-General.

Mr. James Gray (North Wiltshire): Will the right hon. Gentleman give way?

Mr. Dewar: No, I want to make progress. I have been talking for almost 35 minutes, and I must hurry on.

The Executive will be fully accountable to the Parliament. Ministers must be approved by the Parliament. No Executive will be able to survive a vote of no confidence.

The Bill provides that the Lord Advocate and the Solicitor-General must be members of the Scottish Executive. There will be a Scottish Law Officer in the UK Government—the new post of Advocate General for Scotland. The Bill will protect the independence of the Lord Advocate in relation to the prosecution of crimes and investigation of deaths, and it gives him the right to decline to answer questions in Parliament about individual criminal cases.

We are looking for a new balanced partnership between the executive and legislative branches of the state in Scotland. This will promote consensus and good government. There will need to be more give and take; more listening; more co-operation. Those will bring real benefits to the people of Scotland.

The other central feature of the constitution is the judiciary. It is right that responsibility for the judicial and court system should be devolved, and the Bill so provides. That was not the case in the Scotland Act 1978, but the judiciary is at the centre of the legal system, and the legal system is at the heart of the Scottish difference that justifies devolution.

Safeguards to protect the position of the judiciary have been built in. For example, dismissal of a judge will be possible on the recommendation of the First Minister if two thirds of the Members of the Parliament vote in favour of it. That is an important safeguard to ensure that no judge can simply go on—[*Laughter*]—can simply go on the say-so of a simple majority vote. I rather liked that. It was a rather pleasing mangling of the English language. I must practise.

The Government promised in the White Paper that the Parliament would be established on a sound financial basis, and clauses 61 to 68 fulfil that commitment. They set out the financial arrangements for the Parliament and the Executive, including the accounting for funds that are made available to them.

The Government published last month a paper setting out the principles that will govern determination of the block budgets for the Scottish Parliament and the Welsh Assembly. The Barnett formula will continue to operate under devolution, subject to minor adjustments to take account of population changes. Following the precedent set over many years in the case of the Scottish Office budget, the formula will remain an administrative arrangement.

I am grateful to the hon. Member for North Essex for his recent assurance in *The Scotsman* that

"the Tories stand by the existing public expenditure settlement for Scotland because it reflects the country's need."

That is an important and significant statement. The Bill will transfer to the Scottish Parliament the fundamental power to determine its own expenditure priorities, and to answer to the Scottish people who will be affected by them. That is the essence of democracy.

Part IV deals with the tax-varying power. Subject to the outcome of the referendum, the Government promised to give the Scottish Parliament a limited power to vary the basic rate of UK income tax in Scotland by up to 3p.

The decisive vote on the second question in the referendum surprised many people—including some of the most enthusiastic supporters of devolution. Faint hearts there were in plenty, and I understand why, in a political world that is too often dominated by the gloomy theories laid out in the culture of contentment, that should be so. Scots challenged that orthodoxy. Scotland wanted the power to vary revenue—the discipline and the responsibility. The Bill reflects that will.

The clauses and the power itself have been the subject of considerable debate. The power could add or subtract in any one year more than £400 million at today's prices

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to or from a block of £14 billion. In my view—and, plainly, in the view of the people of Scotland—it represents an important fiscal flexibility that is appropriate for a grown-up Parliament with grown-up powers.

I recognise that some are disappointed, and that they see the proposal as timid and cautious. I noticed that, in *The Sunday Times* a few days ago, Mr. Brian Monteith, that leading statesman of the "Think Twice" anti-devolution campaign, was reported as stating:

"there is considerable growth of support for this Parliament to have greater taxation powers and fiscal independence. We need to scrap any idea of a 3p variation in income tax and allow Scottish Chancellors to set their own budgets."

To be fair, Mr. Monteith and his ilk do not necessarily represent the Conservative party.

I turn now to European affairs. As the White Paper made clear, relations with the European Union are necessarily reserved to the United Kingdom Government, because the United Kingdom is the member state. However, the Bill gives the Scottish Parliament and the Scottish Executive the full powers they need to honour and implement European Community obligations as they relate to the devolved areas.

The Parliament will be able to scrutinise relevant European Union proposals, and legislate to give effect to Community obligations in Scotland. Crucially, schedule 5, which sets out the reserved powers, provides an exception that paves the way for the Scottish Executive to play a full part in negotiations alongside the United Kingdom Government.

Mr. Oliver Heald (North-East Hertfordshire): Will the right hon. Gentleman give way?

Mr. Dewar: May I finish just the European section? Then I will, of course, give way to the hon. Gentleman.

Much has been made of the omission from the Bill of a specific right in law for the Scottish Executive to be involved alongside the UK Government in negotiations, but this Government remain fully committed to the undertaking that we gave in the White Paper. Ministers of the Scottish Executive will be as directly and fully involved as possible in Government decision making on EU matters, and will have a role to play in relevant Council meetings and other negotiation with EU partners.

Indeed, it may be of interest that the Minister with responsibility for local government and housing in my team is absent from the Bench today because he is in Stockholm discussing European spatial development on behalf of the UK with his Swedish counterpart, in preparation for the important discussions at the informal ministerial meeting in Glasgow later this year. The UK is the member state. We must have a common UK position and a single UK delegation. We are not proposing independence.

Mr. Ancram: This is an area of concern. The right hon. Gentleman has made the point that his colleague is today acting as a United Kingdom Minister. Does the right hon. Gentleman agree that that is because he is a United Kingdom Minister and is able so to act, representing the United Kingdom within the Councils of Europe in whatever respect, and that, once there is a Scottish Parliament and a Scottish Executive, a Minister from that Scottish Executive will be able to participate under schedule 5 only at the invitation and the whim of the Westminster Government, and not as a right?

Mr. Dewar: That is a decision for the United Kingdom delegation. The right hon. Gentleman will know, because he was in the Scottish Office at one point in his career, that that is always a matter for agreement. I would be sorry if he were to suggest that the decision of the United Kingdom Parliament to devolve power to a Scottish Parliament would somehow throw Scotland into utter darkness in relation to the EU. That is not the intention, and it is not going to happen.

Mr. Heald *rose—*

Mr. Salmond: Legislation would not have to be very good to improve on the position in the past five years, because, from 1992, Scottish Ministers were represented at less than 10 per cent. of European Council meetings, but it was not just the supporters of independence who argued for this right to be put in statute. Does the Secretary of State remember that, a year ago, at the Scottish Grand Committee in Edinburgh, the then shadow Foreign Secretary, now the Foreign Secretary, argued for the power and right of observer status, implying that that would be written into the Bill?

Mr. Dewar: As the present arrangement has been negotiated with the Foreign Office—discussed and agreed with the Foreign Office is perhaps a better way of putting it—under present management, the hon. Gentleman's fears are misplaced. It is the end product that is important. It is making the system work that is important. The concordat and the arrangements that we have put in place are adequate—I am very confident about that.

Of course it is right that the precise arrangements for involving Scottish Ministers will need to be flexible and capable of evolving over time. I agree that flexibility is essential, and it must be in the context of these arrangements, which provide for sensible co-operation between the UK and Scottish Administrations.

Major advantages for Scotland will come with the new arrangements. Devolution will give a constitutional basis, which in turn will give Scotland a higher profile and the ability to relate as an equal with the German lander, the Spanish provinces and the other forms of devolved government that are the mark of so many successful European states. It is at that level that much business is done in Brussels—alliances struck, tactics evolved, pressure applied. It is a new dimension that will be reinforced by a Scottish representative office in Brussels, briefing Edinburgh and supporting Scotland's efforts in Europe.

Mr. Salmond *rose—*

Mr. Heald *rose—*

Mr. Dewar: The hon. Member for North-East Hertfordshire (Mr. Heald) has been trying to intervene for a long time, so I give way to him.

Mr. Heald: Will a Scottish Executive Minister ever be able to represent and to speak for the United Kingdom in European Council meetings?

Mr. Dewar: Who leads and who contributes has always been a matter for the delegation. To a large extent,

it depends on the subject. As the right hon. Member for Devizes (Mr. Ancram) knows, Scottish Office Ministers have had a particular interest in certain areas, and I would expect that they would take an active role in those areas.

Sometimes, the interest in the devolved areas may be less direct, and that might lead to a variation in practice, but if the hon. Gentleman imagines that there is some sort of barrier or prevention clause, the answer is no, not at all. If he considers the totality of the deal, and the new areas into which Scotland can now break and in which it can operate, I think that he will realise that there are substantial advantages in the machinery that is being set up.

Mr. Salmond *rose—*

Mr. Dewar: The hon. Gentleman—I come to the point, because I can almost read his mind—is going to suggest that the German lander have a statutory right to representation in the German delegation, and that the Scottish Executive should have such a right, too. I suppose that that is an argument, but I might advance other examples, such as Catalonia or the Basque territory, which do not have such a statutory right, and he would not subscribe to the view that Catalonia, for example, had been ineffective in making its presence felt in Europe.

Again, this is a matter on which the hon. Gentleman and I will no doubt cross swords on many occasions at later stages in the Bill, but I hope that that will at least keep him in his seat, even if only momentarily. If it does not, Madam Speaker, I will have to invoke your authority, as I want to hurry on and finish my speech.

Mr. Salmond: Will the right hon. Gentleman give way?

Mr. Dewar: Oh well, I give way.

Mr. Salmond: The right hon. Gentleman read half my mind, which is obviously a large concept in itself. I have now found the reference to the Foreign Secretary when he was shadow Foreign Secretary. When the example of the German lander was raised in the Scottish Grand Committee a year ago, he made exactly the point that I mentioned. At what stage over the past year did the Secretary of State's view that there was not a statutory right of representation or observer status prevail, thereby overturning the Foreign Secretary's statement to the Scottish Grand Committee?

Mr. Dewar: My right hon. Friend the Foreign Secretary and I are as one. The system that we have put in place commands support not only in the Government, but in many other quarters. It is sensible, but flexible. It recognises Scotland's position within the United Kingdom and its duty to be part of the delegation, to progress the UK point of view and to influence the formulation of policy. It gives it new areas of operation in Europe that will be enormously important.

If the hon. Gentleman wants to carp and say that that is not a satisfactory situation, he is entitled to do so—he is practised at it. He and I have done that together over many years, and I fear that, if our personal plans come to fruition, we may go on doing so for a very long time.

The Scotland Bill is a substantial as well as a far-reaching piece of legislation, running to 116 clauses and eight schedules. It must be scrutinised properly over the coming months in this House and in another place.

In recognition of the complexity of the Bill and its interaction with so many other enactments, I am making additional information available to hon. Members. Copies of the guide to the Bill and a list of all the enactments referred to in the Bill are already available in the Library. I shall also place there shortly a compilation of extracts from enactments which the Scotland Bill would amend. Before the beginning of the Committee stage, I shall publish comprehensive notes on clauses, which I hope will be of some help to those who try to follow the debates.

I commend the Bill to the House. It represents

"an irreversible watershed with the past."

Some may think that claim a little over-bold, so it is obviously a quotation that is intended to embarrass the Opposition. Indeed, it comes from Sir Malcolm Rifkind, who, given his extensive travelling, must surely know an irreversible watershed when he sees it.

The Bill is bold, innovative legislation. It is a radical constitutional measure, designed to bring the processes of government closer to the people. Our aim is a more pluralist, outward-looking democracy that is in tune with the modern world. We want to build a system of government that people can access easily, feel part of, and take part in.

In the referendum campaign, political parties came together to co-operate in a common cause, and I pay tribute to that spirit. To do so is not to ignore the fundamental differences that exist and the tough talking that lies ahead. However, there is a willingness to accept the decision of the people, and a determination to make the Parliament that is to come a constructive force earning the respect of the country.

I detect—but I say it in no sniping tone—that that is increasingly the mood of the Conservative party, illustrated in recent moves in Scotland and in the measure of agreement reached over future progress on the Bill. I welcome that. It must be right that all of us work within the democratic framework, according to conscience and in the interests of the people.

The Scottish Parliament will have the power to make the law of the land on a wide sweep of matters central to quality of life, such as education, health and housing. It will be the guardian of traditions built by Scots over the centuries. It deserves to be taken seriously. Endorsed by the people, it is a trust passed by the people to its elected Members—a trust that must not be betrayed.

In 1999, a Scottish Parliament will sit in Edinburgh for the first time in almost 300 years. It is not the reincarnation of the nation state which, in 1707, entered a partnership which became the United Kingdom; it is unashamedly a settlement within the United Kingdom—unashamedly, because the majority of Scots are determined to maintain the bonds of friendship, trust and common interest built over time. It has been and always will be the views of the people of Scotland that will alone decide their future.

However, this is a radical change, providing democratic opportunity and a stronger voice for Scotland in the UK. By establishing that our constitution can adapt to meet the needs of the time, it strengthens the Union and enriches the country as a whole. It will be a Parliament fashioned in Scotland, for Scotland, and with the ability to build a better Scotland.

4.24 pm

Mr. Michael Ancram (Devizes): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House, while accepting and respecting the clear decision of the Scottish people in favour of a devolved Scottish Parliament with limited income tax-varying powers, nevertheless believes that the Scotland Bill is not an acceptable measure because it fails to create a constitutional settlement which is stable and enduring within the United Kingdom; because it undermines Scotland's role both in Europe and within the Government and Parliament of the United Kingdom; and because its lack of clarity on taxes and resources threatens the interests of Scottish business, Scottish people and Scottish jobs."

The Secretary of State referred on a number of occasions to my friend and his friend, Sir Malcolm Rifkind. Sir Malcolm said that he did not believe that a measure such as the Scotland Bill would necessarily lead to the break-up of the United Kingdom, but predicted that it would lead to a generation of constitutional turmoil. It is perhaps worth recalling that prediction when we examine the Bill's details.

Our amendment makes it clear that we do not seek to oppose the principle of the proposals, but we oppose the manner in which the Bill attempts to establish them. On 11 September 1997, the Scottish people endorsed the concept of a Scottish Parliament with tax-varying powers, and I respect that democratically expressed view. We have always said that if that were the clear verdict of the Scottish people, as Conservatives and Unionists, we would try to make it work, not only to Scotland's benefit but in the way least likely to damage the United Kingdom.

Scottish Conservatives will stand for and participate in a Scottish Parliament, and we will ensure that the voice of Scottish conservatism is heard loud and clear within that new democratic institution. As Unionists, we will continue to attempt to thwart the nationalists' ambitions for separation, which lay at the heart of their support this summer for the Government's devolution proposals.

We shall approach the Bill also in a constructive manner. Ideally, we would not have started from the same basis. We maintain our view that the Bill contains within it the seeds that will loosen the bonds that hold together the United Kingdom and could well lead to its break-up. We have no regrets that we placed those fears firmly before the people of Scotland in the referendum, even if they ultimately chose to take the risk, because that is what democracy is about. We can take pride in having had the courage, against the odds, to stand up for our principles and to have spoken the truth as we saw it.

The political reality is now clear: there will be a Scottish Parliament. The irony is that we are considering a Bill that is so badly drafted, that so comprehensively fails to face up to the need to avoid creating conflict between Scotland and England and that reduces Scotland's influence within both Europe and the United Kingdom that it is for us as Conservatives—the one party that stood against devolution—to try now, for the sake of the United Kingdom, to make the proposals work.

The nationalists long for the proposals to fail. They know, as we do, that failure will be the quickest road to separation. The Liberal Democrats are so immersed in a romantic haze of Gladstonian home rule euphoria that they can no longer see the wood for the trees. So far, they have had very little constructive comment to offer to the debate. Both the nationalists' and the Liberal Democrats' attitudes are dangerous because, whatever we may think of the proposals and the dangers inherent within them, no one can gainsay that the proposals are fundamental and historic, and that they will change the very nature of our constitution.

I am glad that—apparently, from reports before Christmas—our arguments have been listened to and that the entire Bill will be considered on the Floor of the House. A constitutional measure of this significance and magnitude should not be spirited away to a Committee Room. Moreover, it is an insult to Wales and to the Government of Wales Bill that that Bill, at the insistence of the Secretary of State for Wales, will be humiliated by not being considered in a similar manner. The Secretary of State for Scotland obviously has a much greater awareness of the far-reaching constitutional character of his legislation than his Welsh colleague has of his.

We shall treat the Scotland Bill with all the seriousness that a major constitutional measure merits. The Bill's seriousness has been acknowledged by the fact that all its stages will be taken on the Floor of the House. It will be our purpose not to delay or to destroy, but to try to redeem this unsatisfactory constitutional hotchpotch. We do not fear reform of the constitution, as long as it is demonstrably beneficial and intrinsically stable. After all, over the years it has been Conservative Governments who have developed the system of government in Scotland and, in particular, the devolution of administration.

Our positive aims, which we shall bring to our consideration of the Bill, are the improvement of Scottish government and the strengthening, rather than the weakening, of the United Kingdom. I hope that the Government will respond to our arguments—*[Interruption.]* If they care to listen, I hope that the Government will respond to our arguments in the same positive way that we make them.

Mr. Michael Connarty (Falkirk, East): I wonder whether I heard the right hon. Gentleman correctly. Did he say that his party would not seek to delay the Bill at all? Is he also making that commitment for the House of Lords?

Mr. Ancram: I am saying that we are seeking not to delay or destroy the Bill, but to make it workable in a way that I believe it is not at the moment. They are our positive aims which we shall bring to the legislation.

I harbour no great hopes that we shall get a hearing from the Government. The haphazard and curiously arrogant way in which they have approached the legislation has at times bordered on the irresponsible. The path to this legislation has been strewn with delay and incompetence—*[Interruption.]* Labour Members laugh, but why, given the mad rush of the summer when we were told that there was such urgency for devolution that there was no time for proper debate before the referendum, are we only now, four months after the referendum, starting on this legislation? *[Interruption.]* The Secretary of State for Defence says, "Five years," but his party has had 18 years to prepare the legislation, and it is quite amazing that it has taken so long.

What sort of incompetence ensures that as we begin considering the legislation, we are only now told that there will be no proper home for the Scottish Parliament when it is first elected, nor, indeed, for many months after

that? Perhaps the Minister will tell us when the recently announced Holyrood Parliament building will be ready. What will be the true cost? We have heard another estimate today—it is just one of many, and each is higher than the last. What will be the cost of housing the Parliament in temporary accommodation in the interim, and where will that money come from? No one seems to know, but the Government have had all of 18 years to think it through.

Mr. Salmond: The Secretary of State and I have a reasonably well-publicised disagreement about what the best location for the Parliament would have been, but I am rather confused by the Opposition spokesman's remarks. Is he saying that he would have started to build or renovate the Parliament building earlier? If so, at what stage—before the election, or before the referendum? At what stage would he have prepared the Parliament so that we could have walked into it?

Mr. Ancram: I would not have prepared the Parliament because we did not propose such a Parliament. However, the Labour party has been proposing this Parliament for 18 years, since it was last in office. It is extraordinary that the first victim of homelessness of this Government appears to be the Scottish Parliament, once it has been elected. If any business proceeded with its basic structural planning in that way, it would be lucky to survive. The Government should have the grace to be ashamed.

Let us face it—the newly proposed building at Holyrood will cost considerably more than the people of Scotland were told by the Secretary of State during the referendum campaign. He must admit that all this expenditure will come from moneys that would otherwise have been available for Scotland's schools, hospitals, roads and housing. Scotland, we are told, deserves a Parliament building commensurate with its status, and we do not begrudge some extra cost to achieve that. Of course, none of us wants a Scottish Parliament to be inadequately housed, but why were we not told about the costs during the referendum campaign, when those of us who predicted that the cost projections would prove woefully underestimated were accused of cynical scaremongering? Let the Government tell that now to parents looking for extra resources for their children's schools or to patients waiting for operations.

Did the Secretary of State—I will give way to him so that he can answer the question—know that his White Paper figures were inaccurate? If he did, why did he not come clean during the referendum campaign? Alternatively, was he so badly advised that what was clear to the rest of us was kept from him by his advisers? In that case, must he not accept that he and his office have been grossly incompetent? It must be one of those answers. Perhaps the Secretary of State would like to respond. The sad thing is that it is the people of Scotland and not the Secretary of State who will have to pay the price for that incompetence.

Mrs. Maria Fyfe (Glasgow, Maryhill): Would the right hon. Gentleman care to remind the House how many millions of pounds went down the plughole with the poll tax?

Mr. Ancram: The hon. Lady will remember that because of the response to the poll tax, it was removed and the policy was changed. I suspect that she is not saying that if the Scottish Parliament turns out not to work, she will call for its abolition in five years' time.

Mr. Shepherd: I am slightly puzzled. Does my right hon. Friend genuinely believe that the point about the Parliament building would have made a difference to the outcome of the referendum?

Mr. Ancram: It would not have made a difference in itself, but if my hon. Friend allows me to develop my remarks, he will find that the Parliament building is the first of a number of issues on which points that we made during the referendum campaign, when we were accused of scaremongering, are now turning out to be the truth.

I offer the Secretary of State my best wishes on his decision to leave Westminster and to commit himself by standing for the Scottish Parliament. I presume that he will stand down as Secretary of State. If, perchance, he attained the rank of First Minister—that must be up to the Scottish electorate—and was bound by the collective responsibility of a Westminster Cabinet job, he would hardly be able to deliver devolution, because his first responsibility would be to a United Kingdom Cabinet. I take it that if the right hon. Gentleman was First Minister, he would stand down as Secretary of State for Scotland.

Mr. Gray: Am I right to understand that if there was a Conservative majority in the Scottish Parliament and if, as a result, my right hon. Friend had the good fortune to be appointed First Minister, he would give up his job here as Secretary of State and would resign his seat in this House?

Mr. Ancram: That hypothesis is unlikely to arise. The principle, however, behind what my hon. Friend has suggested is logical and one that I would expect the Secretary of State to follow.

Rather charmingly, the Secretary of State has told us on many occasions that he and the Scottish Parliament will have to learn what he calls new tricks, a somewhat strange and circus-like description of how he sees the Scottish Parliament operating. It appears that he will also have to make new friends.

The great new political adventure for Scotland does not, apparently, hold similar attractions for the vast majority of the right hon. Gentleman's Scottish colleagues here. The Foreign Secretary seems to want to stick with international affairs or whatever here in London although, to be fair to him, he was never a great enthusiast for a Scottish Parliament. The Chancellor of the Exchequer, who most certainly was an enthusiast, suddenly finds his recently rehatched plot to become the real tied occupant of his flat in No. 10 Downing street infinitely more attractive.

The Secretary of State for Defence—I am sorry that he has left his place on the Front Bench—who once publicly and passionately committed himself to standing for the Scottish Parliament, apparently now sees himself as God's gift to our armed forces and as indispensable. Is it not wonderful how a few months at the Cabinet table quench a Scottish Labour Front Bencher's enthusiasm for the building of the brave new Scotland?

[Mr. Ancram]

What of the rest of the Scottish Labour Members? We learned before Christmas that only a mere handful of them share the Secretary of State's enthusiasm for this historic adventure. Most, apparently, feel historically adventurous enough here at Westminster. Most Labour Back Benchers appear quite happy to abandon their responsibilities for the education, health, housing and local problems of their constituents and to become, effectively, part-time Members of Parliament here. So much for bravehearts. [HON. MEMBERS: "Oh."] Labour Members may jeer. How many of the current Scottish Labour Members of Parliament will stand for the Scottish Parliament? Will it be five, 10 or 12? Hands up those who will stand for the Scottish Parliament. Not a single hand has risen on this occasion.

Mr. Hogg: Is not the point being made by my right hon. Friend all the more remarkable when one reflects that the work load of Labour Members representing Scottish constituencies will be infinitely less after devolution? Is it not truly remarkable that they are not anxious to sit in the Scottish Parliament, where the real work will be done?

Mr. Ancram: My right hon. and learned Friend makes an important point, to which I shall refer in a moment.

Mr. Martin O'Neill (Ochil): Will the right hon. Gentleman tell the House on how many occasions he turned his back on constituencies in Scotland when they rejected him for the inadequacy of his performance in the House? As far as I know, they were East Lothian and Edinburgh, South. No other constituency in Scotland was prepared to select him, let alone let him stand.

Mr. Ancram: The hon. Gentleman totally misses the point. The Secretary of State is telling us that this is an historic political adventure. Why do not his Back Benchers agree with him? Why are they voting with their backsides and remaining here?

Mr. John Home Robertson (East Lothian): Will the right hon. Gentleman give way?

Mr. Ancram: I must make some progress.

The Bill sets up a Scottish Parliament. It provides for income tax-varying powers. It seeks to identify the powers that will be held by a Scottish Parliament by defining those that are reserved to the Westminster Parliament. As a lawyer, I have to say that it is a mixed bag. There are areas that are ambiguous, areas that are somewhat frightening in their draconian effects on individual rights and a few areas that are incomprehensible, but they are essentially matters for the Committee stage.

What worries me most today and is at the heart of our amendment is the general underlying thesis in the Government's approach that, whatever the concerns about the viability of the proposals, it will be all right on the day, because everybody will want it to be and will want to make it work. New Labour, new politics, new consensus, new tricks and no problems may sound fine, but to rely on that as the basis for long-term constitutional reform is to fly in the face of history and the natural forces of politics. Historically, those who do that tend to court disaster.

Mr. Canavan: Will the right hon. Gentleman give way?

Mr. Ancram: First, I will make some progress.

We know, because they have told us, that members of the Scottish National party will try to undermine and destroy any comfortable consensus between Edinburgh and Westminster. We also know that there are Labour Members in England who are concerned by what they see as Scotland having its cake and eating it and England paying. We know that there are potential rivalries of great magnitude within a devolved United Kingdom, not least when the slumbering English giant begins to stir. To build a constitutional reform of such magnitude on the shifting sands of a romantic dream of brotherly love and eternal co-operation is, quite bluntly, unrealistic.

Constitutional reform should never be undertaken on the basis of things as we would wish them to be—on the fair-weather or best-case scenario. It should be tested against the likelihood of the storm, against the worst-case scenario—the times when consensus and co-operation are at a premium, if they exist at all. Little in the Bill passes that test, and that failure bodes ill for Scotland and the United Kingdom.

Mr. Canavan: The proposals are based not on shifting sands, but on the expressed wish of the people of Scotland. There seems to be an inherent contradiction in the Opposition amendment, which

"while accepting and respecting the clear decision of the Scottish people",

goes on to declare that

"the Scotland Bill is not . . . acceptable".

The Scotland Bill was based on the White Paper and the proposals in the White Paper were acceptable to the people of Scotland, as expressed in the referendum. Therefore, the Opposition are saying that the acceptable has become unacceptable. It is a clear contradiction in terms.

Mr. Ancram: The hon. Gentleman, who failed to get an answer from the Secretary of State, who misunderstood his original question, might do me the honour of listening to my argument. We accept that the vote in the referendum was for a Scottish Parliament with tax-varying powers. That question was put to the people of Scotland. We are asking whether the Bill will provide that in a way that is stable and will work to the benefit of the people of Scotland. I shall continue to argue that the Bill has a number of glaring omissions and contains provisions that will increase the instability of the constitution of the United Kingdom and ultimately make the proposals unworkable. That is why we shall seek constructively to analyse the omissions and weaknesses in the Bill, in order to correct them.

Mr. Cash: Will my right hon. Friend give way?

Mr. Ancram: Perhaps my hon. Friend will allow me to make a little more progress, as I am conscious of time.

The central need is to eliminate the areas of potential conflict between Edinburgh and Westminster and between Scotland and England more generally, with which the Bill is littered. The greatest danger to the United Kingdom lies within those areas. As Unionists, we must seek to eradicate the potential flashpoints.

The most glaring areas of potential conflict are those outlined in our amendment. The failure to resolve the fundamental problems of the imbalance between Scotland and England that the proposals in the Bill make inevitable will eventually and inevitably lead to English resentment. The undermining and marginalising of Scotland's position in the United Kingdom and within the Councils of the European Union will inevitably lead to Scottish resentment. Other factors include the creation of constitutional flashpoints by the inclusion of half-baked and ill-thought-out provisions relating to the increase of powers, the exercise of vetoes and the creation of unworkable constitutional anomalies. Last but certainly not least is the failure to provide any assurance or definition on the face of the Bill on the future financial relationship between Scotland and the rest of the United Kingdom.

Mr. Cash: Does my right hon. Friend have an answer to the so-called West Lothian question, and is it part of the policy of the official Opposition to deal with that question when we consider the Bill in Committee?

Mr. Ancram: If my hon. Friend will allow me, I am coming to an important point to which I have already referred.

Each of the areas that I have set out provides the rocks on which the United Kingdom could ultimately founder, yet the Government—and we have heard it again today—sweep our concerns aside with bland assurances of consensus, concordats and good will.

Let me say in all seriousness to the Secretary of State that consensus is not a natural political state, concordats rarely survive political change and good will can never be the cornerstone of the realist, yet that is all we are offered in response to our concerns. For those reasons, we believe that, in its present form, the Bill fails the worst-case scenario test in each of the categories that I mentioned, and that, unless the deficiencies are rectified during the legislative process, our dire predictions during the referendum might well come to pass.

We need to look more closely at the areas that I have set out. The question of the post-devolutionary balance of the United Kingdom is central. It is most clearly seen in the consequences of devolution on the United Kingdom Parliament at Westminster. For all the Prime Minister's protestations last year about sovereignty remaining with him

"as an English MP at Westminster"

and a somewhat half-hearted reassertion in the Bill at clause 27(7) of the power of the Parliament of the United Kingdom to legislate for Scotland, the long-term position of the Westminster Parliament and its Members is far from clear. It should be robustly clarified by a firm statutory affirmation that, notwithstanding the establishment of the Scottish Parliament or anything in the Bill, the supreme authority of the United Kingdom will remain unaffected and undiminished over all persons, matters and things in Scotland.

As I understand it, that is the position of the Government in practice. I believe that they should have the courage to put it on the face of the Bill, so that there can be no room for doubt by anyone outside. To do so would underwrite the political imperative of the Union and provide reassurance that the Bill is not the beginning of a slippery slope to separation.

Mr. Dewar: Has not the right hon. Gentleman looked at clause 27(7)?

Mr. Ancram: Had the Secretary of State been listening, he would have heard me describe it as a half-hearted reassertion. I am asking for a full reassertion of the supremacy of the Westminster Parliament.

Another area of instability has been referred to by a number of my hon. Friends. It is known as the West Lothian question, but might more accurately be described as the English dimension. Surely it is quite clear that within the Union we cannot have a Parliament where some Members can vote on matters affecting the constituents of others, but where they can no longer vote on them on behalf of their own constituents. I can envisage English resentment arising if a group of Scottish Members with much reduced work loads in relation to their own constituencies were able to influence decisions on matters that had nothing to do with them. That situation has all the makings of a classic constitutional grievance, which could quickly become a flashpoint—in this case, in the most sensitive area of future Anglo-Scottish relations. An answer must be found to that.

Mr. James Wallace (Orkney and Shetland): The right hon. Gentleman has pinpointed what he believes to be an area of instability. What instabilities were there with the United Kingdom Parliament before 1972, when hon. Members from Northern Ireland could vote on matters relating to Scotland, but not on matters relating to their own constituencies?

Mr. Ancram: I am coming to one of the corollaries of the Northern Ireland situation. There were far fewer hon. Members from Northern Ireland relative to the representation of the rest of the United Kingdom.

There are no easy answers, only less than satisfactory options, such as the designation of Bills as English Bills open only to English Members, an all-powerful English Grand Committee sitting at Westminster on certain days, or the more extreme idea of a separate English Parliament. All those proposals contain serious constitutional flaws or dangers to the Union. They all flirt with English nationalism, which is every bit as dangerous to the Union as Scottish, Welsh and Irish nationalism. We shall need to explore and debate all those options in the coming months. The private Member's Bill of my hon. Friend the Member for Billericay (Mrs. Gorman), to be debated this Friday, will provide a useful opportunity to begin that process.

The Bill provides for the boundary commission to create parity of representation in terms of electoral quota between England and Scotland. In due course, that will reduce Scotland's over-representation at Westminster, but the proposal has some weaknesses. It will create parity of electoral quota where there will be no parity of responsibility or quality of constituency representation. Scottish Members of Parliament at Westminster will have

[Mr. Ancram]

considerably less to do than their English counterparts. The electoral quota cannot measure work load in their case. There is a strong argument for more stringent criteria, which would result in even fewer Scottish Members at Westminster, reflecting the fact that Scotland will have its own Parliament and the ability to legislate and govern for itself.

The next weakness is the time scale. The Bill envisages the boundary commission operating to its normal timetable, with the next report due only after the next election. Apart from squandering good will in England, it cannot be good for Scotland to find that, within a year or two of the Scottish Parliament getting going, its numbers are cut to reflect the changes in the number of Scottish Members at Westminster. It makes little sense to set up a Parliament, ask it to bed down and then make fundamental changes to its size and composition.

We want the boundary commission to do its work before the next election—ideally in time for its findings to be taken into account in the elections for the Scottish Parliament, as well as for the next Westminster elections. If it starts now, there is no reason why that cannot be achieved. It would be a way to calm one area of potential resentment.

As great a matter for concern is the focus for resentment that could arise from perceived broken promises and dashed expectations. Much was made during the referendum campaign of devolution strengthening Scotland's position in Europe and in the United Kingdom. Some of us questioned that at the time and were roundly abused for doing so, but it appears that we were right. The Bill is ominously silent on those issues, particularly on Europe. Schedule 5(6), to which the Secretary of State referred, merely allows the Scottish Parliament to assist Ministers on Europe. There is no statutory protection of Scotland's current direct access to the Council of Ministers. There is not even a statutory formulation of the lesser promise in the White Paper of access by invitation of the Westminster Government. No attempt has been made to implement the brave words in the White Paper about giving Scotland a presence in Brussels. It is all left to agreements and concordats, which will be transient and non-binding.

At a time when critical matters affecting the future livelihood of Scots in agriculture, fishing and development funding need to be dealt with, Scotland's input is apparently to be dependent on a passing political agreement that can be neither guaranteed nor enforced. If ever there was a subject for what the Secretary of State has described as making "provision against every eventuality", it must be in this crucial area, but the Bill fails dismally and damagingly to do so.

Mr. Hogg: Is there not a further difficulty with the presence of representatives from the Scottish Parliament in European Councils? Ministers from the Scottish Office are listened to in the Council of Ministers because they are Ministers of the United Kingdom Parliament. That will not apply to Members of the Scottish Parliament. They will not be listened to by the Council of Ministers, because they will not be United Kingdom Ministers.

Mr. Ancram: My right hon. and learned Friend is right, but the problem goes further than that. I suspect that the reason for the lack of provision in the Bill is that, although the White Paper outlined the possibility of a Scottish Executive Minister leading for the United Kingdom in the Council of Ministers, no answer was given on how he would answer to the United Kingdom Parliament for the leadership that he gave. There would be a serious question mark about accountability if that situation were allowed for.

In the light of the assurances given on Scotland's voice in Europe, the realisation that access to European Councils for Members of the Scottish Parliament will be guaranteed only by the good will and the whim of future Westminster Governments will create great resentment in Scotland. It will be a gift to the forces of nationalism and those who seek separation. I seriously suggest to the Government that they need to do something about that during the passage of the Bill.

It is not good enough for the Secretary of State to say that the situation will remain as it is now. It plainly will not. At the moment, we have one Government speaking with one voice. In future, there will be two Governments who will not necessarily agree.

We must also question the marginalisation of Scottish Members at Westminster and the concomitant diminution of the influence of Scotland at the centre. The history of Ulster Members at Westminster in the 50 years between the setting up and the suspending of Stormont is salutary. The once powerful and influential voice of Ulster at the centre of United Kingdom affairs quietened quickly after devolution and then grew even quieter. I do not want Scotland to follow that precedent, which would be the antithesis of the stronger voice in the Union that was promised to Scots by the Government during the referendum campaign.

The stark truth is that after devolution, Scottish Members will be comparatively part-time. They will have very little conventional constituency work to pursue. However the West Lothian question is resolved, they will surely feel diffident about becoming involved in affairs that have nothing to do with them. They will be seen as different in the House. Gradually, they will be treated as different as well.

Nothing in the Bill will prevent the same fate befalling Scottish Members as befell Ulster Members in the past. The leading Westminster Scot, the Secretary of State, will have a diminished role—if the post survives at all. The Bill does not statutorily entrench his position. The few powers left to him could be exercised by any Secretary of State in the Westminster Government. The traditional protector of Scottish interests and the fount of Scottish influence in the United Kingdom Cabinet will at best become an empty vessel and at worst be abolished, leaving even less focus for Scottish Members at Westminster. With the Scottish Law Officers being withdrawn from the Westminster Government, that focus and influence will be weakened further, along with the influence that Scottish law has been able to bring to United Kingdom affairs. Scotland will risk becoming increasingly marginalised. That will be a matter for substantial and justified grievance.

However, the biggest potential flashpoint and the greatest focus for resentment could arise from the Bill's failings on the financial relationship between Scotland and the rest of the United Kingdom. Even before the Bill was published, there were stirrings in north-eastern Labour

doocots about the sharing of resources in the United Kingdom, particularly Scotland's share. The Labour-dominated Treasury Select Committee investigated the Barnett formula. Its findings were not particularly helpful to Scotland.

Those of us who predicted such stirrings during the referendum campaign were accused of being alarmist. I presumed—perhaps naively—that those accusations of alarmism would be matched by some statutory provisions, giving Scots an assurance that their needs would be recognised in the Bill. There is no mention in the Bill of formulas or needs. It says only, in clause 61, that

"The Secretary of State"—

it does not even say which one—

"shall from time to time make payments . . . out of money provided by Parliament of such amounts as he may determine."

Under the test of the worst-case scenario, that does not even pass first base. It is certainly not the type of offer to pay, on which I would be prepared to sign away my prospects in life or business. It is not even a wing and a prayer. It simply will not do to say that there will be a written understanding.

I remember that the late Lord Home of Hirsel used to say:

"If a man tells you that his word is as good as his bond, always take his bond."

In this case, there is not even a bond to take. Indeed, there is no long-term word that can be relied on. There are only bland assurances that cannot hide the truth. That truth is that the clause is an ultimate Treasury victory, allowing the Treasury to make the rules as it goes along. To Scottish people, it is a pig in a poke. After all the wild promises made to Scotland about what devolution would give the Scots, when one considers the leverage that could be given to the Treasury and the Westminster Government, the potential for resentment and a genuine feeling of betrayal in Scotland is enormous. Once again, the only winner would be nationalism.

Mr. Dewar: I am genuinely listening with care. I have grasped the fact that the right hon. Gentleman believes that there should be a Scottish Parliament. I am now trying to understand from his speech what that animal should look like. What financial situation is he advocating?

Mr. Ancram: I shall obviously table amendments in Committee. I should like a reference in the Bill to the needs of Scotland in relation to the finances that will be available. Those who say that I do not know what I intend to do might care to look at amendments to the Government of Wales Bill, in which a similar problem arises. They will see that I am making some moves in that direction.

Mr. Dewar: As the right hon. Gentleman will remember, I quoted the hon. Member for North Essex (Mr. Jenkin) defending the present financial arrangements on the ground that they were based on the needs of Scotland. Is that the Conservative Opposition's position?

Mr. Ancram: My hon. Friend the Member for North Essex (Mr. Jenkin) speaks for the Conservative Opposition. I am saying that such a fundamental constitutional reform will have to stand the test of time. In order that it does, one must test it not against the good times, when everybody agrees, but against the bad times, when people will not agree. There is nothing in the Bill in relation to the financing of the Scottish Parliament and the needs of the Scottish people that gives any assurance in that direction. The Secretary of State knows that no concordat has been devised, no consensus has ever been arrived at, which, at the end of the day, can give a binding assurance of the kind for which the people of Scotland are looking.

Given the Government's wild and ill-considered drive to fragment England into regions, the danger zone will not get any easier. Indeed, it will worsen as the competition for limited resources becomes more regionally focused. It is not good enough to rely on the status quo and pretend that nothing will have changed. A great deal will have changed—much of it because of the Bill.

It is clear that, in the area of finance, taxation and overall control of Scottish spending, the Bill creates a minefield, which could be the biggest flashpoint of resentment. It is in that area that the principle of devolution will really be tested. There is little or nothing in the Bill that creates any confidence that the exercise will not end in tears. Such main areas of potential conflict must be addressed if the proposals are not to undermine the Union. There are many other such areas which, because of the amount of time that I have now, I shall examine in Committee.

Mr. John Swinney (North Tayside): The right hon. Gentleman advances a curious argument about needs assessment. If a needs assessment were carried out in different parts of the United Kingdom, does not he recognise that some of the unidentified aspects of public expenditure that seem to find their way into spending in the south-east of England would also be exposed in the analysis? Over the decades of a Conservative Administration, the Treasury confirmed that Scotland was a net contributor to the United Kingdom to the tune of £27 billion—*[Interruption.]* The figures are given in Treasury written answers. Hon. Members can look at them in *Hansard*. In that context, the right hon. Gentleman's rather peripheral arguments do not make any sense.

Mr. Ancram: On the last point, I think that we are all used to the Scottish nationalists' ability in creative accounting; we know all about that. However, the hon. Gentleman makes an important point. The moment one begins to open the can of worms of regional needs—it is opened even further when England is fragmented into regions—the more one sees the type of competition between regions to which he referred. Yes, I suspect that the south-east would not come off too well—but nor would Scotland. I am arguing not for a needs assessment but for a reference to need—more than that in the Bill at the moment, which leaves the decision on financing merely to the whim of an undetermined Secretary of State from time to time. I do not believe that that is good enough for the Scottish people.

Mr. Dewar: Although I do not want to have a debate, which we shall clearly have at a later stage, is the right hon. Gentleman saying, in effect, that he supports the Barnett formula?

Mr. Ancram: I have said throughout the debate and the referendum campaign that we believe that the Barnett

[Mr. Ancram]

formula has reflected need. In the longer term, need must be the measure of finance. The right hon. Gentleman is failing to face up to the point that there is no assurance, no guarantee in his Bill, that need will even be one of the criteria considered. The people of Scotland have a right to be concerned about that.

The Bill purports to create a Scottish Parliament within a strengthened United Kingdom. We accept that purpose, but the Bill patently fails to achieve it. Its failure to eradicate areas of potential cross-border conflict—indeed, its almost uncanny ability to create them—makes it dangerous to Scotland and the United Kingdom as a whole. For those reasons, the Opposition find the Bill unacceptable in its present form.

One option—I must say this, I suppose, with my tongue in my cheek—would be for the Government to withdraw the Bill and start again, on the basis that it is better for Scotland and the United Kingdom to take a little more time and get the matter right than to muddle on and get it wrong. If, as I suspect, they will not do that, I only hope that they will consider carefully the changes that we shall propose if the Bill secures its Second Reading.

As Unionists who opposed devolution from the start, it would be tempting for us to stand back from the legislation, let it pass, watch it fail and then say, "We told you so." But we know, as Unionists, that if the Bill and the devolution that it proposes fail, it will drive a further dagger into the heart of the Union and strengthen the hand of those who wish its end. The Bill creates a road junction—one which, constitutionally, we would rather not have reached. The junction has two exits: one marked "independence", and the other "an intact United Kingdom". We must fix our direction firmly towards the second.

We respect the decision of the Scottish people to create a Scottish Parliament. We want one that will give the Scots the esteem that they seek, while sustaining the United Kingdom with all the benefits that the historic and unique Union can still bring to the people of these islands. We believe that that can, with difficulty and imagination, be achieved. We are equally convinced that the Bill fails to achieve it. The Government must be persuaded to take a fresh look at the proposals. I call on all those who believe in Scotland's historic role in the Union to demonstrate the depth and sincerity of their concern, and to support us and our amendment in the Lobby tomorrow.

5.6 pm

Mr. James Wallace (Orkney and Shetland): I listened with interest to the right hon. Member for Devizes (Mr. Ancram). I look forward with considerable interest to the amendments that he will table—not least those with regard to securing finances for the Scottish Parliament. He may indeed persuade the Secretary of State for Scotland to agree to them.

It is a great privilege to be the first hon. Member from the Liberal Democrat Benches to be called to speak—in support of the Bill. The Bill will give Scotland its own Parliament for the first time for nearly 300 years. It embodies in legislative form the agreement of the Scottish Constitutional Convention. I shall not disappoint the right hon. Member for Devizes; I shall quote Gladstone later. The right hon. Gentleman said that Liberal Democrats have got lost in a mist of home rule Gladstonism, but he should look at the record.

The Liberal Democrats entered the Scottish Constitutional Convention with the Labour party and many others from many walks of civic life in Scotland when the Conservative party rejected the opportunity to do so—as, indeed, did the Scottish National party. We rolled up our sleeves and did the hard work. Anybody who attended meetings of the constitutional convention knows that there was no misty-eyedness in trying to agree workable proposals.

The Bill is the legislative form of the proposals that were overwhelmingly endorsed by the Scottish people on 11 September. They showed beyond any shadow of doubt that home rule is the settled will of the Scottish people. The Bill goes a long way towards fulfilling a policy goal for which—I do not think that anybody quibbles with this—my party and its predecessor parties have campaigned for longer than any other party. When I quote some of my Liberal predecessors, I do so not so much to prove consistency as to illustrate the years of misgovernment to which Scotland has been subjected and the patience and persistence that we have had to show before reaching this historic Second Reading debate.

As the right hon. Member for Devizes would expect, I wish to refer to Mr. Gladstone, who said in his second Midlothian speech on 26 November 1879:

"if we can make arrangements under which Ireland, Scotland, Wales, portions of England, can deal with questions of local and special interest to themselves more efficiently than Parliament now can, that, I will say, will be the attainment of a great national good. The Scotch members . . . always show in the transaction of Scotch business remarkable shrewdness and efficiency, yet all find cause to complain, and complain seriously and gravely, that they cannot get the Scotch business properly transacted.

The Parliament is overweighted. The Parliament is almost overwhelmed."

Mr. Rowe: I have great respect for Scots, wherever they may be in the United Kingdom. Does the hon. and learned Gentleman agree that the government of Glasgow during the past 40 or 50 years—when it has been entirely in the hands of Scots—has hardly given cause for great congratulation?

Mr. Wallace: To be fair, Glasgow is miles better than it was 40 years ago. Glasgow has suffered, as have many parts of Britain, from an electoral system that gives overwhelming power to one party, sometimes with a minority vote—although that has not always been the case in Glasgow. The Bill does not propose that, and the Parliament will fairly reflect the different political strands that exist in Scotland.

Mr. Godman: As the husband of a Glasgow city councillor and former Strathclyde regional councillor, may I ask whether the hon. and learned Gentleman agrees that many poor people in Glasgow benefited considerably from Strathclyde regional council and Glasgow city council, despite the activities of a small number of councillors in recent times?

Mr. Wallace: My hon. Friend the Member for Argyll and Bute (Mrs. Michie) would probably confirm that, in many respects, Strathclyde region's provision of roads and education was better than that of the old Argyll county council. I did not agree with everything Strathclyde region did, but it was not the monster that the previous Prime Minister made it out to be.

During the Second Reading debate of the Government of Scotland Bill on 30 May 1913, the then Member for Aberdeenshire, East, Mr. Cowan, showed that plus ça change, plus c'est la même chose. The burning issue of that day was temperance reform but, allowing for a change of issue, these words could have been used during the recent referendum campaign. He said:

"To my knowledge, there has been a Scottish majority in this House in favour of Scottish temperance reform since 1885—a majority which, being a minority of the House, has always been voted down by the English Members. So the Scottish Members have found it impossible to make effective the mandate that they have been given."

Mr. Cowan went on in a way that reflects the experience of many of us who have had to listen to Conservative contributions to Scottish debates. He said that English Conservative Members with

"shootings, fishings, or deer forests in Scotland, imagine themselves experts on Scottish affairs and insist on wasting our time and their own by intervening in Scottish Debates."—[*Official Report*, 30 May 1913; Vol. 53, c. 476-79.]

He went on to say that Parliament was "breaking down" under the system that existed in 1913. And so say all of us.

In our day, we have experienced a lack of time for Scottish affairs. We have fewer opportunities to question Ministers than our English counterparts. There were only 13 hours on the Floor of the House in the last Session of the previous Parliament to debate Scottish education, and a little over three hours to debate Scottish housing. Changes to our law are sometimes tagged on to substantially English Bills.

Those of us who remember the measure that introduced aggravated trespass will have noted that, in Committee, the issue was barely addressed. There were only one or two Scottish Members on the Committee. When the hon. Member for Dumbarton (Mr. McFall) moved an amendment on Report, a debate that went on for well over two hours was replied to by the then Minister of State—the former Member, I am happy to say, for Edinburgh, West—who put his head down and read his briefing note in a matter of two minutes and did not address any of the issues that had been raised in a serious debate. The law of Scotland was changed fundamentally without adequate debate on the Floor of the House.

The poll tax was a classic example of an issue in respect of which Scottish Members, to use the words of the former Member for Aberdeenshire, East in 1913, found it impossible to make effective the mandate they had been given.

Palliatives have been tried, including the Scottish Grand Committee. As a result of measures taken by the former right hon. Member for Stirling, it was an itinerant Scottish Grand Committee. Who will forget the occasion during Question Time in the last Parliament when the former Minister of State—the former Member for Edinburgh, West—was asked what the Scottish Grand Committee had done? He took a deep breath and said, "It has met." That was probably one of the most accurate answers he gave, as that was all the Committee had done—it was all that it was allowed to do. The government of Scotland suffered and there was inadequate time for important issues to be addressed.

Home rule allows us an opportunity to right the wrongs of Scottish misgovernment and to renew and replenish Scottish democracy. In doing that, we will help English Members of Parliament, as the business of this Parliament will not be taken up with Scottish affairs. More time will be released for effective scrutiny of English legislation.

Mr. Grieve: I take it from what he says that the hon. and learned Gentleman accepts that, after enactment of the Bill, Scottish Members in this House should not have the right to vote on matters of purely English concern. Using the logic that he deploys—which I accept and understand—that must be his position.

Mr. Wallace: That federalist solution has been the policy of the Liberal party and the Liberal Democrats for the greater part of this century. [*Interruption.*] Indeed, as my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) says from a sedentary position, it has been our policy for 100 years.

We are doing more than correcting wrongs; this is a rare event. One tries to think of an example in history of a new Parliament being established in a nation that has enjoyed a long democratic tradition. It allows us a tremendous opportunity to break away from hidebound traditions and inflexible practices. We can give real substance to the idea of open, accountable and inclusive democracy—and much of that can be reflected in the Standing Orders.

I look forward to serving on the committee to be chaired by the Minister for Home Affairs and Devolution, in which I hope we will have innovative ideas. We must try to find ways to make the Parliament responsive and willing to take on board the views of our constituents.

Whatever disappointments may have been expressed in some quarters that the Calton hill site was not chosen for the Parliament, I believe that a new building at Holyrood offers us an opportunity to equip the Parliament with the best in new technology and telecommunications and to allow electronic access to people from all parts of Scotland. Clearly, that goes beyond the scope of the Bill.

I wish to add my congratulations to the Secretary of State and his officials on the first-class job they have done in drafting the Bill. There can be no doubt as to the task set for them and I believe that they have responded to it promptly and admirably. I found parts of the Bill almost pleasurable reading—if one can find any pleasure in reading such material.

Those of us who favour a much wider programme of constitutional reform found some of the things for which we have argued are now in legislative form, including the provision of fixed-term Parliaments, a provision to secure the confirmation of a First Minister and ways of getting rid of a Government in a statutory form. Clause 22 sets out a statutory code for dealing with Members' interests and creates criminal offences in cases where it is abused.

I wish to identify three elements in the Bill that we particularly welcome and which make a difference between the Bill and the legislation passed in the late 1970s. First, I refer to the electoral system. I and my hon. Friend the Member for Gordon (Mr. Bruce) negotiated hard to get the principle of proportional representation accepted. We believed that that was important if we were to ensure that the Parliament was acceptable to all areas of Scotland. It is to the credit of the Labour party that, having achieved a majority on a minority of votes under the first-past-the-post system,

[Mr. Wallace]

it has willingly conceded—indeed, warmly embraced—the additional member system that is now in a statutory form.

I welcome the fact that there are separate seats for Orkney and Shetland—something for which I have argued. I have had a personal difficulty in determining whether to stand for the Parliament as I have a choice of constituency, but I shall take my chance and seek the nomination for Orkney.

As the Secretary of State knows, the Scottish Constitutional Convention considered the question of the islands. As he said, that also must be a matter for the Parliament, but having a new Parliament will give us the opportunity to take account of the fact that well-intentioned legislation, which can work well in other parts of the country, often does not apply to or rest easily when applied to an island. We will want to explore ways in which the Parliament can tackle that better than this place has been able to do.

The second part of the Bill that we welcome—and is different from the 1978 legislation—is that which contains tax-varying powers. Giving a legislature such powers is what makes it accountable to its electorate. Indeed, in another place during the passage of the previous Bill, the Earl of Home suggested that it would be asking for trouble if he did not give the Parliament tax powers. It is an issue of democracy as to whether the powers are used. During the referendum campaign, we said, "Trust the people." If the people elect to the Scottish Parliament Members who want to exercise those powers and who have put before the electorate a programme based on exercising them, that would be an exercise of democracy.

The amendment moved by the right hon. Member for Devizes talks of the Bill doing damage to Scottish business interests. None of those who want a Scottish Parliament wants to do down Scotland or Scottish business and enterprise. Members of the Scottish Parliament will think carefully before they make decisions on taxation; there will be many ways in which they can assist business and stimulate a culture of enterprise in our country by using such powers.

The third aspect of the Bill that is particularly pleasing is the fact that it uses a formula of reserved powers rather than devolved powers. If we were going to start with a clean sheet, as a Liberal Democrat I would say that all power rests with the community and we surrender up the powers that we believe can be exercised better at a higher level. That is not where we are starting, but the fact that we are using the principle of reserved powers and leaving everything else to the Scottish Parliament is important. It is a principled way to go about the creation of a Scottish Parliament.

Although we substantially support the Bill, we will nevertheless scrutinise it in Committee. At the very least, we will want to ask the Government to justify why some powers are to be reserved. For example, why do we need a United Kingdom Parliament to give directions on the classification of films or the regulation of the professions? In some cases, we hope to change the Government's mind—for example, on abortion. It is arguable that that is both a health and a criminal legal matter. As both health and the criminal law of Scotland are devolved matters, surely it makes sense that abortion should also be a devolved matter.

The law in Northern Ireland is different. I asked my noble Friend Lord Steel of Aikwood, whose Abortion Act 1967 changed matters, why Northern Ireland was not included. The answer was, of course, that it was a devolved function for Stormont. I shall not enter into the merits of how the Scottish Parliament should exercise that power. Also, it would make sense to trust it to exercise power sensibly over broadcasting.

On the appointment of senior judges, I cannot see any reason why we must continue with the formula of the Prime Minister nominating the Lord President and Lord Justice-Clerk. If he can do so only on a nomination from the First Minister of the Scottish Parliament, why cannot the latter do it himself? I note too the provision for judicial salaries to be a reserved power—it seems that some judicial trade unionism may have been exercised. Those salaries will come out of the Scottish Parliament's fund. We may not necessarily want to do the judiciary down, but we challenge the Government to tell us why they believe that should be a reserved power.

On the conduct of elections for membership, the timing of the minimum period from a dissolution to polling day will be a matter for the Secretary of State to determine by order. Is it intended that that order shall apply for all time, or will it apply only for each election? I welcome the provision for independents to stand for the regional elections, but what sort of deposit is intended? Will a sum of money be required or, perhaps, a certain number of signatures to back up a nomination? I welcome plurality, but as we have seen, matters can sometimes get out of hand when people who have no real contribution to make to the democratic process spot a chance of getting loads of publicity.

The hon. Member for Stone (Mr. Cash) referred to clause 33. I accept that it is an effort to extend the powers of the Parliament into reserved matters, but if the Secretary of State's power to intervene is based on the ground that he has good reason to believe that a Bill contains various provisions and if it can be challenged in this House only under the negative procedure, could it also be challenged by the Lord Advocate if he felt that the Secretary of State did not have reasonable grounds? The words "reasonable grounds" could be open to misinterpretation or abuse by a future Secretary of State if there were a conflict between the two Parliaments.

I must point out the absence of any provision that would free the political parties from legal challenge if they adopted means that promoted the selection and subsequent election of women candidates. We take seriously the agreement that we entered with the Labour party and have devised a means by which we can deliver, as best we can, particularly through the list system, a 50:50 Scottish Liberal Democrat membership in a Scottish Parliament—but we do not want to find ourselves in the law courts because we have done so. That matter goes beyond this Bill and affects also the European Parliamentary Elections Bill among others.

Mrs. Fyfe: The hon. and learned Gentleman will recall that for many years when we were involved in the work of the Scottish Constitutional Convention some Labour Members promoted the idea of a legislative framework to ensure equality of representation. At the time, all the Liberal Democrat members of the convention were utterly opposed to doing so because they said that it was totally against their Lib-Dem principles. I find it irritating that he

should be talking of such a clause at this stage. If he had done so all those years ago, we might have been able to work our way forward successfully in Europe, rather than facing the difficulty that now confronts us all. I totally support equal representation, but it is difficult in the circumstances.

Mr. Wallace: I hear what the hon. Lady says. There has been no change in our position. The state should not legislate on how political parties select their candidates. We are saying that political parties should not be open to a challenge in the courts because they have tried to achieve some sort of gender balance. It is perverse for the Sex Discrimination Act 1975 to be used to challenge those—including the political parties—who are trying to do something to change gender balance. We are looking not for legislation that would oblige parties to do so, but for legislation that would give them legal immunity if they did—and we fully intend to do so.

Much as been said, particularly by the right hon. Member for Devizes, about relationships with the rest of the United Kingdom. My colleagues and I make no secret of, or apology for, the fact that we are a federalist party. We believe that the Bill is consistent with Britain ultimately evolving into a federal United Kingdom. We believe that there would be advantages in federalism, not least in dealing with the English dimension and, perhaps, in allowing greater transparency in the funding arrangements in the different constituent parts of the Union. I do not believe that we are in any way embarking on the so-called slippery slope. What has been proposed today will strengthen the Union.

While making a programme for the Scottish Television "Platform" series in 1996, Ms Wendy Alexander, who is no doubt well known to the Secretary of State as one of his advisers, visited Catalonia and found that, while there was a sense of nationalism there, no one wanted independence.

In an article in *The Scotsman*, Ms Alexander wrote:

"the Catalan minister of industry . . . says: 'Why should we walk out of Spain when we have the chance to shape its future? Working for Catalonian prosperity is not a zero sum game, improving Spain's position will benefit us all.'"

She went on to say:

"The overwhelming consensus is that secession would mark an abject failure of the autonomy process. For a Scot, weaned on SNP and Tory politicians alike, constantly reasserting the inevitability of a slippery slope to independence, the fascinating discovery is that in Spain it simply does not exist."

That certainly reflects my experience and that of my hon. Friends the Members for Gordon and for Argyll and Bute, who also went to Catalonia five or six years ago. We found that the autonomous powers given to Catalonia were working well and that people saw no advantage whatever in splitting away from Spain. We are embarking on something similar here.

There was not a triumphalist response to the referendum outcome. It was, rather, the vote of a confident nation that believes that it can trust itself to take power and responsibility for our distinctive education system; for our health service; for the crying needs of Scottish housing; for meeting the challenge of a transport network in both rural and urban areas; for renewing our local democracy; for providing for the first time in almost 300 years our own legislature to amend and modernise our distinctive legal system; and for being a catalyst for Scottish enterprise and culture.

The Parliament will not be an easy palliative for all Scotland's wrongs; it will take time and perseverance, but we now have the opportunity to take decisions for ourselves. I believe that the Bill provides for a modern, democratic Parliament for a modern, democratic nation, and it will enjoy my party's support.

5.30 pm

Mr. Martin O'Neill (Ochil): I do not intend to go down the historical route of the hon. and learned Member for Orkney and Shetland (Mr. Wallace), because the history of the Labour party in relation to home rule is somewhat mixed.

Until the summer of 1974, I had not really come round to taking seriously the case for constitutional reform: in my previous 10 or 12 years as a member of the Labour party I had always felt that there were other ways of addressing constitutional problems and matters such as the improvement of local government. In 1974, it became clear—not only because of the votes gained by the Scottish National party, as we had seen its fortunes rise and fall before—that there was a deep-seated concern about the way in which the whole of the United Kingdom was being governed.

Others may wish to go back to Keir Hardie and recite the mantra; that is fair enough, but I would remind hon. Members that the three main points of his election programme in the early days were always Scottish home rule, universal suffrage and—dare I say it?—prohibition. I do not think that, with my constituency and with my habits, it would be consistent for me to advocate that last policy.

We must support the Bill, and not on the grudging basis on which we sometimes support legislation, as the best that is available. It is a first-class piece of work. It is a tribute to all my Front-Bench colleagues and to the Scottish Office. Everything has been done on time and has, as far as possible, been consistent with the work of the convention.

I may not share the enthusiasm of the hon. and learned Member for Orkney and Shetland for the literary merit of the Bill. Reading legislation may be a cure for insomnia but it is not especially exciting—I do not have the vested interest of a member of the legal profession. However, I was happy to support the strategy adopted by my Front-Bench colleagues, of having a referendum and then moving swiftly on to the introduction of legislation.

My right hon. Friend the Secretary of State and I listened, as one had to do, when the former Member for Glasgow, Govan, Bruce Millan, spoke about all the bitter experience that he had in the 1970s in trying to steer devolution through the House and to convince the people. He said that a pre-legislative referendum was the surest guarantee of a decent and fair hearing in the House. I am fairly confident that that will happen to the Bill, despite the at times unhelpful remarks—that is the Opposition's function—of the right hon. Member for Devizes (Mr. Ancram).

The legislation will pass the test of the majority—it has already done so in many respects because of the referendum and the parliamentary arithmetic—partly as a consequence of the rigour that is the hallmark of my right hon. Friend's approach to everything that he does. The Bill may be capable of improvement in some respects, but it will certainly go through without substantial

[Mr. Martin O'Neill]

amendment. If there is to be change, it will be because of the pragmatism that is the hallmark of the present St. Andrew's house team.

Pragmatism has already been displayed in the choice of site for the Parliament. I live in Edinburgh, and I must be careful—living in Leith does not necessarily make a person a Leither, and I do not want to have my visa withdrawn at Pilrig—but Leith would not have been the ideal site, because the convenience of the few civil servants with direct relation to the Parliament would not, frankly, have been an issue; it would have been too far from the city centre. The Haymarket site had obvious problems as well.

The 1970s ideas of what the Parliament would do in 1979 are entirely different from what we expect, and will be expected as parliamentarians to provide, today. The facilities at the Calton hill site would not have measured up and would have needed extremely expensive alterations.

People talk of Calton hill's associations, but we should recognise that most Scots before 1978–79 associated it with the parsimony, the lack of public-spiritedness and the civic duty of a certain section of the Scottish people. I was brought up as a youngster in Edinburgh to believe that it was Scotland's disgrace, not a place of national celebration. A few pillars on the hill are a tribute to the, perhaps misguided, efforts of those Scottish people who participated in the Napoleonic wars. That is not a historic precedent that we especially want to build on.

Mr. Rowe: Given the hon. Gentleman's frankness about his unwillingness to sponsor temperance, should he not draw considerable encouragement from what is usually organised in the confines of a brewery?

Mr. O'Neill: In fact, the building in question is the offices of a brewery and I do not know whether the site was ever used for the production of beer. I worked for the firm when I was a student, and the brewery was across the road.

The brewers, like the bankers, very rarely lose, and this is a classic case. Scottish Courage is a singularly inappropriate name, given the political thinking of that organisation, which was the most intransigent and intractable opponent of devolution and would push even Portillo and the Royal Bank of Scotland into second place. At least, in the end, one group of Scots, and some English people, have already benefited from devolution, and we wish them well.

The site will provide all the opportunities for the creation of a modern, democratic assembly. I am glad that some of my colleagues intend to go to that Parliament. There has been much sniping and many cheap cracks about those Scottish Labour Members who do not intend to put their names forward for consideration for selection and then, perhaps, for election.

I have been a Member of Parliament for nearly 20 years and I am one of those old dogs who would probably not learn many new tricks and, as my speech tonight has demonstrated, would probably bore the backsides off most of the new Members there. One of the exciting things about the new Parliament is that many new Members will participate and there will be plenty of fresh thinking. The tired old Lobby fodder from Westminster should have the chance to watch that process from the galleries.

Mr. Hogg: The hon. Gentleman is explaining why he does not want to sit in the Scottish Parliament—I entirely understand that, and I am not here to push him to do so—but will he accept that, after devolution, his role as a Scottish Member of Parliament will be enormously reduced and that he will lose many of the functions that he now possesses as regards his existing constituency? How will he face that prospect?

Mr. O'Neill: If I thought that my time down here would be spent on the Floor of the House on Scottish business for many hours and days of the year, I might be concerned about it. I do not wish to bang a drum, but for a number of years I served on the Opposition Front Bench, dealing with Scottish affairs. I had to do a fair amount of work, but I was very conscious that it was shared between a number of colleagues. We were not overstretched, apart from when we had to go through the night. However, what did frustrate me when I was underemployed, and apparently ineffective, was that, throughout the 18 years of Tory rule, I was a member of a party with a majority in Scotland, yet was unable to change the legislation that the Government were putting through.

The House has heard examples of the lack of work. Some of us have, for a number of years, played a comparatively small part in Scottish affairs, mainly because we knew that many of our colleagues also wished to play a part. I have been involved in security, foreign affairs and trade and industry matters. As Chairman of the Trade and Industry Select Committee, there is still quite a lot of work that I can legitimately do, and, given the reserved powers, will be able to do after an election.

The proposal to reduce the number of seats will be dealt with in due process, and not in the hurried way suggested by the right hon. Member for Devizes. Many of us participated in the boundary redrawing procedures, which are time consuming. The idea that it is somehow possible to redraw the boundaries in time for 2002 is naive in the extreme.

Equally, some of us—I mean this with the greatest respect to existing Members from Northern Ireland—take rather ill the suggestion that Scottish political representation in future Parliaments in this House will in any way be comparable to the band who have come from the north of Ireland in the past, not least when there was a Parliament in Stormont, because their politics were very different from the rest of the House. In many instances, a subscription to Unionism was seen to be a prejudice against Catholics. Circumstances have changed and the politics in that country are now endowed with at least a scintilla of optimism. We may well see a Parliament coming there.

What is exciting about the Scottish Parliament—perhaps more so than the Welsh Assembly—is that we have had the long, grinding debates. We have had the period of cross-party discussion. We have had the setting aside of some of the old shibboleths. There is a possibility for new systems of government to emerge. We take it as an encouraging sign that it will not stop at Edinburgh or Cardiff—or wherever it will be in Wales—or Belfast if

there is to be an assembly there. All of us want peace and we recognise that that might be one of the paving stones to a settlement.

Mr. Godman: As a regular visitor to Northern Ireland, I know that there is very keen interest in both communities concerning the Bill and the creation of a Parliament in Scotland. Despite some serious reservations that some constitutional nationalists have concerning the creation of an assembly in Northern Ireland, there is a growing willingness to examine the possibility of setting up such an assembly in Belfast.

Mr. O'Neill: One can only hope that my hon. Friend's considerable knowledge and the information that he gives us will bear fruit, and that we shall see that. I should like to think that not only will it be taken up by the people of the north of Ireland but that it will be considered by the rest of England, and that we might well see a demand for assemblies across the United Kingdom. Travelling in Europe shows the suffocating character of constitutional and business life in the United Kingdom, where everything emanates from London, and London dominates.

One does not get that feeling when travelling to Germany or to Italy—as I know you often do, Mr. Deputy Speaker—and certainly not in Spain. I am sure that my hon. Friend will be more than happy to make available his itinerary, but I know that he is a good friend of the people of Italy. He knows only too well that, in Italy—perhaps more so in Spain, which has the example of Catalonia—there are different systems of regional government, which were developed to take account of the needs of a specific area. It is the pragmatism for which the British are supposed to be politically famed. We do not always get our constitutional arrangements correct, but when we do we can make them a great success.

Initially, I was not very enthusiastic about the abandonment of first past the post, but I recognise that we shall carry all the people of Scotland with us, and avoid the sense of alienation that seemed, understandably, to be the preoccupation of the right hon. Member for Devizes, only if there is a Parliament in which everyone feels that there is place for them, in which they can do a job for Scotland. That example will be taken not only to Northern Ireland, as was suggested by my hon. Friend the Member for Greenock and Inverclyde (Mr. Godman), but across England as well.

The sense of isolation that one comes across in, for example, Exeter and Plymouth, has found expression in the anxieties expressed by the people in the north of England over the alleged advantage that Wales and Scotland have, and the attraction of industry to the regions of England. Those concerns should be capable of being exposed, debated and discussed in the areas where the greatest impact is felt.

The Bill is an opportunity not only for Scotland to breathe more freely once again but for the rest of the United Kingdom to have a chance to have a proper, open, accountable and modern democracy. I commend it to the House.

5.47 pm

Mr. Alex Salmond (Banff and Buchan): I intend to be supportive and helpful to the proposed legislation. I shall not go so far as climaxing my speech, as the hon. and learned Member for Orkney and Shetland (Mr. Wallace) did, by quoting in support of my argument the Secretary of State's own political adviser, which was taking co-operation a bit far, but none the less I intend to be supportive of the Second Reading tonight.

The Scottish National party will certainly vote against the Conservative party's amendment, for three reasons. First, we regard this Bill as a step in the right direction. It is good for Scotland. Secondly, the Scottish Parliament has been validated by the people of Scotland—the ultimate sovereignty—in a referendum campaign. Thirdly—the Secretary of State and I have agreed for some time on this point—the issue of independence will be determined by that ultimate constitutional authority, the people of Scotland, at the ballot box. That is clear.

The Secretary of State once argued for this policy and described it as "independence within the United Kingdom", although he stopped doing that when one of his fellow shadow Cabinet Ministers denounced it during a by-election, not realising that it was a Labour party policy. Perhaps the Secretary of State will return to the term and describe this as independence within the United Kingdom. Such is the enthusiasm of the SNP for the new Parliament that all six SNP Members intend to seek election to that body.

I cannot go back as far as Gladstone to quote historical precedent, but I can go back to 1945, when the first SNP Member of Parliament, Dr. Robert McIntyre, who was briefly the Member for Motherwell, made his maiden speech on the Education (Scotland) Bill. He said:

> "We come with the intention of returning as soon as possible to our own country, where we may, under democratic government, achieve the long-needed reconstruction of Scotland."—[*Official Report*, 1 May 1945; Vol. 410, c. 1299.]

Admittedly, the time scale that has transpired was not quite what Dr. McIntyre had in mind at the time. As he is now in his mid-80s and newly elected honorary president of the SNP parliamentary group, I am sure that the House would like to wish him well. It is appropriate to quote his words in the Chamber this evening.

The SNP argues enthusiastically for returning power to Scotland, and will seek to take its place in a Scottish Parliament.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Salmond: I shall give way in a few minutes. The hon. Gentleman might want to intervene when he hears what I have to say about the Tories in a few seconds.

I looked at the Conservative amendment with puzzlement this evening. Like the hon. Member for Falkirk, West (Mr. Canavan), I found it difficult to understand how one could claim to accept the will of the people in a referendum and then argue for voting against it. It reminded me of a conversation that I had over the new year with a prominent Scottish Conservative whom I met during celebrations in Edinburgh. Perhaps I should not call him a prominent Scottish Conservative, as that narrows the field and might reveal his identity.

That Scottish Conservative told me that the major difficulty with the revival—he should have said the resuscitation—of the Scottish Conservative party is the English Conservative party, and added that, every time he heard and saw comments about the constitutional process in this House, he grimaced as he realised the electoral

[Mr. Salmond]

damage being done by his English colleagues to the Conservative party's prospects in the new Parliament. He had in mind episodes like that reported in *The Herald* on 13 December 1997. Headlined "U-turn on Home Rule from Tory", it began:

"A Tory image-change promising a new, positive attitude to a Scottish parliament went spectacularly off-message yesterday when constitutional affairs spokesman Bernard Jenkin surprised an Edinburgh conference with a lengthy harangue against Home Rule."

It was a surprise because, the previous day, it had been leaked to *The Scotsman* that there was to be a damascene conversion in which the Tory Front-Bench spokesman would announce a conversion to home rule. He then arrived at the conference and ended up denouncing it. It is, admittedly, one way to get two headlines in different newspapers on consecutive days, but it is the sort of thing that made the prominent Scottish Conservative "grimace" as he realised the damage being done, even now, to Conservative prospects in Scotland.

With great respect to the right hon. Member for Devizes (Mr. Ancram), elements of his speech this afternoon reflected the fact that the Conservative party has by no means adjusted to the reality of the new Scottish dimension to politics, and I am certain that his speech will have done even more damage to his party.

I shall restrict myself this evening to making three general points about the nature of the Bill, and to signalling three specific areas where the SNP believes that it can be improved. We shall table amendments to try to achieve that noble purpose.

First, on matters of principle, one issue that was spectacularly wrong in the speech of the right hon. Member for Devizes was his description of clause 27(7) as a meek and modest affirmation of Westminster's supremacy. The clause, which is about reserved powers, reads:

"This section does not affect the power of the Parliament of the United Kingdom to make laws for Scotland."

That means that, despite the fact that everything beyond that clause has been devolved to the Scottish Parliament, the UK Parliament retains the right—indeed, according to the clause, it is not affected in terms of its right—to undo what the Scottish Parliament has decided to do or enact.

Far from being a timid clause, it is a sweeping affirmation. It is the legislative form of the oft-quoted phrase, "Sovereignty resides with me as an English MP, and that's the way it will stay." It is extraordinary, in a Bill on devolution, to have a clause that argues that the UK Parliament's power over devolved matters is not affected by the legislation. If we added the words "not affected on reserved matters", the formulation would be more acceptable for people in Scotland, even though the right hon. Member for Devizes may find it alarming. Far from being a devolution clause, it strikes against the principle of trusting a Parliament to enact legislation wisely.

Secondly, I am concerned about the principle of concordats and agreements that are sprouting forth. The Secretary of State described them as non-statutory agreements. There will certainly have to be agreements between the Scottish and Westminster Parliaments—between the Scottish Executive and Westminster Ministers—on the conduct of business and shared concerns. What concerns me is whether it is competent and proper for those understandings and concordats to be put in place before one of the parties to them has come into existence.

The Secretary of State is wise, and he is no doubt doing his best in the interests of the new Scottish Parliament. However, will he confirm that it will be for the Scottish Parliament to decide whether the concordats that he is drawing up on a range of matters with his United Kingdom colleagues are acceptable to the Scottish Executive and Parliament?

One indication that we should be suspicious of the process comes in a leaked letter dated 18 December from one of the Secretary of State's own civil servants, which describes the concordat on agriculture and fisheries. It says:

"From the MAFF perspective the concordat is a chance to emphasise their lead UK role and to keep tabs on action by the Scottish Executive."

That civil service memorandum advising the Secretary of State tells us that, while the Secretary of State is batting for Scotland and his civil servants are trying to get the best out of the concordats and agreements that are being drawn up, United Kingdom Departments may have a different aim in mind, and may be trying to "keep tabs" on any putative Scottish Executive.

Mr. Hogg: I reinforce the point that the hon. Gentleman makes—*[Interruption.]* He seems alarmed by that prospect. I none the less put it to him that the concordat is in any event only good for the existing regime. Any subsequent change in the character of the Government or the Scottish Parliament would require a change in the concordat, which is good only for the four or five years in which both parties overlap.

Mr. Salmond: I feel like someone in a battle sending out the message, "Reinforcements arrived and weakened our position." However, that is only guilt by association.

The right hon. and learned Gentleman is correct: a concordat is only good while the parties overlap. However, once a concordat is signed, it can be changed only by agreement of both parties. That seems to be a common feature, so it is of less concern to me than the fact that, if an agreement is reached before one party to it has even come into existence, the agreement cannot by definition be a concordat—it is more like a diktat.

Will the Secretary of State assure me that the concordats will be binding on the Scottish Executive and the Scottish Parliament only if they choose to endorse them when they come into being? I do not mind the preparatory work being done, but the Government should not presume too much about the agreement of the Scottish Executive.

Mr. Godman: I would regard it as a great honour to be given executive responsibility in a Scottish Parliament for the Scottish fishing industry, but I hope that the person who is given that role will participate in meetings of the Fisheries Council in Brussels. I believe that it is up to the United Kingdom delegation to decide who participates in Council meetings. On the basis of the hon. Gentleman's comments about a concordat, I would expect there to be

tough-minded negotiations about such participation, but I would want the person responsible to take part in such meetings in Brussels.

Mr. Salmond: My difficulty is with what is honourably and honestly in the civil service memorandum. The civil servant makes it clear that, from the perspective of the Ministry of Agriculture, Fisheries and Food, the Department should maintain its lead role in European negotiations. The hon. Member for Greenock and Inverclyde (Mr. Godman) is absolutely correct. It is important to define the Scottish Parliament's European role. It should not be subject to the whim of future Governments who may sometimes be hostile.

My final general point is about the schedules. I accept the Secretary of State's wisdom in choosing to define reserved matters and to leave all other matters to the competence of the Scottish Parliament. That is different from the 1970s legislation, and is an improvement and enhancement: it is a far better process. None the less, schedule 5 contains a very lengthy list of reserved matters. It does not deal, as was suggested by the Scottish Constitutional Convention, only with the towering heights of defence matters, foreign affairs or even social security.

The list of reserved powers in the section headed "Entertainment" includes the Hypnotism Act 1952, the Theatres Act 1968, the Cinemas Act 1985 and the Video Recordings Act 1984. The schedule contains far too many reserved powers. Would the central integrity of the United Kingdom have been damaged if the Scottish Parliament had been given competence to license cinemas and theatres, and had been trusted with earth-shattering matters such as the Hypnotism Act 1952 and its regulation? We shall consider this issue as the Bill goes through the House.

Those were my three general points, and I now want to consider ways of beefing up this proposal. It could be argued that more has been promised in the past than is being offered in this legislation. In the run-up to the 1997 election, much of the political debate in Scotland was dominated by the term "tartan tax", which was used by the previous Secretary of State for Scotland. I was asked why that had emerged as such a major issue, at least in the minds of the Secretary of State and the Scottish press, given that it had not been mentioned to anything like the same extent in the 1992 election, when the current Secretary of State for Scotland was the shadow Secretary of State. There were a number of reasons, the most important of which was that the financial powers proposed in 1992 were stronger than those suggested in the 1997 devolution proposal.

In 1992, the Secretary of State argued for assigned revenues in additional to the tax-varying power. It was suggested that there should be a broader base of taxation on which the Scottish Parliament could draw. *[Interruption.]* The Secretary of State shakes his head, but I am merely referring to the arguments that he used back in 1992. There is no doubt that he argued for assigned revenues in addition to a tax-varying power. Liberal Democrat Members are nodding their agreement: they remember that, even if the Secretary of State does not. I think that that was a stronger proposal.

The position that we have been left in now is that if the tax-varying power—the tartan tax—is used to its fullest extent, the Scottish Parliament will have control over about 3 per cent. of its total revenue capability, and 97 per cent. will come from the Westminster Exchequer. Devolved Parliaments around the world have more: for instance, the Basque Parliament or the Canadian provinces have about 40 per cent. control of their revenues.

The Secretary of State says that the Barnett formula is secure: he tried to entice the right hon. Member for Devizes (Mr. Ancram) to agree with him, and he received a less than full response. But that is not the position. We have just had a report of the Treasury Select Committee. The hon. Member for Gordon (Mr. Bruce) was alone in opposing a frontal attack on the Barnett formula, which was supported by both Labour and Conservative Back-Bench Members. Does the Secretary of State propose a stronger, enlarged fiscal base for a Scottish Parliament? The Secretary of State has defended the fiscal arrangement, but it is under attack from Labour and Conservative Members. We will be looking for proposals to strengthen the fiscal position as the Bill goes through the House.

The issue of broadcasting will be raised by my hon. Friend the Member for Perth (Ms Cunningham), if she is fortunate enough to catch your eye, Mr. Deputy Speaker. The White Paper referred to broadcasting organisations as an example of cross-border public bodies that could give evidence to a Scottish Parliament, which would have a role in providing public accountability. It is not about control of broadcasting, but about whether there will be any democratic accountability to a Scottish Parliament for broadcasting in Scotland. Paragraph 2.11 of the White Paper suggested clearly that there could be such accountability. The Bill makes no mention of a broadcasting organisation as a cross-border body.

Incredible as it may seem, it is not beyond the bounds of possibility that the British Broadcasting Corporation may, at some time in the future, decide to broadcast in Scotland an interview with the United Kingdom Prime Minister in the middle of a Scottish election campaign. Political parties in Scotland may want to take legal action to prevent that broadcast. A Scottish Parliament may want to summon the director general of the BBC to give evidence to an appropriate Committee, and may want to ask relevant questions in the Scottish public interest.

Mr. Connarty: As the hon. Gentleman knows, I have taken part in debates in public and on television with George Kerevan of the Scottish National party. It was clearly stated that that could happen, and that was accepted by his party's spokesman. Is he a vice-chairman on broadcasting? Everyone in his party is a vice-chairman, because it is so small. He accepted that the BBC could be called to a Committee of a Scottish Parliament and questioned on its proposals.

Mr. Salmond: I am delighted to have such assurances from the hon. Member for Falkirk, East (Mr. Connarty). The Secretary of State has hurriedly consulted his civil servants, and I am sure we will be told that the White Paper specifies broadcasting organisations as an example of cross-border bodies that could give evidence to the Scottish Parliament. However, that has been omitted from the relevant sections of the Bill.

I will be delighted if that omission is shown to be merely an oversight. There has been some dispute in Scotland about whether the Secretary of State for Culture,

[Mr. Salmond]

Media and Sport or the Minister of State at the Scottish Office is the key figure opposed to any democratic accountability to a Scottish Parliament for broadcasting. If this is an oversight, no doubt any reasonable amendments that we may table will be treated sympathetically by the Secretary of State for Scotland. He shakes his head, thus removing that possibility. This is an important issue, and it is valid to ask why broadcasting, which appeared in the White Paper, is not specified in the Bill.

Mr. Dewar: I am sorry to interrupt, and I do not want to have a long discussion on this matter, because we shall return to it. The position is exactly as is stated in the White Paper.

Mr. Salmond: If the Secretary of State is saying that the Bill, from which broadcasting is omitted, is the same as the White Paper, which lists broadcasting, I take it that at some point he will accept an amendment to include broadcasting. It is in the White Paper, but not in the Bill. We may reach agreement in Committee, but that is to anticipate the Bill being passed on Second Reading.

Mr. Tam Dalyell (Linlithgow): Perhaps the hon. Gentleman would like a little support from me. The precedent of the 1979 case of Wilson, Dalyell and Birt *v.* the Independent Broadcasting Authority before Lord Ross shows that the hon. Gentleman is right. The "Wilson" was my hon. Friend the Member for Cunninghame, North (Mr. Wilson).

Mr. Salmond: The hon. Gentleman rightly reminds the House of the long track record in these matters of the Minister for Education and Industry, the hon. Member for Cunninghame, North (Mr. Wilson). As I remember it, that legal action prohibited party political broadcasting during the devolution referendum campaign. I read in today's newspapers that the BBC and the Independent Television Commission want to do away with party political broadcasts altogether—perhaps that will be the subject of some discussion later on.

There is, in any case, a clear difference between what was in the White Paper and what is in the Bill. *[Interruption.]* It is no use the Secretary of State waving the White Paper at me; there is no disagreement about what it contains. I repeat: such a provision is not in the Bill, although perhaps it should be.

Finally, I want to deal with Europe. There is a strong case for enshrining the Scottish Parliament's rights of access to European decision making in the Bill. The Conservative party is in no position to argue that the measure will weaken Scotland's position, given the miserable attendance rate of Scottish Office Ministers at European Council meetings over the past five years. When we last debated this subject, I asked a Conservative party spokesperson what the record was. He did not know or could not remember, so I shall read the figures to the House.

In 1992, out of 125 meetings of the Council of Ministers, Scottish Office Ministers attended eight. In 1993, the figure was eight out of 125. In 1994, things got worse: six out of 125. In 1995, they attended seven out of 83 meetings. In 1996, when there was a plethora of meetings to do with Bovine spongiform encephalopathy and fisheries issues, they increased their attendance to 15 out of 84 Council meetings. Overall, Scottish Office Ministers went to fewer than 10 per cent. of Council of Ministers meetings.

It would be extremely helpful if Scotland's rights of access to these meetings were consolidated in the Bill—

Mr. Heald: The hon. Gentleman criticises the number of attendances, but on those occasions Scottish Office Ministers attended as of right. Under these proposals, Scottish Executive Ministers will have no rights at all.

Mr. Salmond: Scottish Office Ministers attended by permission of their Cabinet colleagues. I remember one celebrated occasion when the former Secretary of State for Scotland announced in the press that he was going to Brussels to battle for Scotland's fishing industry. I later found out from officials that he had not opened his mouth during the entire meeting, because the then Minister of Agriculture was leading for the UK on that occasion.

I happen to believe that Scotland's position cannot get worse than it was over the past five years. I nevertheless urge the Secretary of State to recall that we were promised during the preliminary arguments that Scotland would lead the United Kingdom's delegations at the Council of Ministers on various matters—one of which might be fishing. On any measurement—value of catches, tonnes of fish landed, numbers of boats—Scotland's fishing industry is bigger than that of the rest of the UK put together. The Scottish Office already has the lead responsibility for forestry, since most forestry acreage is in Scotland. Perhaps forestry, too, should be an area of lead responsibility for Scotland.

Would it not be better to attempt to consolidate our European position on the face of the Bill, in line with what the Foreign Secretary told the Scottish Grand Committee on 13 January last year? Labour, he said, would

"confer on Scottish Ministers the same observer status as that of the German Länder at appropriate meetings".—[*Official Report, Scottish Grand Committee*, 13 January 1997; c. 29.]

It may be true that the current group of Ministers can reach amicable arrangements to allow Scottish interests to be represented at Council of Ministers meetings, but the Secretary of State cannot commit his colleagues for the future; and he certainly cannot commit any future Government unless something is written into this statute to guarantee Scotland's position in European matters. Without it, that position stands in some jeopardy—hence the need for improvement by amendment as the Bill goes through Parliament.

As I said at the outset, we intend to give the legislation a friendly response. We shall be positive and constructive as it moves through the House. We believe that on balance it is good for Scotland. A Scottish Parliament after an interval of 300 years was resoundingly voted for in the referendum.

We regard this not as an event—a once-and-for-all transfer—but as part of a process of democratic awakening in the nation of Scotland. The end result of that process will be determined by the people of our nation.

6.14 pm

Mr. Brian H. Donohoe (Cunninghame, South): I congratulate the Secretary of State, other Ministers and all involved on their speed in bringing the Bill to Second

Reading. It is important to look at it in detail, and I intend to concentrate on two areas that I see as important: first, the creation of jobs, especially in the public sector; and secondly, transport issues.

The county of Ayrshire has been somewhat forgotten during the past few years. Just before the new year, the BBC, in its round-up of Scottish affairs, mentioned virtually every town and city in Scotland but not a single town in Ayrshire. That is indicative of Scottish politics at the moment, a clear sign of the need for more devolution in Scotland.

We are told that the Scottish Parliament must generate new ideas and must be seen to be different. The Government say in their White Paper that it is right to decentralise power. That is why consideration must be given to decentralising civil servants, of whom there are about 12,000 mainly based in Edinburgh. They must be encouraged to resettle across Scotland.

Ayrshire has been sadly lacking in public sector jobs. Indeed, the most recent report on Ayrshire's economy, instigated by the Ayrshire economic forum, speaks of the possible loss of 9,000 jobs in the area in coming years. That clearly shows the need to decentralise civil servants' jobs to places such as Ayrshire. Other parts of the west of Scotland, and indeed the rest of Scotland, would also benefit from such decentralisation. Over the years, many Governments have tried to make moves in that direction, but as yet very few Scottish Office civil servants have relocated around Scotland. The Bill represents an opportunity that we must not fail to take.

As the hon. Member for Banff and Buchan (Mr. Salmond) pointed out, schedule 5 gives rise to some reservations. He mentioned the Hypnotism Act 1952. I note also that schedule 5 states that money laundering is not to be considered by the Scottish Parliament; nor is intellectual property, whatever that is. It will be reserved to Westminster. Piracy cannot be discussed by the Scottish Parliament either; nor can the date of Easter. The regulation of activities in outer space is to be reserved to Westminster—although perhaps that is just as well.

The White Paper promised for the Scottish Executive an oversight role in respect of all Scottish rail passenger services. In terms of transport, that was a good start to the legislation. However, the Bill reserves most matters in relation to the provision and regulation of railway services to the Westminster Parliament. I am interested in transport matters, and that is of some concern.

The definition of railway services that is used in the Bill is based on section 82 of the Railways Act 1993. I am a member of the Select Committee on the Environment, Transport and Regional Affairs, and we spent a great deal of time examining the clause which later became that section. These matters extend to the provision of important facilities such as stations and network services and the carriage of passengers and freight.

The Scottish Parliament and the Executive will oversee road and ferry transport in Scotland and many aspects of internal air transport, all of which we welcome. However, they will have no control over air traffic control, which is causing deep concern in Ayrshire. Rail services are to be excluded from the Scottish Parliament's competence, and that strikes at the concept of an integrated transport policy for Scotland. By contrast, the provision of railway services in Northern Ireland remains administratively devolved, in common with other aspects of transport provision there. As more than 90 per cent. of ScotRail's journeys are internal and the Scottish and English rail networks connect only at Berwick and Gretna, it is important to consider the whole question of an integrated transport network in Scotland.

Strathclyde passenger transport authority's responsibilities for rail services are to be granted under transport and railways Acts and will relate to reserved matters. All other such responsibilities will fall on the Scottish Parliament. Local integration may become more difficult because of the need to deal with two policy-making bodies. The passenger transport authority will be a creature of the Scottish Parliament, and its railway responsibilities, which now account for more than 87 per cent. of its net expenditure, will relate to reserved matters. Presumably, it will ultimately draw that part of its funding from the new Department of the Environment, Transport and the Regions rather than from the Scottish Office as at present. That is a recipe for financial and administrative tension. If the Scottish Parliament is precluded from dealing with matters relating to the rail network and stations, it will, of course, be unable to legislate on those matters. The promotion of private legislation in Scotland to permit the building of new lines will remain a Westminster matter, and that is quite unsatisfactory.

Mr. Gray: Does the hon. Gentleman agree that he is merely arguing that certain matters are reserved to this Parliament and that it will be consistently argued that that is bad? Does he further agree that this is the first shot in an argument that will last while the Scottish Parliament exists and that ever more potent arguments will be advanced in this House or in Scotland that these matters must be debated in Edinburgh? In that lies the root of the disaster that will befall this nation of ours.

Mr. Donohoe: I do not accept that. I am trying to identify a possible problem, so that the Bill can be amended. An integrated transport policy is at the centre of the Government's thinking, and we can look at the issue and address it before the Bill becomes an Act.

Mr. Connarty: Does my hon. Friend agree that on reserved matters such as the one he illustrates that are alien to one side, in co-operation with the Scottish Parliament, Ministers with responsibility for the reserved matters would, on invitation, willingly discuss them with a Committee of the Scottish Parliament? That would obviate the need to move away from reserved powers. Surely there can be co-operation between the Scottish and Westminster Parliaments. There is no need to reduce the list of reservations and anticipate problems: we should think of a way to discuss matters positively, in co-operation and not in conflict.

Mr. Donohoe: My hon. Friend is right, and he has partly addressed the matters that were mentioned by the hon. Member for North Wiltshire (Mr. Gray).

Much work has been done at a rate of knots, and we have an opportunity to look at the legislation in greater detail. I have a passionate interest in transport, and such examination could greatly improve transport policy throughout Scotland and the United Kingdom. I hope that the matters that I mentioned will be dealt with in Committee and that the Bill will be enhanced, to enable the working of an integrated transport policy throughout the United Kingdom.

[Mr. Donohoe]

6.25 pm

Mr. David Davis (Haltemprice and Howden): It is clear that the Bill's passage is guaranteed. That means that it is incumbent on us to do what we can to ensure that it is as well formed as possible. Those hon. Members who do not want the Bill to be the first step towards the dissolution of the United Kingdom, but who want the Union to be strengthened, will want to ensure that the Bill delivers the best possible government for Scotland, while maintaining the most harmonious and effective relationship—I think that the Secretary of State said "friction-free" relationship—between the Parliament of Scotland and that of the United Kingdom. With that in mind, I should like to raise an issue of constitutional significance, albeit in the Bill it is buried in technicalities. The hon. and learned Member for Orkney and Shetland (Mr. Wallace) has my entire admiration for finding a reading of the legislation entertaining. I am sure that reading it will remain a minority sport.

I should like to deal with the oversight and scrutiny of Scotland's financial affairs and those of the United Kingdom after the Bill becomes law. The control of the nation's finances has featured as a central part of constitutional debates and disputes, from Magna Carta to the Parliament Act 1911, and it should not be a surprise that the issue is the central feature of the Bill.

Clause 61(2) specifies that the United Kingdom Parliament will provide a grant to be paid into the Scottish Consolidated Fund. It does not require the Scottish Parliament or the Executive to submit to the United Kingdom Parliament any information about the intended use of that money or about the eventual outturn. The information and detailed analysis of plans and expenditure that are currently available to the House will no longer be guaranteed by statute. Neither is there a requirement for the designation of individual accounting officers who would be held responsible for the expenditure. The arrangements for audit and scrutiny that are specified in clause 66 are extremely loose and depend entirely upon the Scottish Parliament both wanting and achieving as rigorous an oversight as that of the United Kingdom Parliament. Unfortunately, the UK Parliament will not be able to assess whether the Scottish Parliament's arrangements are effective. Parliament's ability to do that has been specifically disabled by the Bill.

Mr. Salmond: Is the right hon. Gentleman saying that unless there is some sort of financial oversight, the Scottish Parliament might do something insane and ludicrous such as spending almost £1,000 million on some sort of millennium dome on the River Forth? Is that the sort of ridiculous act that a Scottish Parliament might commit if it were not subject to the great scrutiny of the Westminster Parliament?

Mr. Davis: It is always possible that not just Scottish Labour Members will go to the Scottish Parliament. However, I do not propose to judge that.

The point that I want to make is that, on page 85, schedule 7 says:

"Sections 6 and 7 of the National Audit Act 1983 (value for money studies) shall not apply in relation to—

(a) the Scottish Administration or any part of it".

The schedule removes powers from the UK auditor, the Comptroller and Auditor General. Specifically, it denies him access to papers and information about the expenditure of some £14 billion, on the estimate of the Secretary of State for Scotland, of UK taxpayers' money. In conjunction with clauses 61 to 68, that will severely undermine the ability of this UK Parliament to scrutinise and to control public expenditure as it applies to Scotland.

That amounts to an extraordinary, possibly accidental, constitutional innovation. It removes the rights of detailed scrutiny from where they properly belong—with those who raise the taxes—and transfers them to those who spend the money. That would be appropriate if the Scottish Parliament set and raised its own taxes. Clearly, that is not the case, although I know that the Scottish National party proposes it. The Scottish Parliament's tax-varying powers amount to less than £500 million, a small fraction of the total spend.

The Bill's approach might be just tolerable if Scottish taxes were hypothecated for use in Scotland and English and Welsh taxes were hypothecated for use in England and Wales, but that is clearly not the case. At today's spending levels, the grant that the UK Parliament will allocate to the Scottish Consolidated Fund will be some £14 billion. That grant is UK taxpayers' money, for which we are properly accountable to the UK taxpayer.

The UK taxpayer spends in Scotland significantly more than is raised from Scotland in taxes. The exact size of the net subvention from the rest of the UK to Scotland is a matter of dispute, but it is not small. The House of Commons Library assessed it at £6 billion in 1994–95 and some £4.85 billion in 1995–96. That is after allowing for all North sea oil revenues. The lowest plausible figure that I can find—and it is not the Scottish National party figure—is £2 billion per annum. In other words, the subsidy to Scotland amounts to between £400 and £1,200 per person per year.

Mr. Swinney: I think that the right hon. Gentleman will find that the figures that he quoted from the House of Commons Library do not assume any share of UK debt, which would be carried by Scottish taxpayers for any particular year, so to quote a figure such as £6 billion and not to add that substantial caveat—bearing it in mind that, in certain years, the public sector debt has been as high as £48 billion under Conservative Governments—is not exactly the whole story.

Mr. Davis: After the Scottish National party's budget was trashed wholesale by the Fraser of Allander Institute in Scotland, I am surprised that the hon. Gentleman even dared to ask the question, but that is precisely why I gave the range from £6 billion to £2 billion. Of course, different issues should be considered. One is the amount of North sea oil revenue that goes in. His party would claim that virtually all of it—well, 90 per cent.—goes in. Others would say that the figure is two thirds. Of course, there is the issue of the level of debt that is allocated, but what is clear is that spending in Scotland is significantly higher than the amount that is raised in taxes, and that will not change materially in the next few years.

Mr. Swinney *rose—*

Mr. Davis: I shall press on, because I have other points to make.

For the time being, the amount payable to the Scottish Parliament is subject to the Barnett formula, and that may be appropriate. That will be for the House and the Government of the day to decide. What is clear, however, is that the Scottish Parliament and Scottish Administration will spend UK taxpayers' money, and without the stronger controls and guidelines that the Bill requires, the UK Parliament will make the decision blind.

Ironically, the weakness of the Bill's financial controls is demonstrated by one clause in particular. On page 41, clause 90 says:

"The Treasury may require the Scottish Ministers to provide, within such period as the Treasury may reasonably specify, such information, in such form and prepared in such manner, as the Treasury may reasonably specify."

In English, that means that the Treasury does not think that enough financial information is guaranteed in the Bill. In effect, the clause states explicitly that the necessary information will be made available to the Executive of the UK, but not to Parliament. If the Treasury needs the information, so does Parliament.

The UK taxpayer has a right to expect his representatives—the House of Commons—to be able properly to scrutinise that expenditure before approving the grant to the Scottish Consolidated Fund. Proper scrutiny is possible only if we have the ability to make judgments about the value obtained for taxpayers' money. Proper scrutiny is possible only if we are able to be sure that taxpayers' money is properly spent—on domes or other things. Proper scrutiny is possible only if we maintain the rights that the Bill seeks to remove.

Mr. Wallace: I am following with interest what the right hon. Gentleman says. I agree that the Scottish Parliament must have the equivalent of the National Audit Office, the Comptroller and Auditor General and indeed a Public Accounts Committee, which will be matters for the Scottish Parliament, but what is the right hon. Gentleman driving at? Is he saying that Westminster should have oversight of the Scottish Parliament's expenditure, possibly through the Committee that he chairs? How would that lead, in practice, to the smooth relationship that one would expect? Does he not think that that would add to the friction, against which the right hon. Member for Devizes (Mr. Ancram) warned?

Mr. Davis: Two arguments apply. One is that the £14 billion is raised as UK taxpayers' money, and the House must be able to convince itself and its voters that it has spent that money properly. Later in my speech, I shall explain precisely how I think that can happen and how it would tie together with what the Scottish Parliament wants to do.

The Bill speaks of the appointment of independent auditors for the Scottish Parliament. The definition is extremely weak. Independence is extraordinarily difficult to deliver, as the hon. and learned Member for Orkney and Shetland will know. He knows how Executives use every influence available to them. That is so important that, in the UK, we underpin that independence—in relation to the provision of audit, for example—with statutory provisions covering independent appointment, operational independence, security of tenure of the auditor, availability of resources, which are guaranteed, independent access and independent reporting.

None of that is specified in the Bill for the Scottish Parliament. Therefore, the Bill is full of hazards. From the UK Parliament's perspective, it will engender frustration and distrust, but from the perspective even of a Scottish Parliament, it is unsatisfactory.

Let me give the hon. and learned Member for Orkney and Shetland what I stress is a hypothetical example. Imagine that the current level of financial settlements continues, but under the new proposals. Scotland continues to prosper, perhaps more so than other parts of the UK. Suppose that we then have a rash of press stories about waste or corruption in the Scottish Administration. That fires up new demands from other parts of the UK to reduce the grant to the Scottish Consolidated Fund.

The position of the Scottish Parliament then becomes extremely invidious. It either turns a blind eye to issues of corruption, which I am sure it will not want to do, or it investigates them and creates ammunition for those who would reduce Scotland's grant. Throughout all that, we in this House, who are responsible for the £14 billion grant, would be precluded from investigating the matter.

There are other circumstances in which such confusion of purpose can arise, but I shall raise those matters in Committee. The point of principle is paramount. A total of £14 billion, the Secretary of State's figure, of UK taxpayers' money should be subject to full and proper scrutiny by this House, and proper scrutiny demands access by the House's auditor. I reiterate: those who raise the taxes should have the right of scrutiny. Those who spend the money have a real but different interest. I know that local authorities are constitutionally different, but they are in a similar financial position. We do not allow the councils in Doncaster, Hull, Paisley or, indeed, Westminster to pick an example that will appeal to the Government, to set their own audit arrangements.

What makes the proposed arrangement astounding is the fact that, although the UK Parliament's auditor cannot follow UK taxpayers' money when that is spent by the Scottish Administration, the European Union's auditor can follow European money. Bluntly, it is an outrageous and extraordinary concept that the European Union should have better scrutiny rights inside the United Kingdom than the UK Parliament has.

I understand and accept—and this point was specifically raised by the hon. and learned Member for Orkney and Shetland—that the Scottish Parliament will want its own scrutiny arrangements. I also understand and accept that it would be clumsy and expensive to duplicate those arrangements. However, UK taxpayers have their rights, so the Government should introduce six amendments to the Bill that would enhance, rather than curtail, the powers of the Scottish Parliament, while allowing this House to represent the interests of UK taxpayers with confidence.

First, the Bill should require the Scottish Parliament or Executive to submit detailed expenditure plans to the Secretary of State, which he should lay before this Parliament before the debate and vote on the Scottish Consolidated Fund grant. That would be a straightforward point of information. Such a provision is not in the Bill, but it is in the Government of Wales Bill. Secondly, the Bill should specify the meaning of "proper accounts", which the Scottish Executive is expected to prepare, probably by requiring the Treasury to continue to direct the form of accounts and underpin accounting rules. That provision is also contained in the Welsh Bill.

[Mr. Davis]

Thirdly, the Bill should require the Scottish Executive to designate accounting officers with responsibilities to the Scottish Parliament similar to those of UK accounting officers to this Parliament's Public Accounts Committee. Fourthly, the Bill should specify the details guaranteeing the independence from the Executive of the audit and scrutiny arrangements in the Scottish Parliament, similar to those that apply in this Parliament.

Fifthly, the Bill should preserve the Comptroller and Auditor General's access rights to report to the House of Commons on the adequacy of arrangements for managing and auditing the Scottish Consolidated Fund and on the value for money achieved, and allow him access to the Scottish Parliament's auditors, as happens with the Audit Commission with universities and many other independent structures.

Mr. Dalyell: Will the right hon. Gentleman give way?

Mr. Davis: No, I am coming to the end of my speech.

Finally, the Bill should require the Secretary of State to be satisfied that the Scottish Parliament has satisfactory scrutiny and audit arrangements in place. It should give him the right to withhold payments if he does not believe specifically that those proper scrutiny and audit arrangements are in place.

Mr. Dalyell *rose—*

Mr. Davis: No, I am coming to my last few words.

I have raised a number of issues in a constructive manner and I have made a number of constructive proposals, which I want the Minister to think about and then give his response. None of what I have proposed will constrain the Scottish Parliament in its proper duties. Much of it will reinforce it and increase its standing in the eyes of both the Scottish taxpayer and the United Kingdom taxpayer.

6.42 pm

Mr. Ian Davidson (Glasgow, Pollok): This is an excellent Bill and all those who have laboured hard and long to produce it are to be congratulated. It translates the will of the Scottish people into legislative form in an excellent and constructive way. It will be thoroughly supported by the vast majority of people in my country of Scotland.

My right hon. Friend the Secretary of State should speedily claim some of the credit for the Bill before history is rewritten and it is all attributed to some at present anonymous spin doctor. Otherwise, in years to come we might be told that those who are presenting the Bill today had nothing to do with it. If my right hon. Friend successfully pilots the Bill through Parliament, he should go down in history as one of the great Scots of our time. I can imagine a time, in years to come, when children will learn about the great men of the past—Robert the Bruce, Mel Gibson and Donald Dewar. They will be the Lenin, Stalin and Trotsky of Scotland.

Mr. John McAllion (Dundee, East): Donald Trotsky?

Mr. Davidson: Thinking of my right hon. Friend as the Trotsky of our time stretches the imagination perhaps, but I believe that he will hold the same place in history.

Mr. McAllion: Robert the Bruce or Trotsky?

Mr. Davidson: Well, Bruce did smash a few bosses' systems in his time. *[Interruption.]* I say to fellow members of the DD fan club that that is enough obsequiousness; I want to make some constructive criticism.

The chosen location for the Scottish Parliament is wrong—it should not be in Edinburgh. It is a triumph for the Edinburgh and Scottish establishment that we will come to regret. However, the decision has been made. It would be appropriate for the leadership of Scotland's Government to make an early commitment to avoid centralisation in Edinburgh of all the Parliament's functions. A policy of dispersal would be more appropriate, otherwise Edinburgh will be seen to have gained a fur coat and, at the same time, a complete set of warm underclothing.

Over the years, there have been constant calls from the Liberal Democrats and others for a fair voting system. I agree that we should have a fairer voting system than that proposed in the Bill. There should be equal votes of equal value. It will be a test of other parties, especially the Liberal Democrats, to see whether they have been driven by the principle of fairness or by self-interest.

How can it be fair for Orkney, with an electorate of 15,500, to have one Member of the Scottish Parliament and for Shetland, with 17,500, to have one Member, when other, much larger, constituencies will also have only one Member? Perhaps it is a scheme to preserve the hon. and learned Member for Orkney and Shetland (Mr. Wallace) for the nation. I understand that some people might consider that a desirable objective—*[Interruption.]* Opinion is divided. Whatever its merits, the system cannot be said to be fair. If we add to Orkney and Shetland the Western Isles, those three constituencies have some 55,000 voters—about the same number as many individual constituencies.

I recognise that there are difficulties for Members in servicing far-flung and rural constituencies, but that could be overcome by additional staff. It does not necessarily follow that just because a population is dispersed it should have a disproportionately large say at the centre.

If Orkney and Shetland are to be split, why not Airdrie and Shotts; Argyl and Bute; Banff and Buchan; Clydebank and Milngavie; Coatbridge and Chryston; Cumbernauld and Kilsyth; east Edinburgh and Musselburgh; north Edinburgh and Leith; Galloway and upper Nithsdale; Greenock and Inverclyde; north Hamilton and Bellshill; Kilmarnock and Loudoun; Motherwell and Wishaw; Roxburgh and Berwickshire; Strathkelvin and Bearsden; and west Aberdeenshire and Kincardine? In fact, it would be possible to divide into three Tweeddale, Ettrick and Lauderdale; Ross, Skye and Inverness; east Inverness, Nairn and Lochaber; and Caithness, Sutherland and Easter

Ross. What about Carrick, Cumnock and Doon Valley? The interesting point is that there will be more than four times as many voters in that constituency as there will in Orkney, yet they will be equally represented with one MSP.

Whatever the merits of the system, we cannot pretend that it is fair. It could be said that one George Foulkes is equivalent to four Jim Wallaces—and some people might want to make that point. "There is only one George Foulkes," as they often sing at Tynecastle. "Amen to that," we all say here.

Whatever else can be said about the proposed system, it is not fair. There is no reason why my constituency also should not be divided into three, giving us the "Po", the "Lo" and the "Ok"—a much better system than that which is being proposed.

The voting system that has been selected will provide two types of Member: those who will be elected on a first-past-the-post basis and who will be elected first—for ease of reference, let us call them the first-class Members; and the others on the regional list, who will be elected second, whom we shall call the second-class Members.

Second-class Members will have no identifiable constituents—a status which possibly possesses the merit of resulting in no housing cases. Those Members will either feel that they have a specific constituency burden or simply intervene as and when they see fit wherever they like, across an entire European constituency.

The proposals clearly will give regional list Members an opportunity to freeload on the back of the constituency work done by individual constituency Members. I am not clear whether, because of their lesser responsibilities, regional list members will be paid less, but that matter will have to be examined.

Mr. Godman: Is my hon. Friend advocating the first-past-the-post system for the proposed Parliament? If he is, will he concede that his view is very much a minority one within the parliamentary Labour party?

Mr. Davidson: I have not yet reached the point of saying what I am in favour of, although I shall shortly. Currently, I am offering constructive criticism; we have not yet reached the very constructive bit.

There will be an opportunity for freeloading among the free-floating Members, who will be able to intervene mischievously in any other Member's constituency, without any responsibility. We can imagine what will happen over a matter such as a school closure, for example, when a local Member is wrestling with the potential difficulties. An outside Member with no real responsibility in the area could be as mischievous and partisan as he or she liked and then walk away; the constituency Member would be left to pick up the pieces.

I am not clear whether there are proposals for protocols, as we have in the House, governing the way in which hon. Members intervene in one another's constituency, or whether the matter will be developed further. As the proposals contain a recipe for conflict, the matter will have to be dealt with during the Bill's passage.

I might be wrong. Constituency MSPs may become bogged down in constituency matters and in individual cases; regional Members would then reign supreme in policy and become the first-class Members, relegating the others to second-class status. We can estimate the probable relative status of the Members by considering the announced plans of the leaders of the political parties. Both the Liberal Democrats and the Scottish National party plan for their current Members of Parliament to stand for Scottish Parliament first-past-the-post constituencies, clearly indicating where they believe real power and influence lies. Those plans indicate also the way in which a system comprising first and second-class Members will emerge.

I am concerned about the operation of a second ballot, because it seems that, ultimately, many votes will be wasted. If a party polls sufficient votes in the first ballot to win all the first-past-the-post seats, it may find that it wins no seats in the second ballot. The document produced by the Library shows that in the West of Scotland European constituency, for example, Labour would win nine seats on a first-past-the-post basis and consequently win none on a second ballot. Therefore, the votes of everyone who votes Labour in the second ballot—the largest single electoral bloc—will be entirely wasted. That would not be a fair system. If we must have some proportionality, it would be much more reasonable for the second ballot to be self-contained and not to be dependent on or judged by the results of the first ballot.

A third aspect of inequality in the system is the way in which seats will be distributed between European constituencies in the second ballot. In the second ballot, each constituency will receive seven seats. However, is it fair that the highlands and islands—with 327,000 electors, based on the Library's figures—should receive the same number of seats as central Scotland, which will have 552,000 electors?

There are substantial arguments in favour of the proposals. However, the proposals are not fair or reasonable and they contain a clear bias against my part of the country specifically and against the central belt of Scotland generally.

The difficulty of having two types of Member is primarily one of accountability. First-class Members will be accountable for their selection and election to real people, whereas there is some doubt about exactly to whom second-class Members will be accountable. Second-class Members' fate will not be in their own hands.

Mr. Hogg: The hon. Gentleman is describing a situation that he regards as unfair—too many Members in Scotland. Is not that unfairness demonstrated by the figures from his own constituency? He represents 49,284 electors, whereas the average number of electors per constituency in the United Kingdom is about 66,000. Does he think that it is acceptable that there should be so many hon. Members representing Scottish constituencies and that Scottish constituencies are so small?

Mr. Davidson: The current system is entirely acceptable because it is the product of a long historical process of negotiation and of coming together: a balance has been struck over time. Conversely, in Scotland, we are currently starting afresh on a clean sheet of paper. Were we starting afresh in the United Kingdom, we might not come to where we are now, but that is not the position. We are where we are in Britain, and we are moving forward to a new system in Scotland.

Mr. Salmond: There has just been a boundary revision. As the hon. Gentleman may know, in population terms,

[Mr. Salmond]

my constituency is much bigger than his. I do not remember the hon. Gentleman appearing before the boundary commission at the previous revision and saying, "It is very unfair that Banff and Buchan has such a large electorate and that my constituency in Glasgow has such a small one." Is the matter something that he has thought of only recently and did not want to think of previously?

Mr. Davidson: The hon. Gentleman's recollection is entirely correct. I did not appear in front of the boundary commission complaining about the balance between his constituency and mine because I realised that factors other than numerical equality should be taken into consideration. I would not argue for exact geographical and numerical equality.

Let us not pretend, however, that our proposed system is fair. There are some aspects of inequality in the Bill that are not justifiable by any stretch of the imagination. I cannot understand how it can possibly be fair and reasonable for the Member of the Scottish Parliament for Orkney to represent only a quarter of the number of voters represented by the MSP for Carrick, Cumnock and Doon Valley. Even allowing for rurality or deprivation, I cannot understand how such differentiation can be fair and reasonable.

To return to my point, the system whereby second-class Members are selected by party lists is capable of abuse by the central authorities of political parties. The first test of that will come at the European elections. I shall be interested to see whether the Conservative party remains a pluralist party or whether the majority tendency within that party decides to remove everyone who is not a fanatical Europhobe. One of the first tests will be whether the Conservative party remains a pluralist party.

Of course, the same applies—although to a lesser extent—to my party. I joined it as a pluralist party and I am convinced that it will remain so. If there are any doubts about that, the leadership of the party needs only to consider what happened at the Uxbridge by-election and to learn some lessons from it.

I hope that no foreign money will be involved in the Scottish parliamentary elections. [HON. MEMBERS: "What about English money?"] I hope that no money from outwith the United Kingdom will be involved. I also hope that donors who live abroad but who are United Kingdom citizens and want to participate in our elections will, by donating money or getting involved in the election, be deemed to have asked to be treated as UK citizens for tax purposes. It is only fair that people who have over the years told us long and often that they are prepared to do anything for Scotland except live here, who are prepared to do anything for Scotland except pay taxes or provide money for our services, should be told either to put up or shut up. We do not need people who live in various parts of Spain to lecture us on how we should be conducting affairs in our country when they avoid paying taxes here.

Over the years, the debates have had their lighter side. I understand that the Scottish National party has recently suggested that Members of the Scottish Parliament should be called commissars. That is an interesting proposal in itself and ties in very well with the earlier mention of Comrade Trotsky, although it is a proposal that I did not necessarily expect to hear from that party.

I understand that the SNP will abolish the antiquated form of language known as a point of order. Henceforth, "Jings! Crivens! Help ma Bob!" will be shouted to the Presiding Officer who will, as I understand it, be seated on an upturned bucket. That is an extremely uncomfortable place to sit. *[Laughter.]* Translations will be provided later. In addition, we will no longer have a registrar of Members' interests. Instead, we shall have a "Hon" man who will serve the same purpose and to whom submissions will have to be made in due course. *[Laughter.]* I shall explain later.

I shall deal, finally, with the funding system and the nature of the relationship between the Scottish and UK Parliaments.

Mrs. Ewing: Perhaps I can assist the hon. Gentleman by pointing out that there is a difference between a commissar and a commissioner. However, will the hon. Gentleman tell us whether he intends to stand for the Scottish Parliament?

Mr. Davidson: Yes, I intend to put my name forward for the Co-operative party's panel for the Scottish Parliament. I am interested to hear that the SNP wishes to call Members of the Scottish Parliament not commissars but, if I heard correctly, commissionaires, which perhaps indicates that members of that party have spent too long in the company of film stars and their ilk. If that is how the SNP views the Scottish Parliament, as well as commissionaires we will presumably have ushers, which I remember from my younger days as a rotten pint. Presumably the SNP will be judged on that basis, too.

I was about to mention the relationship between the Scottish Parliament and the UK Parliament. I am not sure that we can assume that the Barnett formula will run for ever—a point that has already been made. We cannot always assume that there will be good will between the two Parliaments. I am not quite sure how the mechanism is expected to operate under a Portillo Government, if I dare mention that as an outside option—an extreme outside option, please God.

In such circumstances, will the centre have the freedom to amend the formula as it sees fit? There must be an independent assessment of how needs are to be measured. That assessment must be open and conducted in the full glare of public debate. If it is not, there is a danger that the Scottish Parliament will constantly complain of fouls, about its not being treated properly and about the outcome of a formula that is ill understood and, perhaps, far too easily manipulated. We have to set up at this stage a structure that can make such an assessment objectively and which will be responsible for examining how changes are to be made. Otherwise, we shall have a clear recipe for conflict.

Some people—understandably, in view of their objectives—have a vested interest in conflict, but the vast majority of hon. Members want to make the system work. The funding system must be open from the very beginning. If there is a major flaw in the Bill it is that it does not clarify how central funding is to be determined and amended. I hope that the Bill will be amended as I have suggested, and that it will then make speedy progress through the House and be translated into operation on the ground.

7.6 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): The Scotland Bill must be among the most important that the House has discussed since the end of the second world war because it will profoundly change the way in which the country is governed. That being so, I very much hope—indeed, I think it has been the case—that right hon. and hon. Members who have spoken have done so with an open mind and an open spirit. I am referring to the hon. Member for Glasgow, Pollok (Mr. Davidson). I also hope that Labour Front Benchers will be as responsive as possible to the criticisms that have been made of the Bill and that they will give ample time and opportunity for consideration of the detail. I greatly welcome what I understand to be a commitment that the Committee stage will be taken on the Floor of the House.

I shall focus on two matters—the principle of devolution and its implications for England. I have never been opposed to the principle of devolution. Many arguments have been advanced against it, very often from those on the Conservative Benches, and there is no doubt that there are serious risks implied by a policy of devolution. My right hon. Friend the Member for Devizes (Mr. Ancram) outlined several of them. It is fairly certain that there will be tensions between the two Houses in the United Kingdom, which could put the integrity of the United Kingdom under strain.

It is also likely that Scotland will find that, under devolution, it has less influence than now on the wider policies of the United Kingdom which impact on Scotland. Contrary to what I think is believed by the Scottish National party, under devolution Scotland will have less influence within the European Union than now and less influence on European policy that impacts on Scotland. I am fairly confident—I will come to this in more detail in a moment—that, under devolution, Scotland will pay rather more of the expenditure incurred in Scotland than it does now and that taxes will consequently go up.

All those are substantial arguments against devolution, but standing back from all that I conclude that if the people of Scotland want devolution, whatever the disadvantages, they must have devolution. It is and always has been nonsense for us to stand in the way of that demand because the risks to the integrity of the United Kingdom flowing from denying devolution are very much greater than the risks associated with granting it. I hope that if anyone had doubts about that, last year's referendum dispelled them. There is to be devolution and there should be devolution. I support the principle of devolution and I have done so, if not publicly, for many years.

All of us need, however, to ask ourselves another question. If there is to be devolution, should we not come together to try to make it as durable as possible? In all conscience, there is no point in putting in place a constitutional settlement that is not durable. Scottish National party Members may take a slightly different view because they regard devolution as but the first step, but I regard it as a settlement for a long time, so it needs to be durable. If it is to be durable, it must be fair to all the participants; for these purposes, I consider England to be an important participant, and I put it no higher than that. The point that I make to the House and especially to Ministers is that the proposals are not fair to England, and because they are not fair to England, the settlement will not prove durable. The Bill is not the last word.

I want to identify three respects in which the settlement is unfair to England. None is novel, but we need to keep them firmly in our minds. The first is the point to which the hon. Member for Linlithgow (Mr. Dalyell) has often drawn attention—what is generally known as the West Lothian question. It is absolute nonsense that Scottish Members, under the devolution proposals, will be able to express a view and vote, perhaps decisively, on the domestic policies of England whereas I shall have no say about what happens in Scotland.

It is a little more bizarre that the hon. Member for Linlithgow will be able to express a view on what happens in Lincolnshire, but will have no say on the domestic policies that affect his constituents. That is a constitutional affront and because it is also unfair to England, the settlement will not last.

That point is aggravated by the second point to which I wish to draw the attention of the House—the over-representation of Scotland. We can argue about the figures as long as we like, and the hon. Member for Pollok made some extremely entertaining remarks on this point. I pointed out to him that he represents a constituency of 49,284, whereas most Conservative Members represent constituencies of about 66,000. Depending on how we calculate it—we need not fall out over the detail—Scotland is over-represented by 13 to 15 Members. If it is an affront that Scottish Members can vote on English business whereas we cannot vote on Scottish business, surely the affront is aggravated by the fact that they can do so in disproportionate numbers.

I have three observations to make to the hon. and learned Member for Orkney and Shetland (Mr. Wallace), who raised the question of Northern Ireland. First, when the Irish Members were in a similar position, they were under-represented. Under the old Stormont regime, Northern Ireland had 13 Members, which was about two thirds of its entitlement. Secondly, the absolute number of Northern Irish Members was low; that is not true of Scottish Members. Thirdly—I have not checked this point, but I suspect that it is true—the Ulster Members, for the most part, did not attend English business. To give credit to Scottish Members, they frequently do so.

My third main point concerns the financial settlement. I can do little but echo the remarkable speech made by my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), the Chairman of the Public Accounts Committee. He focused, absolutely correctly, on supervision and control. I can only echo, reinforce and applaud what he said. I make just one additional point.

The Barnett formula is a distortion of spending. The House is asked to allocate for Scotland on a per capita basis sums of 20 per cent. to 23 per cent. in excess of what is spent in England. In addition—this is really the point that my right hon. Friend made—we cannot question or call to account those who are responsible for that expenditure. That is a constitutional affront and for that reason the system is not durable.

I want to suggest a way forward and I am anxious that we should create a constitutional settlement that is durable. I regret that we have not set this debate in the broader context of Scotland and constitutional arrangements for the United Kingdom generally. We

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should have had a royal commission or a Speaker's Conference. There also should have been a general national debate about how to balance the new powers of a Scottish Parliament.

I have two proposals. They are not set in concrete; there may be variations. I personally believe in the federal approach. [HON. MEMBERS: "Hear, hear."] I am sorry that Liberal Democrat Members support that idea because I do not often agree with them and I am not reassured when I do. If, however, I ask myself how best to solve the West Lothian question, the honest answer comes to this: we need a federal constitution with four national Parliaments and a federal Parliament. There may have to be a diminution in the number and tiers of local government. I have no time for regions. I think that the idea is nonsense because, with a few exceptions, there are no definable regions in England. My conclusion is that we need a federal structure with national Parliaments and a federal Parliament. That is some way off and I suspect that the appetite for that development is not yet sharpened.

The minimum that we need to do now is as follows: first, we must make it absolutely clear that Scotland should not be over-represented in this place; secondly, we must make it absolutely plain that Scottish Members cannot vote on the domestic affairs of England; thirdly, we must make it absolutely plain that the moneys that are allocated by this House to Scotland are moneys that can be justified by a proper needs assessment. The moneys need to be subject to proper control and supervision. That needs to be transparent and a process to which the House has access.

I am the friend of the principle of devolution. My concern—I think that this is the concern of the whole House—is to make it work. To work, it must be durable; to be durable, it must be fair; and to be fair, it must address the specific interests of England to which I have drawn attention.

7.18 pm

Mr. Tam Dalyell (Linlithgow): Perhaps the best compliment I can pay to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) is to say that, in my considered opinion, members of the Cabinet should have been here to hear his speech.

I hope that I shall be excused just one reminiscence of 1977. There are a dwindling number of us who went through the discussions on the subject in 1977, 1978 and 1979. On that occasion in 1977, the argument was put by Michael Foot, then Leader of the House, but almost throughout the debate there was the looming presence of James Callaghan, then Prime Minister. At least they gave the appearance of listening to the House of Commons. I should like to register that, on the Government Front Bench at the moment, there is only the Under-Secretary of State for Scotland, my hon. Friend the Member for Strathkelvin and Bearsden (Mr. Galbraith). He has many talents and is an expert on health, but even he would agree that he has no specific responsibilities in the Scottish Office for the constitution.

So it really does come down to the devaluation of the Chamber of the House of Commons and that leads to certain dangers. One danger in particular is that the English dimension has been almost neglected. Unlike what happened in 1977, when John Smith operated out of the Cabinet Office, the Bill we are considering today is the concoction of the Scottish Office. When have Scottish Office Ministers ever been tested on the anvil of the argument that it takes two to make a settlement? It is not just the Scots who are involved; it is the English too if it is to last and endure. If it is not to endure in the form or something like the form in which it is put forward, we are in danger of bordering on the fraudulent.

Mr. Salmond: There may be some justification for what the hon. Gentleman is saying, but should we not rely on the judgment of English Members? The English Tory Members in the Chamber are barely in double figures and I can see no Labour or Liberal Democrat Members representing English constituencies. If hon. Members representing English constituencies choose not to listen to the hon. Gentleman, are they not registering their level of interest in the debate and, as they represent English constituencies, does that not tell the hon. Gentleman something about the feelings of their constituents?

Mr. Dalyell: It is my personal opinion that, rather than having four Scottish Ministers opening the debate and replying to it, there certainly ought to have been a contribution from the Home Secretary, the Leader of the House or both. The fact that the Bill has been drafted and devised by the Scottish Office raises the following question: are we sure that the English are really party to what is hoped to be a long-term settlement?

Mr. O'Neill: My hon. Friend is being rather disingenuous. He was the parliamentary private secretary to the Leader of the House in the 1960s. There is a web of Cabinet Committees. If we are to believe even a small amount of what is reported in *The Scotsman*—most of it has to be taken with a rather large pinch of salt—most, if not all, the issues have been through the bowels of the Cabinet Committee system for weeks, if not months. It is completely misleading the House to suggest that the legislation has been somehow concocted out of the air of St. Andrew's house or Victoria quay. There have been far more people involved than just Scottish Ministers who have responsibility for carrying through the legislation because the Government are united and have confidence in them to do the job.

Mr. Dalyell: I hope to heaven that my hon. Friend is right about all the thought that has been put into the Bill. It is our duty to scrutinise what is put before us.

The enterprise remains one of peculiar and perhaps unique difficulty. It is hard to find any significant established example of a successful semi-federal state—one in which a substantial proportion of the population is governed through a division of law making and comparable powers between a higher and a lower legislature, while the rest is governed by the higher alone. Instances such as the Isle of Man and the Channel Islands, or even pre-1972 Northern Ireland, have been tolerable as de minimis. Scotland, with approaching 10 per cent. of the UK's population and well over 10 per cent. of its Members of Parliament, cannot be regarded in that way. Even uneven federalism can be problematical, as Quebec illustrates.

In my view, the political difficulties have been accentuated by the apparently low level of understanding in Scotland, despite the referendum, of those difficulties

and of how genuinely awkward the semi-federal system is. There is also a lack of understanding of how significant are the special advantages that Scotland has enjoyed within the United Kingdom under the existing dispensation—the extra Members of Parliament, the extra financial allocation and the powerful position of the Secretary of State for Scotland.

One also asks whether there is an understanding in Scotland of how inescapable it is that the continuance of those advantages should come into question when any new, lasting dispensation is negotiated with other parts of the United Kingdom. If it is not lasting, it will go sour and there will be all sorts of difficulties.

Can any Minister explain to the House how Members representing English constituencies will be persuaded for the foreseeable future—not just the particular circumstances of a Parliament in which Labour has a majority of 180—to continue to vote at least 24 per cent. more cash per capita to Scotland than to their own constituents? That is asking rather a lot of human nature.

At the same time, they will have no control over how that extra money will be spent. How can such a position endure in the real world? That is one problem that we shall have to examine in depth in Committee.

One thing is for sure: if the English see Scotland giving better care to lone parents or funding the disabled more advantageously or avoiding tuition fees, they will no longer acquiesce in favourable funding, the Barnett formula or anything else. Yet, woe betide Members of the Scottish Parliament were they not to take immediate action on lone parents, the disabled or tuition fees because expectations have been raised.

So herein is a real dilemma that we had better discuss very frankly, as none of the three political parties to which the majority of Scottish voters were most disposed to listen seems to have put the matter to them squarely or candidly. However, that is water under the bridge.

The central challenge is, amid inevitable anomaly, to devise a scheme offering a good prospect of adequately contented constitutional stability. That is why we have an obligation to explore the Bill properly.

The main destabilising risks to be managed are in shorthand that one side of the border may consider that the settlement gives Scotland too little and the other that it gives Scotland too much. The temptations on those lines to populist political campaigning—perhaps especially in Scotland—will, over time, become considerable.

There are various criteria to consider. The deal must not be seen by the English majority—at the outset or as experience builds up—as giving Scotland unacceptable one-sided privileges and advantages. If that happens, the settlement cannot endure.

The deal must give Scotland enough to be regarded as worth having and must be worth the additional government costs. The Under-Secretary on the Front Bench has responsibility for health—a subject on which he is an expert. He must be aware that there are worries about the costs of devolution. Throughout the referendum campaign, some of us asked disbelievingly about the £40 million limit. Up it goes. When *The Scotsman* reports on its front page about the idea of sandwiches for lunch in hospitals, comparisons are made. The expense of the process is of increasing concern. That is a matter of unpalatable fact.

The deal must be robust against the risk of demands, developing in the light of experience and given vigorous voice by the Scottish Assembly, that perceived Scottish ills be remedied by the devolution of ever more powers. We had a taste of that when the hon. Member for North Wiltshire (Mr. Gray) interrupted my hon. Friend the Member for Cunninghame, South (Mr. Donohoe), who is a member of the Select Committee on the Environment, Transport and the Regional Affairs—alas, he is not here at the moment—to ask him about discontent about the railways. My hon. Friend said that more power must go to the Scottish Parliament and that it was absurd if it did not. The hon. Member for North Wiltshire suggested that that was a taste of things to come. We must look at that closely in Committee.

The deal must be reasonably free of built-in sources of recurrent friction, such as arguments about the allocation of United Kingdom public revenue to Scotland and about the dividing line between devolved and non-devolved functions. It must also avoid cross-border differences of law or practice too severe to be tolerable in a single state on difficult issues such as abortion law and drugs.

Policy scrutiny of the deal must be ready to test all its features against a scenario in which the Westminster Parliament and the Scottish Assembly are of markedly different party composition, yielding Governments out of sympathy with one another—perhaps sharply so. That would probably have been the situation between 1979 and May 1997.

Mr. Hogg: The hon. Gentleman has made an important point. Will not the problem be at its most acute over Europe? The Government have said that they want to allow members of the Scottish Executive to speak to the Council of Ministers. That can happen only when the same party is in control of the Scottish Parliament and the Government. Otherwise, there is little prospect of them having the same policy and therefore little prospect of the Westminster Government being willing to allow members of the Scottish Executive to express a collective view.

Mr. Dalyell: May I respond to that by offering the House a small and entirely true tale? In 1977–78, I was a member of Socialist International. At a meeting at Elsinore, I had the opportunity to put the Scottish problem to Helmut Schmidt—I am not name-dropping. It was late at night. He listened with extreme politeness for 10 minutes and then said gently, "I have 17 million Bavarians and Franz Josef Strauss." That is part of the problem. The Europeans had better be consulted about any solution that involves the powers or activity of a subordinate Parliament—that is what it will be—in the European Community. A proper answer to the right hon. and learned Gentleman would need a treatise rather than a few sentences in the House.

The White Paper "Scotland's Parliament" postulates collaborative amity at various points, including paragraph 4.15. That is plainly desirable, but it cannot be relied on over the long haul. The problem will arise not only

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between parties of sharply different political outlook. There are situations in which people of the same party have different policies in Edinburgh from in London.

Mr. McAllion: Absolutely.

Mr. Dalyell: My hon. Friend knows exactly what the position is from a different point of view.

Mr. McAllion: My hon. Friend referred earlier to the danger that may arise from what he described as constant sources of recurrent friction. Does it ever cross his mind that he may be a constant source of recurrent friction in relations between the Scottish and British Parliaments?

Mr. Dalyell: My hon. Friend, whom I wish well, intends to stand for the Parliament. The House will not be astonished to hear that I do not—not that anyone would have me.

In the rest of my speech, I shall survey a few of the main constitutional issues that are likely to be contentious in Committee. They are representation in the House of Commons, the scope of the powers devolved, the future of the Secretary of State, how the devolved powers are delineated and how the delineation is policed.

Scotland has 72 Members of Parliament. If constituency electorate sizes were adjusted to match those of England, it would have about 58. The discrepancy does not reflect any deep or deliberate constitutional bargain. It does not go back to the 1707 Act of Union, or even embody a conscious and thought-out choice. It seems to have developed from Scotland and England having separate boundary commissions, with no overall mechanism for adjusting the Scottish allocation of seats to reflect the gradual decline in the relative size of the Scottish population.

That anomaly, which is open to objection even now, will become plainly unconscionable on the establishment of a Scottish Assembly with substantial law-making powers handed over by Westminster. On any reasonable view, the Scottish number must come down. The Bill warily opens the door to that, but not before 2010.

The Scottish Grand Committee had a debate in Dumfries about Scotland in the Union during which the Secretary of State for Defence, who was then just the hon. Member for Hamilton—said:

"Devolution lie No. 5 is that we must reduce the number of Scottish Members of Parliament if we have a devolved legislature in Scotland. During the devolution debate in the 1970s, the right hon. and learned Member for Edinburgh, Pentlands (Mr. Rifkind) said that he would strongly oppose any suggestion of bargaining Scottish representation at Westminster in order to obtain parliamentary approval of a devolution Bill. He also said that the maintenance of the present number of Scottish MPs should be a prime objective. That point is as valid and true today as it was when the right hon. and learned Gentleman made it."—[*Official Report, Scottish Grand Committee*, 5 July 1996; c. 13.]

If it was true in January last year, it must be explained why it is not true in January this year. There are difficulties, and at least some explanation is required.

The so-called West Lothian question—it was not dubbed the West Lothian question by me, incidentally—still arises. It is not seriously addressed in either the White Paper or the Bill. How can it be tolerable for Scottish Members of Parliament to continue to vote at Westminster on legislation governing England on matters on which, since they are devolved matters in Scotland, they themselves—let alone their English counterparts—have no say and no responsibility in Scotland?

Frankly, after 1999, I do not think that I shall be able in conscience to vote on purely English affairs. There is a problem. I am not going to offer any great threat to the Whips—that is not my style—but I warn them straight away that there will be a great deal of discussion on the matter.

As the right hon. Member for Haltemprice and Howden (Mr. Davis) said, there is something improper in the new arrangement if the hon. Member for Linlithgow may vote on matters in relation to Lincolnshire but, in relation to Linlithgow, he cannot. How long can that go on? I say to any of my hon. Friends that that cannot endure—yet we are talking about a proposal that is to last for a very long time. Such a problem will have to be hammered out.

The problem could go much deeper than just from-time-to-time votes on legislation, since Scotland's Members of Parliament may—as, indeed, we were for much of the 1960s and 1970s—be the "swing" factor in the political orientation of the entire United Kingdom Government and therefore in determining policies and running administration for the devolved subjects, such as health or education in England, over an English majority of a quite different party with quite different policy preferences. Are Ministers suggesting—I wish that they were here to say so—that such a situation can last in perpetuity? There is no stability about it whatever.

Solutions of an in-and-out character—envisaging that, either by rule or convention, Scottish Members of Parliament should abstain in respect of Scotland-devolved matters—cannot be workable in the long run. No UK Government could function properly, coherently or effectively in a situation such as that during substantial periods of the two Wilson premierships and throughout the Callaghan premiership, where, without Scottish votes, the Opposition had a majority on large subjects such as health, education and transport.

Moreover, there would be a constant scope for argument about whether Scotland was unaffected by the policies—and their costs—adopted in respect of England, which has 85 per cent. of the UK population. The Barnett formula means that changes in policies for England may ultimately, at least at the margin, affect the size of the block allocation to Scotland. There might be recurrent distorting temptations for a Government in a Wilson or Callaghan situation artificially to frame primarily English legislation in ways that contained just enough Scotland-affecting content to admit the votes of Scottish Members of Parliament. Any serious consideration of the Bill had better look at that problem.

Another approach might in theory be for any Government in the Wilson or Callaghan situation to observe a constitutional convention that they would, in Scotland-devolved matters, simply refrain from English legislation which they could not carry without Scottish Members of Parliament. That would be an impossibly sweeping, self-denying ordinance for a Government who were elected, for example, on a manifesto of radical educational or national health service reform. The truth is that, at bottom, there can be no perfect answer to the so-called West Lothian question. The difficulty is inherent in any semi-federal or unevenly federal structure. The

only way out is some kind of compromised bargain, which could win general recognition as having enough swings and roundabouts for rough justice.

The main working precedent is that provided for half a century at Stormont, where entitlement of 17 Westminster seats was judgmentally reduced to 12. On that precedent, the Scottish number would be reduced to—wait for it—about 41. Whether the reduction need logically to go precisely that far depends on the extent of the functions formally devolved to Scotland. Albeit in significantly different political circumstances, Stormont was given a notably wide range. There was a deep propensity among the Unionists not to diverge from Great Britain practice. It is hard to see how logic could yield any figure above, say, the 40 to 50 bracket.

The Times leader of 21 February 1997 said of the then Leader of the Opposition:

"But, despite promising to answer the West Lothian Question, he never did. This was a glaring hole in the centre of his speech."

I am afraid that that glaring hole is still in the Bill, and we must talk about it frankly in Committee.

Occasionally, someone has made the objection that devolution is not federalism—power devolved is ultimately power retained. That is of course formally true, and, indeed, inescapable in any sovereign Parliament system that lacks an entrenched written constitution, overseen by a supreme court and not amendable by simple parliamentary majority. The practical and political reality is different. The present Government cannot seriously intend—and certainly cannot say to Scotland—that the devolution settlement is to be other than a full-hearted and lasting release of power to Scotland. They cannot seriously intend that Westminster should be seen as constantly looming over Edinburgh, ready and willing to take it back.

That is where we come to clause 27(7), which the Secretary of State raised. I asked whether subsection (7) should not be self-standing and renamed "the Westminster Parliament's preservation of sovereignty" subsection, or the "appeasement of the Home Office" subsection. Is the subsection not a preservation of Westminster's legislative competence in all matters? The Secretary of State very sharply commented on the matter.

I happen to welcome the subsection, but, much more interestingly, do my hon. Friends the Members for Dundee, East (Mr. McAllion) and for Falkirk, West (Mr. Canavan) welcome it? Many of those most ardently in favour of devolution have interpreted that subsection rather differently. So, our discussions on clause 27 will be extremely interesting—as will our discussions on clause 29.

Clause 29 will allow the United Kingdom Parliament to add to or subtract from the list of reserved powers in schedule 5 by statutory instrument. That is a quick and easy method, but there will be no opportunity for amendment. The matter will be debated in Committee and not on the Floor of the House. Is that appropriate, given that schedule 5 is central to devolution and the work of the UK Parliament? Surely changes to schedule 5 must be made by primary legislation only.

Mr. Salmond: I am becoming genuinely puzzled by the hon. Gentleman's speech, because he is known for his consistency in these matters. I have listened carefully to his arguments on the constitution over the years, most recently during the referendum campaign. One of his principal arguments has always been that if there were devolution on the model proposed by some, independence was inevitable. He made that argument during the referendum campaign and in a debate with myself and the Secretary of State during the campaign. His speech this evening seems to have departed from that view, and he now seems to be looking at the Bill to find things in it to strengthen his position. At what stage did he stop believing that independence was inevitable and start believing that this Bill could be salvaged if only the Secretary of State listened to his advice?

Mr. Dalyell: I began my speech by saying that the Bill should properly be called the paving Bill for the dissolution of the United Kingdom. That, take it or leave it, is my considered view. However, I think it is an obligation on Members of the House of Commons to study the Bill extremely seriously and to give it our full attention and scrutiny. That is what I am making, I hope, an honourable attempt to do.

One other attempted line of debating escape might be that the so-called West Lothian problem is no more than a temporary anomaly pending the development of companion plans for devolution in England. This really would be threadbare. There is neither even the briefest sketch of any credible blueprint nor any sign of desire among the English public for legislative devolution—they may want different councils or councils of the north but we are talking about legislative devolution, which is the prime problem—on anything like the depth and scale in contemplation for Scotland.

I come briefly to the scope of powers devolved. There is a natural and proper desire to devolve as wide as possible a range of subjects to the Scottish Parliament. The exceptions to be made presumably rest on one or other of two criteria.

The first is that the subjects are of a kind—for example, defence or foreign affairs—inherently requiring to be exercised at the sovereign state level.

The second is that the subjects are of a kind such that either significant anomaly between one part and another of the United Kingdom would be unacceptable, or actions taken by Scotland would have on other parts major repercussions of which the Parliament cannot reasonably be left the arbiter. On 19 December 1997, *The Scotsman* suggested that this could be another source of conflict—that is the danger of those criteria.

In the 1974-77 episode, considerable effort was mounted—alongside the judgments made about what subjects could be devolved, and in the light of a sense that the aggregate of those might be found disappointing in Scotland—to partner the package by as much as possible in the line of further decentralisation to the Scottish Office.

The subjects so decentralised were essentially of a "category B" character and the basis for them was a belief that, although the framework of Westminster legislation and the safeguard of UK Cabinet oversight needed to remain, local administration and discretion within those limits would be acceptable. In the event, the devolution enterprise failed, but those additional decentralisations went ahead.

In the years of opposition, Labour leaders said that all functions currently exercised by the Scottish Office would be devolved to the Scottish Parliament, and the White

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Paper appears to reflect this. The implication is that the 1974–77 "decentralised but not devolved" judgments—both about subjects then already decentralised and about those that were added—were, without exception, mistakenly cautious; that significant anomaly and repercussion in any of the matters concerned either would not arise or would not matter. It is, to say the least, far from clear that that sweeping conclusion has yet been thoroughly tested and publicly justified. I put down the marker that that matter must be considered in Committee, because the reverse of what was done in the 1970s may create as many problems as we faced at that time, and there will be rows about resources.

I come to the future of the Secretary of State. One of the major perceived advantages given to Scotland by the current system is the presence in the Cabinet of a senior Minister directly concerned to defend Scotland's interests. The Secretary of State's practical authority among his Cabinet colleagues has derived essentially from the executive responsibilities he shoulders as heading the Scottish Office.

The more those responsibilities are reduced by the devolution settlement, the less standing the Secretary of State can have as anything other than a strictly irresponsible "more or better for Scotland" campaigner. If the Scottish Office has no executive responsibilities—as the White Paper implies—he or she is nothing but such a campaigner and a repository-megaphone-whipping boy for the Scottish Parliament's grumbles against Westminster and Whitehall. That cannot, in the long run, be sensible or acceptable to non-Scottish viewpoints as the basis for a seat in the Cabinet.

Nor can a substantial role sensibly be created, as paragraph 4.14 of the White Paper implies, by designating such a Secretary of State and a small supporting staff as the prime channel—perhaps a bottleneck—of communication on substantive issues between London and Edinburgh. The London interlocutor must surely be whichever is the Department responsible for the particular subject. One must ask how reducing Scotland's voice at Westminster, where Scotland's funding will be determined, will benefit Scotland.

I come to the delineation of devolved functions, which is a challenging task. There are many existing federations which, by definition, have delineations in place. However, the majority of those—at least in developed states with a political and public culture broadly comparable with ours—have been federations for a century or more. Their basic delineations were accordingly established at times when governmental functions were mostly much less dense, extensive and interactive than they are now. The dividing lines as they now exist have mostly been able to evolve gradually and pragmatically within a culture of familiarity with, and acceptance of, the federal concept.

Leading instances such as Australia, Canada and the United States stretch across very large territories, so that cheek-by-jowl comparison is less intense. The drawing of an entirely new legislative boundary through a highly complex governmental scene within a relatively small, densely populated island with a powerful culture—fostered by an unusually strong nationwide media structure—of expecting consistent treatment right across the UK is without parallel anywhere else.

The approach to delineation must consider two basic questions. Should the line be drawn by describing what is devolved or what is not? The 1974–77 enterprise took the former route. Secondly, should the line be drawn by broad description of subject or by very detailed mapping in terms of the existing statute book? The 1974–77 enterprise took the latter route.

The 1974–77 approach, in those respects, produced very long and complex Bills and was much criticised accordingly at the time and afterwards. The White Paper takes an opposite approach, but it should be recognised that there are considerable practical difficulties whatever course is preferred. There is no logical reason to suppose, as paragraph 3 of the White Paper appears to claim, that the difficulties are removed simply by reversing the approach.

The choice of approach to delineation interacts with how it is to be policed. Who is to decide whether the Scottish Assembly has overstepped its powers? During the 1974–77 saga, that was a matter of hot debate within the Government, centring around the issue of judicial review. One school held, virtually as a matter of basic legal and constitutional principle, that it would be wrong to deny citizens the right to argue in the courts that an assembly Act that disadvantaged them exceeded the powers granted by Westminster in the devolution statute. The other school held, partly in awareness of the boundary complexity problem that I noted, that it would be unreasonable in practice, for lack-of-certainty reasons, and politically objectionable to Scotland that the primary legislation of the Assembly should be liable at any time—perhaps, long after enactment—to be struck down by the courts as ultra vires. The more broadly drawn the delineation, the greater—so that school argued—the risks.

If the latter school prevails, the question of who is to police the boundary still arises—at some point, someone must. If there is no general right of post-enactment judicial review of the vires of primary legislation, there has to be some procedure—legal or Westminster/parliamentary—for providing a nihil obstat at the time of enactment. In paragraphs 4.16 and 4.17, the White Paper sets out a procedure for considering vires and resolving disputes before assembly Bills pass into law, but the last sentence of paragraph 4.17 still envisages—albeit in brief terms that do not show, for example, who would have the right of action, private citizens or merely Westminster/Whitehall—that that challenge could be made after the passage of the Bill.

No course is free from difficulty. It is fair to acknowledge that, in the two decades since 1974–77, because of the European Court, public opinion has become more accustomed to the idea that the legal system might indeed be able to overrule democratically enacted statute. However, that does not make the experience politically comfortable and the scale and weight of its incidence might—depending on the quality and style of the devolutionary delineation, the political climate and how widely any right of challenge to vires extends—be a good deal more onerous than in the European dimension, especially since it would be additional to that dimension.

Finally, what additional taxes could be raised by the Parliament over and above the specified income tax power, if the Treasury were to restrict the amount of additional revenue available to the Scottish Parliament as a result of possible future changes to the United Kingdom

tax structure? Unless those matters are cleared up before the Bill becomes law, business and individual taxpayers will be condemned to perpetual uncertainty.

The House has been very patient with me. I shall end by saying that, unless we resolve some of those problems, we will find that the demand for self-government in Scotland and the maintenance of the unitary character of the British state are ultimately compatible only in the realm of rhetoric. The House has been patient, but we must go into those matters in depth in the days before us.

8.2 pm

Mr. David Wilshire (Spelthorne): It is fortuitous that I am speaking after my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and the hon. Member for Linlithgow (Mr. Dalyell), for reasons that will become clear.

There are some Labour Members, or there would be if they were here, who believe that an English Member of Parliament like myself has nothing relevant to contribute to this debate because they see this Bill as an exclusively Scottish measure. That probably explains the answer to an earlier question—why there are so few English Members here. Most of them have worked out that they will not be listened to in any event, so why bother to have a say? Scottish Members who think like that are wrong. I am certain that there is a relevant English dimension and I am just as certain that that dimension is potentially very nasty.

The English dimension that I want to discuss is not the set of issues that my right hon. and learned Friend the Member for Sleaford and North Hykeham raised. I want to discuss what will happen if the Government choose to ignore those relevant points and all the other relevant points about English concern. If they ignore the English dimension, they will reawaken English nationalism and history teaches me at least that that is a very ugly phenomenon. Therefore, we should not proceed with this Bill until we have thought through the English dimension and ensured that the Bill does not lead to English nationalism. If that is so, the Bill is premature and should not receive a Second Reading tomorrow night.

Today and tomorrow, the Government seek to make a fundamental constitutional change in just one part of the United Kingdom. That makes the Bill a dangerous ad hoc process. To make matters worse, the Bill will be followed by the Government of Wales Bill, which would make a different set of ad hoc changes that will also be dangerous. After that, if the Government are successful, they will try to achieve yet a different variation on the same ad hoc theme in Northern Ireland—three sets of ad hocery.

In contrast to all that ad hoc change, the Government seem to believe that they can get away with little or no change in England. If I understand them correctly, their current approach is to offer a pledge in their next election manifesto that they will consult us, the English, on some half-baked artificial local government region scheme. Treating the English like that is simply playing with fire.

Do not get me wrong, Mr. Deputy Speaker, I am not against Scottish devolution in principle if that is what the Scottish people want and the recent referendum certainly suggests that they do. I am not necessarily against this form of devolution, provided that it is part of a United Kingdom-wide package and that it is not simply ad hocery.

So, I am against proceeding with this Bill in isolation. The wider UK implications have yet to be thought through and they must be before we go any further down this track. As it stands, the Bill simply plays fast and loose with the British constitution. Before we proceed with it, the Government need to devise a United Kingdom-wide framework based on a full constitutional review of all four parts of our nation. Before they draw up that framework, they need to decide whether they are considering regionalism or nationalism.

At the moment, the Government seem to be totally confused on that matter. First, they are offering us a Scottish Parliament. In a week or two, they will offer us a Welsh Assembly, even though only a quarter of the Welsh people seem to want it. Later, they will talk about English regions—what a total muddle and what utter confusion.

The Government are tinkering with both regionalism and nationalism at the same time. They are treating those two different concepts as though they were interchangeable, which they most certainly are not. The Government need to make up their mind what they think they are doing. Is their devolution policy based on regionalism or nationalism? If I understand the Bill correctly, I must conclude that the Government are acting on a sense of Scottish national self-identity. If that is so, the Bill is about nationalism, which is why I worry about the reawakening of English nationalism.

On whatever concept the Bill is based, the Government simply have to treat the other three parts of the United Kingdom in exactly the same way, because if they do not, as others have said before me, they will provoke an English backlash. Indeed, I get the impression that that backlash has already begun.

Far too many people seem to have forgotten what English nationalism is capable of. Even the briefest scanning of the history of the United Kingdom should be enough to remind us all: rape, pillage and mayhem leap from virtually every page of that history. Throughout Scotland, Wales and Ireland there are countless monuments to the local heroes who were slain in a vain attempt to stem a relentless tide of English domination. It is worth looking back at what history has to teach us.

As a proud Englishman, I can well understand the national pride of the Scots that underpins the Bill, but as one of the 47 million men and women in England I caution the 5 million Scots to pause for a moment and consider how they might fare if this huge English majority decides that it is being pushed about by a small minority.

Mr. Shepherd: Does not my hon. Friend accept, though, that England is in a sense the melting pot? Hundreds of thousands of Scots, Welsh and Irish live in England, and many hon. Members, myself included, claim that we are part of a wider family. I am Scottish by birth, with a Scottish mother and an English father, and many of us can trace Irish or Welsh ancestry. This is the melting pot; the division between England and this Union of ours is not so bleak or so black and white.

Mr. Wilshire: I sincerely hope that my hon. Friend turns out to be right. There are, indeed, within the 47 million a number of people who feel as he does, but I most certainly sense that there are also great numbers who consider themselves English, which is what leads me to speak tonight. I worry about what will happen if those people in the English majority decide that they want to do something about what is going on.

[Mr. Wilshire]

Some, indeed, have already started: several constituents have asked me whether the Bill means that we, the English, will stop putting our money into other people's pockets; however hard I try, in fairness to the Government, to explain that it is not really like that, it does not do much to reassure them. "What about the English?" has been a recurring theme in my constituency, at least, ever since the Scottish and Welsh referendums. What about the English indeed? The House would do well to take that sentiment seriously.

Let me make it clear again for the record that I am not opposed to all the details in the Bill, only to the timing and the ad hoc approach. If the Scots want home rule, that is fine by me, provided that we, the English, get the same. Trying to fob us off with so-called regions is pathetic. When the Scots sing "Flower of Scotland" and the Welsh sing "Land of My Fathers", what, pray, are the worthy burghers of Spelthorne to sing—"God Save Our Glorious South-East", perhaps? God save us from it, would be my sentiment.

If the Government are determined to go down this route, I believe that there is only one safe way to do so: as part of a federal constitution. My right hon. and learned Friend the Member for Sleaford and North Hykeham made precisely that point. Such an approach would probably lead to a Scottish Parliament in Edinburgh, which is what the Labour party wants, a Welsh Parliament in Cardiff, a Northern Ireland Parliament in Belfast and an English Parliament in, say, Birmingham, with Westminster left to deal only with matters such as defence and foreign affairs.

Mr. Grieve: Does my hon. Friend agree that the problem with a federal solution is that it can work only where the parts are roughly equal? The only experience of federalism in a different context, in Germany after 1870, showed clearly that it was impossible to discharge the burden of governing Germany without also being in control of Prussia, because one single entity was wholly dominant over the others. Is not that good evidence to show that federalism in its pure form is unworkable in this country?

Mr. Wilshire: I am grateful to my hon. Friend for making that point because, having rehearsed where I consider that the debate ought to be taking us, I was about to say that I would vigorously oppose that approach, for precisely such reasons as he has given. At least the scheme that I have outlined is intellectually and politically honest, which is more than can be said for the Bill.

The Bill is at best a cheap attempt to buy off Scottish National party votes; at worst, it could lead to the break-up of the United Kingdom and the reappearance of an extremely unsavoury English nationalism. I am implacably opposed to both those possibilities, but I genuinely fear that that is where we may be heading. That is why I urge the House to deny the Bill a Second Reading tomorrow night.

8.15 pm

Mr. Malcolm Chisholm (Edinburgh, North and Leith): My right hon. Friend the Secretary of State gets embarrassed when praised too much; he should be used to it by now, but out of respect for him I shall get it over with at the beginning: I congratulate him on a technically brilliant Bill that is more radical than anyone could have imagined a year ago, when I was shadow spokesperson on constitutional affairs, and that delivers the policy in the White Paper with clarity and comprehensiveness, and with speed, notwithstanding what the right hon. Member for Devizes (Mr. Ancram) said.

There have been a few additions since the White Paper: I am sure that we were all greatly enlightened to learn from schedule 5 that outer space is a reserved area, but I hardly think that many people would have changed their vote on 11 September because of that information.

I also congratulate my right hon. Friend—my last congratulation—on his choice of a site for the Parliament. The two main alternatives were in my constituency, but I believe that nobody can criticise him for going for a new-build option in the historic heart of Edinburgh; indeed, I praise him for it.

I also commend, in far more muted terms, the more positive attitude towards constitutional change of the right hon. Member for Devizes and several other members of the Conservative party since the referendum, but I ask them to reflect on the wisdom of pushing for more to be included in the Bill in respect of Europe, financial matters and the so-called West Lothian question.

I would be interested to see the Conservative amendments on the last two matters. I wonder whether Conservative Members will be able to reach a common position, because the differences in their party about finances and the so-called West Lothian question probably reflect a fundamental fault line between those Conservatives who genuinely want to make the Union work and those referred to so often this evening as the English nationalists.

I believe that only English nationalism, not Scottish nationalism, can destabilise and be a threat to the settlement, but I do not think that we can put anything in the Bill to control that. I would like to believe that the Conservative and Unionist party is genuinely Unionist.

It is absolutely right that relations with the European Union are a reserved matter. Especially since the Single European Act 1985 and the advent of majority voting, it is far more in Scotland's interest to be part of a large voting bloc—the United Kingdom. It is also right that the specific details of how the Scottish Parliament relates to the United Kingdom in the European Union should not be entrenched in the Bill. The constitution unit said that long before the general election.

As my hon. Friend the Minister for Home Affairs and Devolution said, there will be a Scrutiny Committee in the Scottish Parliament and there will be far more opportunities for the Scottish voice in Europe to be heard. The hon. Member for Banff and Buchan (Mr. Salmond) read out the figures for the past 18 years of how many European Councils Conservative Ministers had attended, so it ill befits Conservative Members to talk about the Scottish role in Europe under their running of the Union. I believe that the Government have got it right on Europe, and I look forward with great confidence and optimism.

I ask Opposition Members to reflect more broadly on the underlying reasons for the Bill. Many hon. Members have moved a long way since 11 September, but unfortunately some have not moved any distance. I commend to them one of the great speeches on

constitutional reform given in the House by Malcolm Rifkind in 1976, on the night when he resigned from the Front Bench to support the Labour party on devolution.

In that speech—on 16 December 1976 if any Opposition Member wants to read it—Malcolm Rifkind made some of the classic arguments for the Bill that we are discussing. The first thing that he said was that devolution—obviously it was a different scheme—is about good government for Scotland and the United Kingdom, and he pointed out that there has been a vast accumulation of powers within the Scottish Office over the 100 years or so since it was set up. The simple reality is that these issues cannot properly be dealt with—notwithstanding the brilliance of the present incumbents on the Scottish Front Bench—because at the moment in the Scottish Office there are the equivalent of eight or nine Whitehall Ministries, and we get only one Question Time a month and not many debates. The current debates on the Bill are the exception rather than the rule.

The issues are that there should be time for legislation and for scrutiny of policy, and that Ministers should be accountable, because from recent experience in the Scottish Office, and from dealing with Scottish matters from the Front Bench before that, there was very little opportunity for that. One compensation is that I can make more speeches now, because we do not have many debates on Scottish matters. There is very little accountability, apart from the one Question Time a month, because of the institutional structures that have existed for the past 100 years. The fundamental underlying argument for the Bill is better and more accountable government. I very much look forward to the Scottish Parliament delivering better government for Scotland.

Many massive and exciting developments in the Scottish health service have not received the credit that they deserve. There was a White Paper before Christmas, and there will be a Green Paper very soon. Perhaps it is because they have been so broadly welcomed and not attracted criticism that they have not flooded the media. The House has not had an opportunity to examine those policies in detail, and there will probably be little opportunity to do so. I look forward in the Scottish Parliament to a great opening out of the health debate, and the interrelationship that the Government emphasise between health and other policy areas, such as housing and the environment.

The Bill is a tremendous opportunity for better government for Scotland. In fact it is even more exciting than that, because it will mean not just better government but the beginning of a new politics, which is very fitting, because they will coincide with the new century. I shall pick out just four aspects of the new politics for the new century which the Scottish Parliament will trailblaze, and which I hope that, in time, Westminster will copy.

First, we will have an example of power sharing. I think that it has been said that the 21st century will be the century of power sharing. In a sense independence, to which those in the SNP still attach themselves, is the doctrine of the 19th century. Interdependence and power sharing will be the way for the next century, and that will be embodied in the relationships that will develop between the Scottish Parliament and Westminster. Clearly, many of those relationships will have to evolve. It is not right to put some of these things on the face of the Bill. As long as people want to make it work, it will work. Perhaps my colleagues will disagree, but I have enough optimism about the Unionism of the Conservative party to believe that it, too, will want to make it work. I commend Scottish Conservatives by and large on having taken that attitude since the referendum.

The second aspect of the new politics is, of course, proportional representation, which is right. It is something that I came to believe in partly through my experience of the constitutional convention and from working with other parties within it. One of the advantages of PR is that it will lead to less confrontational and more co-operative politics in the Scottish Parliament.

If British people vote for PR in the referendum that we have promised them, in many ways the West Lothian question will disappear, because that question arises from the fact that it would in theory be possible for Scottish Labour Members, presumably, to be the crucial elements within a future Labour Government, whereas under PR, Labour votes from Scotland are unlikely to be decisive in the same way, although I must point out that, between 1979 and 1997, we put up with this in spades in the sense that all our policies in Scotland were imposed on us by a massive majority of English Tory Members of Parliament.

Mr. Grieve: I am much obliged to the hon. Gentleman for giving way. If these measures are to be part of a total constitutional package, would not it have been wise to have submitted them in toto to the electorate? He says that PR will remove the West Lothian question, but surely that is one of the matters that should have been put to the English electorate as part of their consideration as to whether they would accept the totality of the package. The danger is that the proposals are ad hoc, and therefore at some point there is a danger that they will simply be tripped up and fall flat in the mud.

Mr. Chisholm: I hear the point that the hon. Gentleman makes. I do not personally see the West Lothian question—which is why I keep saying the "so-called" West Lothian question—as an insuperable obstacle. Some people are very hung up on a symmetrical constitutional arrangement. We do not have symmetrical arrangements at the moment. My hon. Friend the Member for Linlithgow (Mr. Dalyell) omitted to mention Spain, for example, where asymmetrical devolution is well tried and tested. I do not personally think that it will be a problem. I am just pointing out, as part of my section on PR, that were the United Kingdom electorate to vote for PR, it would take away completely the theoretical problem that could arise in future of Scottish Labour Members of Parliament being the determining voice within a United Kingdom Labour Government.

Mr. Shepherd: The whole point behind the West Lothian question is equality of citizenship. We are not equal citizens. How on earth does the hon. Gentleman's PR proposal do away with that? It does not, of course, and that was an extraordinary syllogism—or whatever it was—that he threw in. He knows perfectly well that PR does not address the question. Even if there were PR across the whole of the United Kingdom, Scottish Members of Parliament, however elected, will have a competence in areas that are denied to English Members of Parliament in relation to Scotland. In fact Scottish

[Mr. Shepherd]

Members of Parliament will have no responsibility to the electorate for the conclusions of their decisions on wholly English matters.

Mr. Chisholm: Perhaps I am beginning to regret the aside that I made. The hon. Gentleman gave an interesting example. I was merely saying that the perceived problem, as far as I can see, is to do with a theoretical possibility. I accept that the hon. Gentleman takes a different position on that, but I do not think his view is shared by a large number of people. I shall move on.

I said that one of the features of PR is that it would lead to a less confrontational, new style of politics. The procedures of the new Parliament will build on and develop that. It is quite right that the procedures have not been put in the Bill in detail, as they should be up to the Parliament. We have talked about a people's Parliament. By that we mean a people's Parliament in terms of how it operates and who is in it. There will be opportunities for far more pre-legislative scrutiny in Scotland than we have here. Although we can have Special Standing Committees, we tend not to use them. There will be a debate about what kind of Committee structure we want in the new Parliament. It does not have to be exactly the same as in Westminster. Many of the Government's policy initiatives cut across traditional areas—welfare to work, child care and so on—so the new Parliament may wish to embody that. It will be up to the new Parliament to decide.

We also want a people's Parliament in terms of who will be in it. I do not criticise the Government but simply ask them to consider how that could be brought about. We are committed to gender equality in the Scottish Parliament but we risk a legal challenge. I regret that the Labour party did not challenge the ruling on all-women shortlists a couple of years ago, but we must now live with that. Will my right hon. Friend the Secretary of State consider introducing a temporary special measure to exclude the first elections from the Sex Discrimination Act 1975? Some argue that the Act should not apply anyway, but given that there may be a challenge on the basis of that Act, a temporary special measure as detailed in the United Nations report of the Committee on the Elimination of Discrimination against Women could at least be considered.

All the debates about amending the Sex Discrimination Act have had in the background the threat of a European challenge under the terms of the equal treatment directive. I have been looking at that matter and am slightly puzzled by it. The treaty of Rome seems to say that the EU has no legislative competence in relation to national legislation. Also a statutory quota is in place in Belgium, for example, under a law of 24 May 1994, whereby 33.3 per cent. of candidates must be female. That is less than what we want, but the principle is established. Under the Danish equality of treatment legislation, sexual discrimination is not allowed but an exemption from the Act may be granted and, in such cases, equality of treatment is promoted for both sexes in a transitional period by giving one sex preferential treatment to redress actual inequality. If that already happens in Europe, I wonder whether the equal treatment directive will be the block that has been suggested. I know that the Government are looking at all those matters and I would welcome a report on them.

I wish to pose two more questions, just in case the Government get too carried away with all the praise that I am giving them. The first relates to the Equal Opportunities Commission. We are committed not just to gender equality in the Scottish Parliament but to policies that establish gender equality. The Equal Opportunities Commission is a key body in the United Kingdom; will the Government consider making it a cross-border public body so that it has a locus within the Scottish political system? The Parliament could then call for reports from the EOC.

Secondly, clause 113 of the Wales Bill says:

"(1) The Assembly shall make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be equality of opportunity for all people.

(2) After each financial year of the Assembly, the Assembly shall publish a report containing—

(a) a statement of the arrangements made in pursuance of subsection (1) . . . and

(b) an assessment of how effective those arrangements were in promoting equality of opportunity."

Could we have such a clause in the Scotland Bill?

My three questions are related but they are not criticisms. I repeat the praise and congratulations that I gave at the beginning of my speech. I spend some of my time criticising the Government on one particular aspect of policy, but I take this opportunity to congratulate the Government on their many achievements since 1 May. Of those achievements, this Bill is the crowning glory.

8.34 pm

Mr. James Paice (South-East Cambridgeshire): I shall oppose the Bill tomorrow night, because of how it is drafted. I wish to make it clear, however, that I do not oppose the principle of devolution. Unlike the hon. Members to whom the hon. Member for Edinburgh, North and Leith (Mr. Chisholm) referred, who may have changed their minds since the referendum, I have always believed that the principle of devolution is right. I would go so far as to say that it is an essentially Conservative principle of driving power down, so that it is closest to the people whom it affects. That is a fundamental principle.

I also accept the will of the Scottish people as portrayed in the referendum, but we should not necessarily take that as meaning that they have agreed to every dot, comma and clause of the Bill. After all, they were presented with a White Paper on a take-it-or-leave-it basis, with a single qualifying question on the issue of tax-raising powers.

I oppose the Bill as drafted because it creates constitutional anomalies which neither it, nor any other declared Government policy, sets out to address and correct. I oppose it also because it fails totally to provide for proper accountability of the new Scottish Parliament. I do not profess to say what is right for the people of Scotland; I am not qualified to speak for them. However, Members of this House have a much wider and more fundamental responsibility on behalf of the whole of the United Kingdom to reflect on the implications for the United Kingdom of any measure that may be put forward, even if it applies to only one part of the United Kingdom.

The Bill provides for a Parliament with considerable powers, many of which probably go much further than was originally expected. They include the 3 per cent. income tax-varying power, which is the only

accountability provided for. At the same time, the House is considering a Bill for a Welsh Assembly, which will have much less power in terms of what takes place in Wales. We are promised proposals for regional assemblies in England and possibly some form of assembly in Northern Ireland. I would be wise not to digress into that: I just hope that some positive results come from the current talks.

In promoting this Bill, the Government seek a popular measure without real thought for the long-term future of the United Kingdom. By setting up an array of bodies in various parts of the UK with different levels of devolved power and accountability, they have made future constitutional crisis a certainty.

Real constitutional change and political courage would have come from reforms across the whole of the United Kingdom, including, fundamentally, reform of the public finances to allow for true local accountability. Interestingly, throughout Labour's period in opposition, it opposed the concept of capping local authorities. In theory, that opposition was right, because such capping destroys local accountability.

Like the new Government, our Government were hamstrung by the issue of public finances. The fact that local government expenditure is part of national expenditure means that it is an economic instrument. As a result of that capping, local elections over the past few years have been fought entirely on national issues, not on the notion of local accountability for how local services are run. The Conservative party learned that to its cost, and our national unpopularity caused loss of control locally, regardless of how councils were run. Just as surely, Labour will have the same experience in the coming years.

The Bill's promoters will claim that the 3 per cent. income tax-varying power will achieve that level of accountability, but I do not believe that it will. I shall again use a local government analogy. The Government's special capping limit agreed for Cambridgeshire will have to be exceeded by, interestingly enough, 3 per cent., simply because that is our total standard spending assessment. It could be argued that that is the fault of the local authority, but the blame will be laid at the Government's doorstep. Just as surely as the blame for constraint in local authority expenditure in Cambridgeshire in the past few years was laid at my party's doorstep, so the Labour party will now be criticised.

That will happen in Scotland, because Members of the Scottish Parliament will say, "Never mind the 3 per cent. that we may or may not use to vary income tax: the problem is the block grant provided by the United Kingdom Parliament." We cannot foresee exactly what will happen, but, if the Barnett formula is revised or reviewed, or, as several hon. Members have said, the block grant is reduced for one reason or another, we will create a platform on which nationalism will be allowed to flourish.

The nationalists will be able to build resentment about the continued, alleged English or United Kingdom, parsimonious attitude to the amount of money being passed to Scotland. The 3 per cent. tax-varying power will become less relevant.

Those who seek an independent Scotland will exploit the belief that the House is interfering with the operation of the Scottish Parliament. That will be exacerbated if the day ever comes, as surely it will, when the House is controlled by a different political party from that which makes up the Scottish Parliament.

Mr. Swinney: Does the hon. Gentleman accept that people who aspire to independence may have different motivations? As a result of the success of the limited powers of the Scottish Parliament, people in Scotland may decide that their self-confidence as a community is growing, and that they want to assume full control of all their affairs. That seems a natural state of being, to which people in Scotland may aspire.

Mr. Paice: The reasons for aspiring to independence are varied. I do not dissent from the hon. Gentleman's view. I believe passionately that it is not in the interests of Scotland or the rest of the United Kingdom for the United Kingdom to be broken up. If that day ever comes, I will fight vehemently to dissuade people from going down that road.

I want to concentrate on the purely financial issue. I believe that devolved government should be based on the ability to raise the necessary finance to fund devolved expenditure. Many of my hon. Friends may argue that a Scottish Parliament would increase taxes, drive out business, kill off any inward investment and increase unemployment. That may happen, and it would be a tragedy for Scotland if it did, but that is what democracy is all about.

I would oppose such policies in any way I could, but we must accept that democracy is about the public making choices. People have a right to choose. With every Labour Government, they have decided, after a relatively short time—about six years—that enough is enough and that they cannot stand their profligacy, and they have thrown them out. If the public do not like high spending and high taxing, or if people decide that that is what they want, they have the right to choose.

I have many specific concerns. I recognise that the Government have tried to deal with some of the problems. I am a fervent opponent of the concept of proportional representation, but I accept that the Secretary of State is trying to address the concern of people in rural parts of Scotland that they will be dominated by the central belt. I believe that they will be, but I recognise that the Government are at least trying to deal with that problem, and I am happy to pay tribute to them, although I do not think that their solution will be satisfactory.

The Bill is the start of the agenda for constitutional change that the Government have no plans to complete, but completed it will have to be at some stage in the future. When the Bill is enacted, the United Kingdom Parliament will have different levels of power as it affects different parts of the United Kingdom.

The debate this evening on the West Lothian question has concentrated on the rights and wrongs of Scottish Members of Parliament voting on English matters, on which they cannot vote in the Scottish Parliament, even though they affect their constituents. However, there is a more fundamental aspect. Is it right for the House of Commons to have Members from across the United Kingdom who have different responsibilities and powers? We shall have to face that fundamental problem as the Bill goes through the House.

The basic tenet of the House of Commons was fought for over centuries. Every hon. Member is elected by popular franchise under our present electoral system, and

[Mr. Paice]

once elected they are all equal. We vote on matters that affect other parts of the United Kingdom as well as our constituencies. As a result of this legislation, no longer will every hon. Member be equal. We must recognise that serious problem, and during the passage of the Bill, we must try to address it.

Mr. Grieve: Is my hon. Friend aware that, apart from anything else, it is difficult to reconcile that change in status with the European convention on human rights? We propose to incorporate one of its articles, which concerns the freedom of the electorate to choose their legislature. That is incompatible with the creation of a Scottish Parliament, unless approval is first obtained from the entirety of the electorate in the United Kingdom.

Mr. Paice: I confess that I had not thought of that, but I should have realised that my hon. Friend, with his wide knowledge and wisdom, would come up with yet another important aspect concerning the different status that will be held by different hon. Members.

I do not agree with those hon. Members, including some of my hon. Friends, who suggest that the solution is simply to debar Scottish hon. Members from voting on English matters. That would compound the problem of their variable status. When people are elected to the House of Commons, they are elected to be part of the governance of the United Kingdom, and they should be equal, whichever part of the United Kingdom they represent.

The Bill will result in resentment on both sides of the English-Scottish border. The Scots will resent the financial aspects to which I have referred, and that will be a cause of continuous friction. There will also be increasing resentment in England about the Scottish influence. The problem is more than just the West Lothian question: it is also the varying roles of hon. Members of this House. It is not merely that Scottish Members of the House of Commons will be able to vote on English matters, but that they may be debarred from holding ministerial office and dealing with matters that are wholly English. That is another aspect of whether this variable status is acceptable. A Member elected to this House for a Scottish constituency will be not legally but morally debarred from acting as Secretary of State for Health, or for Education and Employment or as Minister of Agriculture. Scottish Members who aspire to ministerial office have not yet thought that problem through.

I do not believe that the solution is to be found in regional assemblies for England of the type suggested in some quarters. It is offensive to Scotland to suggest that such regional assemblies are equivalent to a Scottish Parliament. What is more, there is no such thing as regional identity in most parts of the United Kingdom. The regions in question would be wholly artificial, without historical boundaries or natural affinity.

There is, for instance, no affinity between Lowestoft or Great Yarmouth and Cambridge or Hertford. I know from my time as a Minister dealing with regional offices that people in Devon and Cornwall do not feel themselves part of the same region as Bristol, where their regional office would be—they hold up their hands in horror at the very idea. It is thus a non-starter to suggest that regional assemblies in England can replicate the sort of devolved powers proposed for Scotland.

If the Bill becomes law, I have come to the conclusion—surprisingly, so have some of my colleagues—that the only permanent solution to the resulting constitutional morass will be English and Welsh Parliaments with similar devolved powers, responsible for raising funds for their own devolved responsibilities and operating under a reformed and reduced UK House of Commons.

These proposals represent the antithesis of the old cry that there should be no taxation without representation. Over the past few years, we have moved towards the idea of representation without taxation, and the Bill follows that route. Certainly, there is a small amount of taxation at the margins, but there is no true democratic accountability of the kind that people deserve.

Others have said that devolution will lead to the break-up of the United Kingdom. I do not think that that is necessarily so. I have always believed that devolution is right in principle, although this Bill might indeed lead to the break-up of the UK. It fails to answer some of the most fundamental questions to do with democracy which I and others have asked tonight. It will give rise to ever more friction between the peoples of Scotland and England.

Far from being the enduring solution to the problems of many years, the Bill will be a step towards darkness and ever increasing divisions between our separate countries. In years to come, some Government—I fear that it will be a Conservative Government—will be faced with clearing up the resulting constitutional mess, a task that will have to be done if we are to retain the United Kingdom of Great Britain and Northern Ireland. That unity of the nation is fundamental to the well-being and responsibilities of this House. If we allow the Bill to pass in this form, we shall be doing that unity a great disservice.

8.53 pm

Mr. Frank Doran (Aberdeen, Central): I join my colleagues in welcoming the Bill which, as many have said, is much more radical than we had expected before the election. I also welcome what it means to the future of democracy in Scotland and in the United Kingdom generally. I also congratulate Scottish Office Ministers on the way in which they have dealt with the Bill since the election.

I have no doubt about the need for constitutional change. My vacation from this place between 1992 and 1997 sharpened my view of the need for constitutional change for Scotland and for the UK. This evening my hon. Friends and I, listening to Conservative speeches, have been given some merriment by the rattling of English sabres and by the talk of an English backlash emanating from Members such as the hon. Member for Spelthorne (Mr. Wilshire), who spoke of the rise of English nationalism.

I remind Conservative Members that we did not pluck this idea out of the ether; there has been a long process of dialogue about devolution, in Scotland and throughout the country, not just since the 1992 election, but ever since the last devolution proposals came before the House in 1978. Moreover, it was not just the people of Scotland who voted at the election—the people of England also voted for a Government on whose list of priorities

devolution figured prominently. Now the Government, following the referendum, have delivered that devolution—

Mr. Grieve: I understand the historical strength of feeling about devolution in the Scottish context, but might I point out that it was the Labour Government who thought it necessary to seek the approval of the Scottish people for the principle behind their devolution proposals? Yet there has been no such process of consulting the electorate of England on how they view the knock-on consequences of the proposals. Does the hon. Gentleman appreciate that those of us who represent English constituencies and who firmly believe in the Union have our ear close enough to the ground to know that that is just not tenable?

Mr. Doran: The hon. Gentleman has made that point several times tonight in various forms. The consultation exercise was held during the general election. The Government went to the people clearly promising referendums on devolution for Scotland and Wales, and the English people voted in favour of that.

Devolution for Scotland and Wales is the start of a process of bringing democracy much closer to the people and of removing power from Westminster. The centralisation of power at Westminster over the past 18 years has been brought to a juddering halt. That in itself is a massive achievement. It is a process that will be difficult to reverse, despite what Conservative Members say about how a Conservative Government might act—although I note that Front-Bench Conservative spokesmen have stated that they will not attempt to reverse the process.

As for the rest of the country, I look forward to debates in the House on taking the devolution process beyond Scotland and Wales and into the regions of England, which of course will be granted their consultation process, too. I particularly welcome the form of the Bill, not only because in it the Labour party has kept in full its manifesto promises, but because the spirit and the principle of the White Paper that was published in the summer are set out in full in the Bill.

The Bill is a model of how the working arrangements of a modern Parliament should be set out. Not surprisingly, the House could learn some useful lessons from it. For example, I am especially interested in the provisions of clause 22, which for the first time will provide a statutory basis for the registration and declaration of interests. It also introduces the concept of criminal offences for those who abuse the provisions. The House could look at that and learn from it. Much of what has happened over the past few years and which has so damaged the Conservative party might not have happened if there had been such sanctions. I have always found it difficult to understand why hon. Members are treated differently on these issues from other public servants, including elected local government members. In Scotland, that will certainly be put right.

As I said, the Bill sets out the framework for a modern Parliament that will operate in the new millennium. I shall devote the rest of my speech to considering the impact of the new Parliament on the part of Scotland that I am proud to represent—the north-east and particularly the city of Aberdeen. I do that not just for parochial reasons, but because one of the devolution myths is that the whole of the north-east of Scotland voted against devolution legislation in the 1979 referendum. It is certainly true that in Grampian, which contains my area of Aberdeen, there was a narrow majority against. I have never been convinced that Aberdeen city voted against the legislation.

One of the main problems with the 1978 legislation was the fear that the proposed assembly would be controlled by Scotland's central belt, to the detriment of the regions. That was obviously a major issue in the campaign, and it was raised again by the opponents of devolution in the recent referendum.

Aberdeen is crucial to Scotland's economy. Some key industries are based in the city, and they are important not just to Scotland but to the whole United Kingdom. For example, the city is the oil and gas capital of Europe, and oil development in the North sea accounts for a substantial proportion of the United Kingdom's industrial investment. About 56,000 direct jobs in the oil industry are based in Aberdeen and the surrounding area, and many of the 330,000 oil-related jobs in the rest of the United Kingdom depend on the industry in Aberdeen. This year, the industry will contribute about £4 billion through taxes and royalties to the Exchequer.

Aberdeen is also a major fishing port and provides a substantial number of jobs at the harbour and the fish market and in the processing and transport of fish. Peterhead harbour, which is just a few miles from Aberdeen, is the largest fish market in Europe and between them, Aberdeen and Peterhead markets land about 70 per cent. of all white fish landings in the UK. Fishing is part of the food industry that is based in the north-east of Scotland, and it is renowned for the quality of its produce. Despite the recent bovine spongiform encephalopathy crisis, we produce fish, beef, dairy products, drink—particularly whisky—and other agricultural products that are sought not just in the UK but throughout the world. Aberdeen city alone accounts for nearly 32 per cent. of Scottish food exports, and that figure does not include whisky exports.

We have a substantial paper manufacturing industry, and Aberdeen city accounts for about 30 per cent. of Scotland's paper exports. We have substantial manufacturing and engineering industries and a significant textile industry although, like the rest of that industry in the UK, it has reduced in recent years and we are concerned about our largest private manufacturer, Richards, which has been producing textiles in the Broadford works in Aberdeen for nearly 200 years. There is much concern about the future of jobs in the company, mainly because of recent boardroom squabbles about the direction that the company should take. *[Interruption.]*

I am glad that hon. Members are interested enough to listen. Aberdeen's economy is buoyant. We have heard much about the financial aspects of devolution. My area is probably the richest part of Scotland, and we probably have the lowest unemployment rate in the UK of about 2 per cent. We have all the problems of success. There is a shortage of industrial land and high property costs. There are higher than average wage rates, higher housing costs and skills shortages in some areas, but those problems are all being tackled.

Mrs. Eleanor Laing (Epping Forest): I am delighted to hear the hon. Gentleman speak about the buoyancy and

[Mrs. Eleanor Laing]

success of the Aberdeen economy, because it is a part of the country to which I am quite attached. Does he agree that that success must be based on 18 years of Conservative government?

Mr. Doran: In the main, it is based on the fact that we are close to the North sea. We have access to the best fishing grounds in Europe, and I do not think that the Conservative Government put the oil in the North sea. It was certainly first exploited under a Labour Government, and the structures that the Conservative Government exploited were all put in place by the previous Labour Government.

Aberdeen is a modern and optimistic city, and it is planning for its future and looking forward to the millennium. I speak to people from companies in my constituency who have a much longer perspective. The past 30 years have seen dramatic changes in the city, and we are now not just planning for 2000 but looking ahead to 2020. That is the perspective of a confident people, confident businesses and confident institutions, including our local authority. The people of Aberdeen are optimistic. They are forward looking, modern in outlook and delighted to be part of the most dynamic local economy in the UK and perhaps in Europe.

Mr. Gray: Although we are greatly enjoying the guided tour of the hon. Gentleman's constituency and doubtless there will be a few press releases for the local press, what on earth have those comments to do with the debate?

Mr. Doran: If the hon. Gentleman takes the trouble to listen, I will tell him.

In the September referendum, the confident people whom I have been describing voted convincingly for the Scottish Parliament. More than 70 per cent. of Aberdonians voted for a Scottish Parliament and more than 60 per cent. of them voted for the tax-raising power. On key issues, they are prepared to trust their future to the Scottish Parliament. Their confidence is not misplaced. The Bill ensures that Scotland will be governed by a modern Parliament as part of the Union, and with the certainty that all parts of the country will be properly represented in the new Parliament and able to play their full part in our new constitutional arrangement. My constituents enthusiastically welcome that.

9.5 pm

Mr. Donald Gorrie (Edinburgh, West): This is a great day for Scotland and for England. It is clearly a great day for Scotland because at last we are on the way to achieving democracy there, which we have never had because, before 1707, Parliament was distinctly less democratic than it is now. It is a sort of birthday. We are giving a group of people an opportunity to run their affairs better. That is what democracy and public life should be all about, so we strongly welcome the Bill. Any idiot can criticise it and, in a few minutes, I shall do precisely that, but the Bill's main thrust is along the lines that my party has wanted for many years. The Scottish Constitutional Convention has brought that together.

It is an important day for the English. As several speeches have shown, the English are starting to wake up, which is a good thing. The fact of the Scottish Parliament coming along has made English representatives and English people ask, "Who am I? What system runs me? How is my democracy going to develop?" For the first time, some English people are realising that English and British is not synonymous. It is an important development. The English nationalism that we have heard about should be harnessed productively. The English have to get their act together and start to think how they want England to be run, whether it be by an English Parliament, by regional assemblies or by a mixture of both.

Mixed up with that, we have had the usual Conservative stuff. The bottom line is that many Conservatives do not trust the Scots to run their own affairs without making such a mess of it that they will destroy the United Kingdom. That was exhibited by the right hon. Member for Haltemprice and Howden (Mr. Davis), who wanted this Parliament to have financial control over the Scottish Parliament because the Scottish Parliament could not possibly keep its books in order.

Clearly, all public money should be accounted for and, as my hon. and learned Friend the Member for Orkney and Shetland (Mr. Wallace) said, the Scottish Parliament must have a good system of accountability and of looking after public money, but this Parliament does not go round examining in detail how local authorities spend their money. There is a law saying that local authorities have to account for their money properly. In the same way, the Scottish Parliament will do that. We do not need an English nanny state looking after the money for which the Scottish Parliament is accountable.

It has also been argued that, as a result of the Bill, Scotland's influence in Europe will be weaker. I cannot see how that can possibly be because, under the present system, Scotland's influence in Europe is as near to zero as makes no difference. Surely, if there had been a Scottish Parliament, with the great interest that the Scots have in beef, agriculture and fishing, we would never have allowed our beef and fishing industries to get into the complete shambles that they have, when the whole thing is run on a UK basis.

Another argument is that the timing is wrong. It goes back to the words of St. Augustine:

"Give me chastity . . . but do not give it yet."

It is said that people are, in principle, in favour of devolution, but that they do not want it yet; the timing and the small print are not right. If we waited for some omnibus UK scheme—an all-singing, all-dancing scheme, with every part of the UK beautifully balanced and marvellously run—we would all be dead. It would not happen. In fact, this Bill, with all its implications, has been introduced because of the irresistible demand of the Scottish people to run their own affairs. That is provoking a constitutional debate throughout the United Kingdom, which is a great step forward. It is a very encouraging day for both the Scots and the English.

I want to deal with three aspects of the Bill. The Secretary of State dismissed the suggestion that there should be some voter choice in the list. We want the voters to have some say in who gets in from the list. It is not an intellectually taxing task to ask the voters to number, one to five, on the list the people from the party they favour. Indeed, if they were allowed to put "x" against one preferred person, that would be better than nothing. It is not a great deal to ask, and it would negate the argument that the lists are a wicked plot hatched by parties in smoke-filled rooms.

The question of gender balance was well dealt with by the hon. Member for Edinburgh, North and Leith (Mr. Chisholm), who represents the constituency neighbouring mine. It is an important issue. It should be possible to insert a clause to provide that, in the interests of getting more women candidates elected, we should be allowed to disregard the equal opportunities legislation that gets in the way of such matters.

The hon. Member for Glasgow, Pollok (Mr. Davidson) made a long speech. The main thrust of his argument was that the voters in Orkney would benefit in some way and that that was unfair. The proportional aspect comes from the list, so overall the votes will be much more equal in weight than they are now. It means that, for example, in Glasgow it will be worth voting something other than Labour. It is not healthy in any country, city or council for there to be such a huge preponderance of one party, as is the case in Glasgow. It is certainly not to the benefit of the hon. Gentleman's party. A proportional system will introduce a little democracy into Glasgow.

There is a long list of exclusions, as one or two other hon. Members have mentioned. Some of them are serious, and we should try to get that changed. Examples are broadcasting, equality legislation, abortion, rail transport and bus subsidies. I do not think that the Scottish Parliament will be able to subsidise the buses necessary to get people to Holyrood. Other exclusions include radioactive waste, pedestrian crossings, road safety, regulation of insolvency practitioners and other such people, licensing of theatres and so on. Another is betting and gaming—something dear to the hearts of many Scots. It will not be under the control of the Scottish Parliament. That is a serious matter. Another is mock auctions, so the cynical might say that elections would not be allowed. Another is coats of arms. Those of us who are snobs would not be allowed to get our coats of arms from the Scottish Parliament. I declare an interest as I am a deputy lord lieutenant. Lords lieutenants will come under Westminster, not the Scottish Parliament. Such matters could be much better—

Mr. Gray: Is not the hon. Gentleman aware that the Lord Lyon is directly responsible to the Queen? Or is he suggesting that the Lord Lyon should be responsible to the new Scottish Parliament?

Mr. Gorrie: Yes. I thought that we lived in a democracy. Indeed, we are trying to create a democracy.

The Scottish Parliament will control gas if it is carried in a boat, but Westminster will control gas if it is carried in a pipe. There are many foolishnesses in the list of exclusions.

There is an unfortunate gulf between Ministers' excellent words and their actions. The Secretary of State said that it was very bad to tack Scottish legislation on to English Bills, but that is precisely what is happening with the Crime and Disorder Bill.

The Secretary of State has made a personal decision on where the Parliament should be sited, and he has made a personal decision that the voting day for the Scottish Parliament should be the same one as for local elections. Either of those decisions may or may not have been good, but the manner in which they were made was not satisfactory. We do not want to create a benevolent despotism—because the Secretary of State is such an excellent man, despotism would surely be benevolent—as that would not be satisfactory. The Scottish community should have had some say in where the Scottish Parliament sits. It is unacceptable for such a decision to be made by one person acting with a few advisers, regardless of whether the decision is good or bad.

The Liberal Democrats want to work towards the genuine sovereignty of the people—not the sovereignty of Parliament—whereby the Scottish people will have a real say on what happens. We hope that the English will wake up and do the same.

9.15 pm

Mr. Frank Roy (Motherwell and Wishaw): In my short time as an hon. Member, I have already had many memorable experiences. One incident that I shall almost certainly never forget occurred on 11 September 1997, when my wife and I attended our local polling station to vote in the Scottish referendum, and a first-time voter—a young lad—came up to us with a huge smile on his face. He said, "Mr. Roy, I was too young to vote for you on 1 May, but I'm voting today. It's my first vote, and I'll be voting yes-yes. Imagine me having a say in something as special as this."

That young man typified young people in my constituency, who—like everyone else in my constituency—turned out to vote for a Scottish Parliament. In north Lanarkshire, where my constituency is situated, 123,063 people—82 per cent. of those who voted—voted for a Scottish Parliament. Furthermore, 72.2 per cent. of voters voted to give that Parliament tax-varying powers. The figures are remarkable. I looked up the total vote in Scotland for the Tories on 1 May, and it was only 30.7 per cent. Having listened to some of the speeches and arguments made by Conservative Members in this debate, I believe that it is remarkable that they achieved even that.

The figures in north Lanarkshire were the third highest in Scotland, which makes us very proud. Such a result from that generation in my area is surprising, because those people have been disfranchised and disillusioned, having grown up during the worst excesses of our previous Government. For them, politics were a distant and sleazy matter, and they did not feel that they were a part of the process. Our young people had become alienated and were not stakeholders in our nation.

On 1 May, the election of a new Labour Government who were committed to principles of equality, social justice and fairness signalled the beginning of the reconnection process for many of those young people, such as that young lad. On 11 September, young people in Scotland put their trust not only in politicians but in the people of Scotland to build a new Parliament for a new millennium and for a new generation.

Why was the referendum so important? Why did young people connect so clearly with a Scottish Parliament? What did they see on 11 September that was different from what had come before? The difference was the relevance that a Scottish Parliament would have to their lives. It would affect their daily lives in a manner that Westminster never seemed to do. They were full of hopes and expectations.

Those young people's hopes and expectations are not unjustified. Consider the powers that will be exercised by the new Scottish Parliament over the issues that directly affect each one of those young people in my constituency.

[Mr. Frank Roy]

The powers will connect them and the Scottish Parliament. The Scottish Parliament will have power over jobs and training. It will be an engine for job creation, revitalising communities that were devastated by 18 years of Tory mismanagement. In my area, we have lost so much, yet we still have much to offer, and I believe that the Scottish Parliament will harness that potential and the potential of that young lad.

Building on the excellent work of Scottish Enterprise and Locate in Scotland, the Scottish Parliament will build a dynamic, vibrant economy. We shall have no more of the skivvy schemes that the previous Government foisted on people such as that young lad. Instead, we shall have a new deal. We shall provide quality training for all our young people, giving them the skills that they will need to compete in a global economy.

The Scottish Parliament will have power over education. In Scotland, we have always been proud of our education system, which develops the potential of each individual. With the establishment of a Scottish Parliament, we shall be able to bring that education process closer to the people, making it more responsive to the needs of individual Scots. There will be lifelong education from the cradle to the grave, enabling people to be all that they can be.

The Scottish Parliament will also have power over housing. Youth homelessness is at an all-time high, but the Scottish Parliament will develop a close working relationship with local government, building on projects such as the rough sleepers initiative, to ensure that young people no longer live in danger on the streets of Scotland.

In addition, the Scottish Parliament will have power over the environment. Young people care about the environment and are deeply conscious of the effect that today's living habits are having on the planet. They want to prepare for the future, and the Scottish Parliament will enable them to play a part in that planning process.

Clearly, the powers of the Scottish Parliament will have a profound effect on young people, but the beauty of the Parliament is not only what it can do for young people, but the fact that it will give a voice to young people and what they can do for the Parliament. Politicians must enter into a dialogue with young people, working with them as we enter the new millennium and encouraging and enabling them to play a full part as proper and equal citizens—indeed, as stakeholders in their and our society.

I am aware that my hon. Friend the Minister for Home Affairs and Devolution is undertaking a review of the rules and Standing Orders of the Scottish Parliament. I welcome that review and think that one of the key priorities of that process must be to provide a mechanism that gives young people and other groups that have been excluded from the political process a voice. The challenge of involving all our citizens is one that I know the Parliament will warmly embrace, and that is why I am willing to speak up on behalf of the young lad whom I met on 11 September and ask the House to support the Bill.

9.22 pm

Mrs. Eleanor Laing (Epping Forest): I know from considerable personal experience that it takes a long time to recover from a properly celebrated Scottish new year.

Mr. McAllion: Is that what happened to the hon. Lady's arm?

Mrs. Laing: I had better make it clear that I did not break my arm at new year.

Today is 12 January: I do not believe that the many Scottish Labour Members who are absent today are absent because they are still recovering from the new year celebrations. It is clear that they no longer consider the United Kingdom Parliament worth attending. Presumably they are in Scotland, starting their campaign to follow their leader, the Secretary of State for Scotland, into the new Scottish Parliament.

It must be a difficult decision: whether to do half a job in Edinburgh or half a job at Westminster. At present, there are 72 Scottish Members of Parliament representing the people of Scotland. Once the new Parliament has been set up, there will be 72 Scottish Members of Parliament here and another 72 in Edinburgh.

Mr. Salmond: There are 73.

Hon. Members: And another 59.

Mrs. Laing: I am coming to them.

This is another matter that has not been addressed in the Bill. The constituency Members of Parliament who are elected to Edinburgh will have significant responsibilities, but nobody has told us what the regional Members will do. To whom will they be accountable? The question has not been answered.

I was vehemently opposed to the Bill in the first place. I accept, however, as most of my colleagues do, that the result of the referendum was clear, although the people who voted had not seen the Bill. I hope, as we are now to have a Parliament in Edinburgh, that many of my friends and family will be elected to it. *[Laughter.]* Hon. Members are wrong to assume that every member of my family is a member of the Conservative party.

My main concern is not only for the people of Scotland, but for the people of Epping Forest and the rest of the United Kingdom. As my right hon. and hon. Friends have eloquently explained this evening, the Bill most certainly affects the whole of the United Kingdom. My concern is that whatever transpires, the Union should not be weakened. There is already too much factionalism. I see no conflict—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Lady has listened to everyone in the debate and she is now entitled to a hearing. It is bad manners to start holding discussions in the Chamber.

Mrs. Laing: Thank you, Mr. Deputy Speaker.

I see no conflict between being a citizen of the United Kingdom, being British, being the representative of the constituency of Epping Forest in Essex, where I live and work, and having been born in Scotland of Scottish parents and brought up and educated there. I believe that

the conflicts arising from the Bill and the consequent operation of the Parliaments will cause conflict within the United Kingdom and will cause damage to the Union, to the Government and to the people of our country. By "our country", I mean the United Kingdom of Great Britain and Northern Ireland.

Hon. Members of all parties who have listened to the debate must agree with me because all day we have been hearing arguments not only about the West Lothian question, but about which powers are to be reserved for this Parliament or that Parliament. Although the Secretary of State spoke about clause 27, he was not decisive about the supremacy of this Parliament. I ask him again to tell us whether the supremacy of this Parliament is protected in the Bill.

We have heard arguments about the Barnett formula and about which part of the United Kingdom is a net contributor to public funds. We have heard arguments about the future representation of Scotland and of the United Kingdom in Europe. All those conflicts exist now. Are the Government suggesting that the Bill will resolve them?

I am also concerned about the protection of the Scottish legal system. I have no interest to declare, but I am a qualified Scottish solicitor. I do not make any money from it. In fact, I never made much money from it. [HON. MEMBERS: "Oh."] It is all right because my husband does.

I shall raise detailed points in Committee. I am, however, concerned about the protection of the Scottish legal system. Clause 45, for example, is not clear about the appointment of the Lord Advocate and the Solicitor-General. We have not had an answer to the question whether the Lord Advocate is to be independent in terms of the administration of the Scottish courts and the Scottish Law Commission. The Bill does not say—another small point in which it is deficient.

Schedule 6 is also unclear. It is all very well to give the Judicial Committee of the Privy Council the power to hear appeals on devolution issues, but who will have a locus to bring such an appeal? Will an ordinary citizen be able to do so?

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): Read the Bill.

Mrs. Laing: I have read the Bill. It is not clear whether an ordinary citizen will be able to bring an appeal on a devolution matter.

My third concern is the conflict created by having two classes of Member of Parliament and MSP.

Mr. Wallace: Will the hon. Lady give way?

Mrs. Laing: I am afraid that I do not have time.

Here at Westminster, some Members will deal with all matters that concern their constituents and others will deal with only some matters that concern their constituents. They will not be equal. In Edinburgh, meanwhile, some MSPs will represent constituents and some will not. That is not a recipe for harmony.

An interesting point has been raised about gender balance. We are talking about different classes of MP and of MSP. If some of the ideas that have been mentioned this afternoon were put into practice and there were positive discrimination in favour of women, we would be creating second-class MSPs.

Mr. Connarty: Why?

Mrs. Laing: Because saying that a woman requires positive discrimination to be elected to an institution such as the Scottish Parliament is like saying that a man can go swimming on his own but a woman always has to wear waterwings. That is not true. Many women in all parties have been elected to this Parliament and done a very good job without having benefited from positive discrimination. Many able women in Scotland will put themselves forward as Members of the Scottish Parliament. They do not need positive discrimination. Gender balance is absolute nonsense.

I have pointed out only some of the discrepancies and conflicts in the Bill. I urge hon. Members to urge the Government to iron out those conflicts before it is too late.

9.31 pm

Mr. Oliver Heald (North-East Hertfordshire): We have had a good first day's debate, which was illuminated by some of the speeches, although it was noticeable that, when the hon. Member for Edinburgh, West (Mr. Gorrie) was on his feet, the lights dimmed. We heard excellent speeches from the hon. Member for Linlithgow (Mr. Dalyell), my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) and my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) which set out some of the agenda to be debated. The hon. Members for Ochil (Mr. O'Neill), for Edinburgh, North and Leith (Mr. Chisholm), for Motherwell and Wishaw (Mr. Roy) and for Glasgow, Pollok (Mr. Davidson) spoke of their enthusiasm for the new Parliament. It was obvious that, for many of them, it was the realisation of something for which they had campaigned for many years.

The hon. Member for Pollok was so congratulatory of the Secretary of State and mentioned him in the company of so many illustrious Scots, that one thought that, in this Burns season, he would recite "The Immortal Memory". We were grateful that he did not. However, the hon. Gentleman raised some serious issues that the Minister will have to consider, such as the splitting of Orkney and Shetland.

The hon. and learned Member for Orkney and Shetland (Mr. Wallace) spoke of his party's quest for federalism in the United Kingdom and the hon. Member for Cunninghame, South (Mr. Donohoe) raised a number of transport issues. As usual, the hon. Member for Banff and Buchan (Mr. Salmond) made it clear that he saw the Bill as a step in the right direction—towards separatism. We must consider his remarks in that context. Finally, my hon. Friend the Member for Epping Forest (Mrs. Laing) raised important questions about the regional Members of the Scottish Parliament and their relationship to constituency Members and the importance of the Union.

My right hon. and learned Friend the Member for Sleaford and North Hykeham raised the issue of the stability of the United Kingdom under the proposals. I see many flaws in the federal structure for which he argued, but the point that the question of the stability of the

[Mr. Oliver Heald]

arrangements for the United Kingdom will not go away was well made by him and by my hon. Friends the Members for Spelthorne (Mr. Wilshire) and for South-East Cambridgeshire.

The Conservative party, as a democratic party—

Mr. Wallace: A democratic party?

Mr. Heald: Yes, a democratic party—in fact, the world's oldest democratic party. We accept the result of the Scottish referendum, but it is right, as the Secretary of State said, that we should look at every eventuality when considering the proposals.

I shall make three points and then ask the Minister six questions. *[Interruption.]* I think that six is enough to be going on with. He has only 15 minutes.

The arrangements for the future must be stable. The point that they are not stable has been well made. The problem will not necessarily arise in the current Parliament, with a large Labour majority in England and in Scotland, but it will arise one day. The time will come when the Scots vote to decide an English issue in this Parliament. At that point, the tensions will be exacerbated. The hon. and learned Member for Orkney and Shetland, who is enjoying a conversation with his hon. Friends at the moment, asked about the Stormont experience. He should be aware that one of the issues that irritated the Labour party in the 1960s—Harold Wilson in particular—was that, on issues such as steel nationalisation, the Ulster Unionists, who had their own Stormont Parliament that dealt with steel issues, voted with the Conservatives and made it difficult for him to have his way. He said:

"I would hope that Northern Ireland Members, who are here, and who are welcomed here, for the duties they have to perform on behalf of the United Kingdom in many matters affecting Northern Ireland, would consider their position in matters where we have no equivalent right in Northern Ireland."

He also said:

"I am sure the House will agree that there is an apparent lack of logic, for example, about steel, when Northern Ireland can, and presumably will, swell the Tory ranks tonight, when we have no power to vote on questions about steel in Northern Ireland"—[*Official Report*, 6 May 1965; Vol. 711, c. 1560-61.]

Mr. Wallace: The hon. Gentleman said that, if the votes of Scottish Members upset what would otherwise be an English majority, tremendous tensions might be produced. What tensions does he think were created in Scotland over the poll tax, when the votes of English Members imposed an unwanted tax on the people of Scotland against the majority wish of the Scottish representatives?

Mr. Heald: What is sauce for the goose is sauce for the gander. The hon. and learned Gentleman cannot have it both ways. If it is right that Scottish votes could decide an English issue in this place, which would happen under the arrangements proposed, without English—or, indeed, Scottish—Members here having any right to decide Scottish matters, it is inevitable that a large group defying the wish of English Members on English issues could create far worse tensions than were created for Harold Wilson in the 1960s by a tiny number of Ulster Unionists.

The hon. and learned Member for Orkney and Shetland said that federalism is the answer. Creating federalism is his historic mission, but I see difficulties with it. It is not my policy or that of the Conservative party. It is for the Government to come up with a solution to the problem known as the West Lothian question. They recognise that there is a problem. The Chancellor of the Exchequer, the Deputy Prime Minister and the Minister for the Regions, Regeneration and Planning have acknowledged it, but in the Bill the Government have failed even to attempt to solve it. That is not good enough. They should try to answer the question. I hope that they will meet that challenge. If they do not, the arrangements will not be stable or durable. The acid test of looking at every eventuality, which was set by the Secretary of State himself, will not be met.

The second issue is the role of Scotland in Europe. As several hon. Members have said, nothing in the Bill protects Scotland's direct access to the European Council of Ministers. Promises were made in the White Paper that, for example, Scottish Executive Ministers would have a role and be able to speak for the UK in the Council. That would be a very difficult right to enshrine in law because, if there were differing political complexions in the Scottish Parliament and the United Kingdom Parliament, it would be unlikely that the UK Government would want a different political viewpoint to be put forward in the Council. I wonder whether that is why, having made such promises in the White Paper, nothing on that matter appears in the Bill. There must be some reason why the promises were made and are not being fulfilled.

The other point in the White Paper about Scotland's representation in Europe was that there should be a requirement on the UK Government to take account of Scottish pre-legislative scrutiny. The White Paper offered that the UK Government would take account of scrutiny, but that is not referred to anywhere in the Bill. We are entitled to ask why the promises were made but are not being kept in the Bill.

My third point is about funding. There is a lack of clarity on resources which threatens Scottish business, Scottish people and jobs. There is no commitment in the Bill, for example, to provide a particular level of funding for Scotland. *[Interruption.]* The Secretary of State laughs, but clause 61 leaves it entirely to him to decide how much Scotland gets. It says:

"such amounts as he may determine."

He seems to take the duty very lightly. The clause gives the Parliament no satisfactory assurance of its money. It means that, if a general, UK-wide review of public spending concluded that Scotland received too much, the block grant could be reduced. It means that the UK Government could effectively cap the Scottish Parliament's expenditure. It also has implications for the tax-varying power.

One of the speeches that most informed the debate was that of my right hon. Friend the Member for Haltemprice and Howden, the Chairman of the Public Accounts Committee. He properly made the point that there is no provision for accountability to the UK Parliament. Although £14.6 billion is to be remitted to the Scottish Parliament, there is no mechanism for the Comptroller and Auditor General to look properly into it and see the documents. *[Interruption.]* If that is not correct, I would be happy to give way. It is certainly the view of my right

hon. Friend the Chairman of the PAC. Ministers will want to consider that issue and decide what proper accountability there should be.

Mr. McLeish: What about clause 66?

Mr. Heald: If the hon. Gentleman had heard my right hon. Friend's speech, he would have heard his analysis of that clause.

What would the Scottish Parliament be saying if it were to use the tax-varying power to reduce the basic rate of income tax by 3p? It would be saying that it did not need all the block grant. On some occasions, the Scottish Parliament may want to express that. If it did, it would be unthinkable if the Treasury did not take account of such information and cut the grant the following year. *[Interruption.]* The Secretary of State may laugh, but where in the Bill is the Scottish Parliament's financial position protected? Nowhere. The matter is entirely discretionary. The Secretary of State cannot laugh, and say, "Oh well, it will be all right in the end." He must do what he said that he would do: look to every eventuality and provide proper protection and provision in the Bill.

I shall make one last point before I ask my questions. The level of finance is uncertain. One aspect of the tax-varying powers which has caused great concern to the Confederation of British Industry in Scotland—and to a number of business organisations such as the Retail Consortium—is that the tax-varying powers will not apply to corporation tax for the large companies, but will apply to the small business man, the sole trader or the partnership. They are asking for an exemption for small, unincorporated businesses so that they have a level playing field with the big boys. I ask the Secretary of State, and the Under-Secretary who is to reply to the debate, to consider a plea that is being made on behalf of small businesses in Scotland, as clearly that matter should be addressed. There are a number of other issues concerning finance to which we will return in Committee if the amendment is not accepted.

Perhaps I can ask a series of questions which summarise what I have been saying. Why does the Bill make no attempt to solve the West Lothian question? What are the Government's proposals to do that?

Mr. Ernie Ross (Dundee, West): The West Lothian question does not exist.

Mr. Heald: The hon. Gentleman may say that, but the Chancellor, the Deputy Prime Minister and the Minister responsible for regional government do not agree.

Will Scottish Executive Ministers be able to represent the United Kingdom in the European Council of Ministers? If so, why does not the Bill say so? Why is there no provision in the Bill to secure a level of funding for Scotland and the Barnett formula? Will the Minister state his policy on business rates? Are they to be returned to local authorities' control, as the Labour manifesto suggested? Finally, will the Minister agree to exempt unincorporated businesses from the tax surcharge?

Once those questions are answered, and once the points that I have made have been addressed, the House will be in a position to vote on the amendment. The answers so far have not been satisfactory.

9.46 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith): It falls to me to bring tonight's proceedings to a close, and I know that we will all want to return to this debate tomorrow. It is almost customary for individuals to say that we have had an interesting debate, and I will not disappoint anyone by not repeating that statement tonight.

I have gained encouragement from seeing how the official Opposition have cut their cloth today. The overwhelming support of the voters on 11 September may have not only given them a better understanding of the views of the people of Scotland and the strength of support for our proposals, but forced them into a better understanding of the realities of the issues and the need for us to tackle the problems. Some of the issues are difficult and we make no pretence about that. However, after 18 long years of failing to recognise the problems, the Conservative party has engaged itself. It is to be congratulated on that.

We firmly believe that the Bill is good for Scotland and good for the United Kingdom as a whole. I am glad to see that that view is now shared by Opposition Members. The comments today have ranged from pro-federalist to anti-federalist; from those in favour of the Barnett formula to those against the Barnett formula. I hope that Opposition Members will get their position cleared up by the time we go into Committee.

I enjoyed the speech by the right hon. Member for Devizes (Mr. Ancram), who said that he accepts the principle of the Bill. That is an amazing conversion. People are coming out of the woodwork, and saying that they have always accepted the principle of devolution. Where have they been for the past 18 years?

The great problem with their conversion is that Opposition Members put so many obstacles in the way that it is almost impossible to see how they accept devolution in practice. I will try to deal with some of these obstacles as I go along. We have heard individuals say that they do not want this or that. Some have said that they do not want regional assemblies, but that is a matter for Conservative Members to debate elsewhere. We cannot let the failure or acceptance of other devolution problems south of the border distort the right of the Scottish people to their own devolved assembly and that is the important matter.

The other argument that I was sceptical about was, "Hang on a minute. Okay, we accept the principle, just give us time and we'll come back with an even better solution." How many of us remember that? Have we not been there before? We hung on for 18 years and we are not going to hang on any longer. For that reason, we will push the legislation forward.

I do not share the pessimistic view of the right hon. Member for Devizes, who sees a Bill full of problems, says that we cannot possibly have consensus and that there is no way that we will agree. Those might be the workings of the Conservative party, but that will not be the way it works in Scotland.

Mr. Stephen Day (Cheadle): I am grateful to the hon. Gentleman for giving way so early in his speech. It should come as no surprise to him that the Conservative party recognises the expressed will of the people of Scotland. The Government do not seem to understand the problem

[Mr. Stephen Day]

at the heart of this legislation. The constitutional implications go beyond Scotland and the Government's proposals contain no reference to the ultimate effect on the United Kingdom constitution. That is the important point and the hon. Gentleman seems totally to ignore it.

Mr. Galbraith: Opposition Members keep saying that they are willing to accept the views of the Scottish people. I wish that they would not say it in such a patronising way, as though they were doing us a favour. We have expressed our views and we are entitled to them.

I hope that hon. Members will agree that there are a number of ways of dealing with the matters that they have raised. Some will be best dealt with in Committee and some in the reply to the debate tomorrow.

I must first tackle the question of sovereignty, about which the right hon. Member for Devizes and the hon. Member for Banff and Buchan (Mr. Salmond) had opposing views. The right hon. Gentleman said that absolute sovereignty must be written into the Bill. The hon. Member for Banff and Buchan said that we should not do anything about it. We want to avoid both those ridiculous extremes. We propose devolution, not federalism or independence and it is written unambiguously and factually into clause 27(7) and that is all that is required.

Mr. Heald: Surely the hon. Gentleman would admit that either this Parliament is sovereign or it is not.

Mr. Galbraith: That is one of the other things that has amazed me in this debate. Perhaps it is because the Conservatives have come to the subject late in the day, unlike Labour Members, who have been at it all these years. Neither the Liberal Democrats nor ourselves have ever disputed the fact that this Parliament should remain sovereign. It is written into clause 27(7).

Mr. Salmond: It is certainly in dispute here. Did the hon. Gentleman not sign a declaration of Scottish sovereignty, or perhaps I am misleading myself? I remember such a declaration of sovereignty, which was signed by the hon. Gentleman and the Liberal Democrat party and with which I agreed. Clause 27(7) is not a moderate but an extreme position. It gives the United Kingdom Parliament a power that is unaffected even by devolved matters. On which devolved matters should the United Kingdom Parliament legislate after the Scottish Parliament is established?

Mr. Galbraith: The reason for the inclusion of that provision has just been clearly illustrated. There are two problems. One is that Conservative Members have only just engaged in the debate and do not have the answers. As the hon. Member for Banff and Buchan knows, we have been through that issue, but he keeps asking the same questions and getting the same reply. Sovereignty rests with the Scottish people, but the hon. Gentleman must not assume that they will exercise it only in the way that he wants. They will exercise it in whatever way they choose, so please let him not ask that question again. It is the third time that it has been answered for him and that ought to be enough, even for him.

Mrs. Ewing: Surely the point is that we must accept that sovereignty lies with the Scottish people. We are not arguing the case assuming that everyone necessarily agrees with our viewpoint. We are challenging the Government to tell us whether they will accept the sovereign wishes of the Scottish people.

Mr. Galbraith: I said that I was willing to answer that three times for the hon. Member for Banff and Buchan, but I should not have to answer it a fourth time for the hon. Lady.

Mr. Ancram: The Minister has been very patient on the question of sovereignty. He accused us of extremism, but I think that he will accept that clause 27(7) is lifted word for word from the Northern Ireland Constitution Act 1973. The phrase that I used in my speech was taken from the Government of Ireland Act 1920. I would have thought that those were very good precedents, and I do not see why he is not prepared to accept both.

Mr. Galbraith: I am not sure what point the right hon. Gentleman is making. Is he saying that the provision is adequate or inadequate? Does he want anything more? The Bill does what he wants, and I do not know what he is carping about.

The hon. and learned Member for Orkney and Shetland (Mr. Wallace) wanted some details about electoral arrangements. We will of course discuss it in Committee, but we intend to introduce proposals requiring a deposit of £500 for a constituency and £1,000 for the regional candidates' list. He also asked whether the power of intervention by the Secretary of State in clause 33 would be subject to judicial review. The answer is yes. It is implicit in the Bill that the Secretary of State's decision to intervene must be taken only on reasonable grounds, which would always be open to judicial challenge.

The hon. Member for Banff and Buchan asked whether concordats could be agreed before the setting up of the Scottish Parliament. The answer is no. Preparations can be made, but they can be signed only between the Scottish Parliament and Ministers here. I hope that that reassures the hon. Gentleman. He also asked about broadcasting. The White Paper made it clear that broadcasting is a reserved matter, but paragraph 2.11 said that it would be possible for the Scottish Parliament to invite various people to give evidence and discuss the issue. That has always been the position: no one can be required to come along on a matter that is not reserved.

Ms Roseanna Cunningham (Perth): Will the Minister give way?

Mr. Galbraith: No, I have only four minutes left.

Ms Cunningham: It is on that specific matter.

Mr. Galbraith: I am sorry, but I really have to move on.

The hon. Member for Banff and Buchan also said that there were far too many reserved powers. There is always dispute about where the line should fall. We took the view that it was in Scotland's interest to reserve powers in certain areas, but that can be discussed in Committee. The hon. Gentleman also asked about entertainment in cinemas. The health and safety regulations are of course reserved as they are currently. He talked about the

regulation of film and video classification. I think that we all agree that that would best be left on a United Kingdom basis. There is a UK market, and that is the best way to handle the matter.

My hon. Friend the Member for Cunninghame, South (Mr. Donohoe) asked about transport. I can assure him that Strathclyde passenger transport authority will certainly have the powers and receive the moneys.

The right hon. Member for—how is it pronounced?

Mr. David Davis: Haltemprice and Howden.

Mr. Galbraith: I thank the right hon. Gentleman very much. He pronounced Ochil wrongly, so I think that he will excuse me for getting his constituency wrong. He wanted to ensure that there was proper scrutiny of the Scottish Executive. I could not agree more. It is right and proper that the Parliament should determine how it holds the Executive to account.

The Bill sets out the framework—it is only a framework—for the minimum requirement that will have to be laid down for the Scottish Parliament to legislate on such matters. It must provide for the Executive to prepare accounts, which must be published, so they will be available to the House. It can also provide for the designation of accounting officers. Clause 66 provides that the head of the Parliament's audit service must be independent of both the Parliament and the Executive. In addition, the Secretary of State will be required to account to the House for the Scottish Parliament's expenditure. The Treasury will appoint an accounting officer for that expenditure under current arrangements. I realise that the right hon. Gentleman would like more supervision and control, but that is not devolution. That is the system that we have in place to try to deal with this.

The hon. Member for Edinburgh, West (Mr. Gorrie) raised a very important point about whether the Scottish Parliament will be able to subsidise buses down to Holyrood, and maintained that it will not. I realise that that is an important point to him. I am happy to reassure him that bus policy does not include bus subsidies, but that a bus will be subsidised for him to be able to take a trip down to Holyrood. I am sure that he will be very pleased on that matter.

Just before you blow the half-time whistle, Mr. Deputy Speaker—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

It being Ten o'clock, the debate stood adjourned.

Debate to be resumed tomorrow.

Children's Radio Channel

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

10 pm

Mr. Phil Woolas (Oldham, East and Saddleworth): Thank you, Mr. Deputy Speaker, for allowing the debate this evening. It is perhaps appropriate that it is the first Adjournment debate of the new term, although it is a bit late in the day for "Listen with Mother".

I should first thank the organisations that have given me support and campaigned on this issue, most prominently the Children's 2000 campaign, and Susan Stranks, who will be known to hon. Members who are older than me as the former presenter of "Magpie", a children's television programme. She is very well placed to speak on this subject.

I thank the Radio Authority and the BBC for their advice and information, and thank Ministers for their guidance on this matter. I should also mention in particular my hon. Friend the Member for Ealing, Acton and Shepherd's Bush (Mr. Soley), who in the previous Parliament, as chairman of the all-party parenting committee, put this item on the agenda.

My argument in favour of a dedicated national children's radio channel is fourfold. First, radio is a medium of the future. The digital revolution that is starting apace in this country will affect radio as much as—if not more than—television and other media. Secondly, radio, unlike other electronic media, is accessible to everyone who can afford a radio set in their house. Thirdly, at the moment, the children of our country, who make up 20 per cent. of the population, are not serviced adequately by current radio provision. Fourthly, and most important, children—particularly very young children—would and could benefit enormously from greater provision of a comprehensive children's radio service.

Radio unlocks the imagination of children in a way that visual media—television and computers—cannot. There are strong arguments, from educationists and from psychologists, to back up that point of view. Radio provides great support, and has done so for teachers in schools for many years. It also provides support—this is often overlooked—to parents who are struggling to settle their children, especially in the evening. Most important from the child's point of view, radio is great fun. It also helps the child to develop a sense of confidence and identity.

On the digital revolution that is taking place in broadcasting, the national franchises for digital radio will begin to be advertised in March this year. The awards for commercial radio franchises will be made in September. By the end of the year, it is likely that up to eight, possibly 10, new channels will be broadcast nationally. Following that, many other channels will be available, both commercial and BBC, locally and regionally.

Radio will become interactive. Children's interests should be taken into account at this stage of the development of digital radio if they are to be given a fair crack of the whip. Radio not only has a great future, but it is very cheap. It is much cheaper to produce than television, and access is cheap. It is estimated that the average household in the UK already has five radio sets,

[Mr. Phil Woolas]

and few families do not have access to radio. Despite the recent rapid growth in the number of computers available in both schools and homes, access to radio compares favourably with television. To coin a phrase, radio is a medium for the many, not the few.

The problem is that digital radio has yet to take off in terms of the number of sets in people's homes, which is why the argument has been put forward in favour of using the analogue channels that are currently available. However, there is no reason why schools could not be provided relatively quickly, and certainly more cheaply compared with other media, with digital radio sets.

Children are being served by neither public sector nor commercial radio. The BBC's annual report lists by category the number of hours broadcast on radio per year for each service. Of the 42,500 hours of radio broadcast on five national channels last year, only 403 were dedicated specifically to schools radio. The number of hours dedicated to children's entertainment was even lower.

Television is extremely well serviced. It has good education and entertainment programmes, but it has been subject to intense debate and scrutiny. The Broadcasting Standards Commission report published in December examined the effects of television on children. In her introduction to that report, Lady Howe said:

"Children are less able to make their voices heard and their cause often has to be championed through the adult. Often this adult is the parent, responsible for the child's well-being and concerned for its development.

It is my belief that children have the right to access a varied and diverse diet of programming."

If that is true of television, it is also true of radio.

Of the 220 commercial channels currently provided throughout the UK, none is dedicated to children's services. There is broad support for the idea of enhanced children's radio services. Not surprisingly, children's charities such as Barnardo's, Mencap and the National Society for the Prevention of Cruelty to Children have strongly supported the idea. Parent groups, teachers' unions and educationists have also signed up. Local government educationists and, I notice, the two Government advisers—Professor Brighouse and Chris Woodhead—have also given their support. Some might say that it is the only matter on which they have agreed in the education debate. So the support is there.

Less well known is the growing body of academic opinion from educational psychologists about the clear benefits for children's education of the radio and sound tape media. For example, Professor Pam Enderby at Sheffield university's speech therapy unit has argued strongly for the benefits of learning language and literacy from radio as opposed to the visual media of television and computers. Sally Ward of the speech language centre in Sheffield has listed the educational benefits of radio.

The imagination which radio brings out in children is foremost. That is essential for language development and literacy, because of the relationship between the spoken media and literacy. That enables the child to develop a greater attention span, whereas the visual media, by their nature, often serve to cut short a child's attention span.

Parents and others complain that children do not listen and will not sit still. Like the academic studies of this issue, I blame the television and computer screen. Radio has the reverse effect.

Despite its shortcomings, the BBC has recognised the educational opportunities of radio. Currently, 84 per cent. of primary schools order the BBC's school tapes. They would benefit enormously from a more comprehensive provision broadcast directly to them.

Sally Ward from the Sheffield centre has listed other advantages, such as teaching English as a second language, and teaching blind children and children with special needs. Radio is especially beneficial to hospital-bound children. It provides back-up to parents and carers while they are looking after children. Muslim girls could also benefit, because, for cultural reasons, they do not have access to mainstream activities outside the school curriculum. Homework clubs could also benefit enormously, according to Sally Ward's research.

In my opinion, the BBC has not done nearly enough. It is our major public sector broadcaster. Its chairman, Sir Christopher Bland, in his introduction to last year's annual report, re-emphasised the ethos of public service broadcasting in the digital age. He said:

"As the BBC enters the digital age, some fear that it may lose sight of its core purposes amid the excitement of new services and commercial ventures. Let me be clear. Despite all the changes . . . the BBC is, and will remain, a public service broadcaster."

Despite that, children, who represent 20 per cent. of the population, are excluded from BBC provision.

Arguments about the failure of children's radio in the past do not hold water. Radio 5's initial launch saw some increase in children's services, but the general public, teachers and children were not aware of them, because they were not promoted. In any event, the ratings for radio under public service broadcasting should not be the be-all and end-all, as Sir Christopher Bland said. I am told by the BBC that there are never more than 9,000 people listening to classical music on Radio 3 through the night. As we enter the digital age, with a greater number of specialist channels, the argument about ratings for the public service sector becomes weaker.

I have emphasised the need for a children's channel. In the digital age, parts of channels rather than full channels will become the norm. We should build support for that now; the BBC is considering it, and should develop it further. There is support in the House for that idea.

In the past, many hon. Members signed the early-day motion bemoaning the plight of "Children's Hour" and "Listen with Mother". The BBC's ethos is that of a public sector broadcaster, and it is in its interest to provide a children's service. When the World Service is attacked or under threat, politicians and the BBC rush to its defence. How much stronger the BBC would be if it had a children's channel.

Commercial radio has the possible use of sections of the analogue channels. We know that 225 has technical difficulties, but perhaps regional use and local, short-term licences could be considered. We also know that, with the advent of digital, at least four national channels will be available. I would urge the Radio Authority and its members to look at the strong option of providing these opportunities for children's radio.

The commercial arguments that have dogged the campaign in the past do not hold water, especially bearing in mind the fact that the criteria for the award of the franchise involve the totality of the multiplex, not just individual channels within it. Indeed, variety on the multiplex is a requirement of the award of the licences.

There are many opportunities for children's broadcasting. The millennium dome as a centre for children's activities and for the digital revolution could provide a superb platform for children's broadcasting. The new opportunities funding scheme being launched by the Government for school support could provide a source of money for research, for testing and—perhaps in the long term—for a sustained radio channel in partnership with the commercial sector.

Radio is cheap and accessible to all. It is a great educational tool. Radio helps youngsters' imagination and helps them develop a sense of identity. Radio, in short, is the best medium for children. Indeed, it is the best medium for most people; and it is the least expensive to access. I urge the Government to consider these ideas. I urge the Radio Authority and the BBC to improve children's radio services. The Government's quite proper efforts to improve literacy and numeracy among youngsters could be given a tremendous boost by radio.

Most of all, radio is available to all children. The stories to which we listen as children stay with us for the rest of our lives. The personal and educational development that radio affords sustains us through life. I urge Members and Ministers—I thank them for their support thus far—to think about these ideas, and about how we can co-ordinate children's radio in future.

10.16 pm

The Minister for Arts (Mr. Mark Fisher): I congratulate my hon. Friend the Member for Oldham, East and Saddleworth (Mr. Woolas) on securing a debate on a national radio station for children, and on playing out his case so effectively. My right hon. Friend the Secretary of State and I both recognise the important role that radio can play in education and in the development and entertainment of children, the more so because of the way in which radio stimulates the imagination quite differently from television—and perhaps more effectively.

The Government and the Radio Authority are well aware of the support in Parliament and from organisations outside the House for a national children's radio channel. My hon. Friend has been assiduous in his representations on the issue, on which we have corresponded and about which I have answered a number of questions in the House.

As I explained in answer to a question from my hon. Friend on 10 November, the Government have received a number of representations on children's radio, including representations from Children 2000 and from Miss Susan Stranks, with whom my right hon. Friend has corresponded. My hon. Friend was uncharacteristically—and I suspect inadvertently—unchivalrous about her. One does not have to be very old to recall her excellent career in broadcasting. I fear that I am old enough to have been brought up listening to "Uncle Mac" and "Dick Barton, Special Agent", long before Miss Stranks was even a gleam in broadcasting's eye.

My hon. Friend's debate gives me a useful opportunity to set out the Government's position for a wider audience, and I am grateful to him for giving the House the chance to explore the issue in greater depth. It might be helpful if I set out what scope the Government have to determine the character of radio services, and their policy on the use of the powers at their disposal in the light of the intense demand for the spectrum available for the provision of radio services. I shall then consider the BBC issues that my hon. Friend raised.

As my hon. Friend knows, the Broadcasting Act 1990 established the Radio Authority to license and regulate the commercial radio sector, under the broad objectives set out in the statute, to increase diversity and choice of output in the independent radio sector.

The 1990 Act also requires the authority to license two national stations of a particular character. One has an output that is predominantly speech-based, and the other is a music station broadcasting mainly non-pop music. The Secretary of State has the power to revise or add to those categories of national service by order. Therefore, it would be quite within the Government's power to require the Radio Authority to secure the provision of a national station aimed at children.

The Radio Authority has already licensed three national services—Classic FM, Talk Radio and Virgin—and there is no further spectrum available on which the authority could construct a fourth analogue national service. Last year, the authority examined the feasibility of using a long wave frequency that was reassigned to it by the previous Administration from the BBC as the basis of a fourth national service.

The authority consulted extensively on the prospective use of the frequency—225 kHz long wave. As my hon. Friend knows, the authority concluded last month that it would not be practicable to deploy that frequency for a fourth analogue national radio service. That conclusion was reached in the light of objections from other European countries to the proposed UK service, which would cause interference to their existing radio services.

As there is no possibility of a fourth national analogue commercial radio service, the Government have not considered directing the authority to license a national analogue station of a particular character. As my hon. Friend says, we are entering the digital age in broadcasting, and the Government have given careful consideration to whether to use the powers in the Broadcasting Act 1996 which enable my right hon. Friend the Secretary of State to direct that digital national programme services be of a particular character.

Plans are well advanced for the launch of national and local digital radio services. The Government think that the best chance of making digital radio a success would be to include a mixture of established and exciting new services to encourage the purchase of digital receivers. The Radio Authority plans to invite applications shortly to operate the national independent digital radio multiplex.

Digital technology has the potential to enable a broad range of different national and local radio services. However, the availability of radio spectrum will be limited at the launch of digital radio. There will be sufficient spectrum to enable only two national digital multiplexes at the launch of digital radio—one for the BBC and one for commercial radio. Using the current technology, we think that there will be capacity on each national multiplex for between six and eight digital sound programme services.

The BBC, which has been broadcasting digital radio services since 1995, simulcasts its existing five national services, and has been trialling a variety of new services, including live broadcasting of the proceedings of the House and extended sports broadcasting. The Government will shortly formally offer the existing three national commercial radio stations guaranteed capacity on the national commercial multiplex to simulcast their existing services.

[Mr. Mark Fisher]

Under the provisions of the 1996 Act, my right hon. Friend has the power to direct the Radio Authority to require that the holder of the national commercial multiplex licence provides national digital programme services of a particular character. Therefore, it is in his power to require the national commercial multiplex licensee to include a new national radio service for children.

I understand my hon. Friend's excellent case for making such a direction, but at this stage the Government's priority must be the successful launch of digital radio. With only one national commercial multiplex initially available, it is important that the commercial radio sector determines the mix of programming that is most likely to encourage consumers to purchase digital receivers. If the industry thinks that a children's service will do that job for them, the Government will, of course, welcome the introduction of such a service.

The Government are not persuaded, at this early stage in the development of digital radio, that it would be wise to fetter the discretion of the Radio Authority and restrict the freedom of manoeuvre of the radio industry by imposing a particular channel, such as a national children's channel, on the sole commercial national multiplex that will be available on the launch of digital radio. With only a maximum of eight programme services available, three of which will be taken up by simulcast of the existing analogue services, such a direction would mean that half the national multiplex would be filled by programming dictated by Government and not by the commercial sector, which will have to make the investment in the new technology.

I assure my hon. Friend that we will keep the issue under close review as digital radio services develop. I hope that, in due course, more spectrum will be found to enable the expansion of digital radio services. At that point, the Government will assess whether a direction on the characteristics of any further national services should be made.

However, I must make it clear that the Government's general approach to the future of broadcasting and to the expansion in service provision that digital technology will enable, is to lighten the regulatory burden on the industry and to minimise Government direction and intervention. As the number of digital radio services increases, the ability to cater for all tastes and interests—including children's programming—is facilitated, and the case for Government intervention decreases slightly. As I have said, however, we will keep the issue under close review in consultation with the Radio Authority, listening to the views of people such as my hon. Friend, who feel strongly and passionately about the issue.

Organisations wishing to provide children's programmes may already apply to the Radio Authority for new analogue local radio licences, and I understand that two applicants for the last London FM licence proposed to broadcast children's services. In the same way, such organisations may negotiate with potential bidders for both the national and local commercial multiplexes to offer children's programming.

My hon. Friend suggests that the BBC should use the capacity it has been given for digital radio services to launch a children's service on digital radio. As he is aware, editorial decisions are a matter wholly for the BBC, and it is not within my power to direct that the BBC carries particular services. Nor would I want to interfere with the principles that have long governed the relationship between successive Administrations and the BBC.

As my hon. Friend knows, on 30 July, the BBC proposed changes to Radio 4. That followed extensive consultation and research. Since the announcement of the schedule changes, I understand that the BBC has been in contact with 25,000 listeners through the BBC radio helpline and viewer and listener correspondence. The current Radio 4 schedule has only one half-hour slot that is aimed specifically at children—at 7 pm on Sunday. That makes a total of 25.5 hours a year of children's programming. I understand that the slot attracts 21,000 children, and that the BBC plans to discontinue that slot under the new schedule.

BBC governors are ultimately responsible for ensuring that the corporation meets its obligation and pledges to audiences, among which is the requirement, set out in the royal charter and agreement, to include a high standard of original programmes for children and young people. The governors have taken a keen interest in the proposed changes to Radio 4, and are aware that their role is to ensure that the public interest is properly served. I am sure that Sir Christopher Bland, the board of governors, of which he is chairman, the BBC's radio management, and Mr. James Boyle, who is charged with the task of making the changes, will reflect on the concerns expressed by my hon. Friend.

I reassure my hon. Friend that I recognise the importance of high-quality broadcasting, on both television and radio, in the broad education and development of children across a range of age groups. Digital technology has enormous potential and, with an open mind, we shall continue to explore with the BBC, the Independent Television Commission and the Radio Authority ways in which that aspect of broadcasting can be developed in the digital age.

I am grateful to my hon. Friend for raising this important issue in the House, and for enabling me to set out the Government's position. I suspect that all those who care about the future of radio and the future development of children will also be grateful to him.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Ten o'clock.

House of Commons

Tuesday 13 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Iraq (Sanctions)

1. **Mr. Cohen:** If he will take steps to ease or remove sanctions against Iraq affecting children and the sick. [20412]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): The process of relaxing United Nations sanctions can begin when Saddam Hussein complies with all the relevant Security Council resolutions. His behaviour in November demonstrated that he is still far from willing to comply.

We have no argument with the Iraqi people. That is why we co-sponsored oil for food resolutions, which permit Iraq to export oil in exchange for humanitarian relief. Regrettably, the prolonged failure of Saddam Hussein to accept the arrangements led to a long delay before the benefits became available to his people.

Mr. Cohen: Does my right hon. Friend agree with Kofi Annan that the input of humanitarian aid is unsatisfactory? Does he agree with UNICEF that 960,000 children are chronically malnourished—an increase of 72 per cent. since 1991? What is moral about sanctions that target children? Even if Saddam Hussein uses children politically, why does the west choose to be their agent of death? At the least, will the Government agree to double the oil for food deal and ensure that the money goes on food and medicine for those children rather than being syphoned off for reparations?

Mr. Cook: There are no sanctions on food or medicine. We are willing to consider an increase in the oil for food provision, but we are dealing with a man who has built additional presidential palaces in the past six years while the situation that my hon. Friend described has prevailed among his people. He has continued to spend billions of pounds on weapons of mass destruction. The United Nations Special Commission on Iraq report demonstrates that, even as we speak, Saddam Hussein is acquiring enough anthrax to fill two warheads every week. Given that he has a record of using chemical weapons against his own people, the international community cannot tolerate him continuing to acquire the capacity to destabilise the region. For those reasons, we must continue our pressure on him to abandon his programme for weapons of mass destruction. The hardship of his people must rest on his head more than on anyone else.

Mr. Alan Clark: I do not doubt for a minute the humanitarian instincts of the hon. Member for Leyton and Wanstead (Mr. Cohen), but does the Foreign Secretary agree that he is dealing with the arch practitioner of the human shield technique in military and diplomatic affairs? Were the Foreign Secretary to relax sanctions, only a tiny group of children or the sick, assembled for a photocall for the world's press, would receive any aid. The rest of the oil revenue would go straight to the military machine that Saddam Hussein so menacingly continues to assemble, as the Foreign Secretary has just described.

Mr. Cook: I do not deny the genuine humanitarian impulses of many people who see distressing photographs from Iraq of children in need, and wish to respond. I understand their good faith, but they have to reflect on the fact that the Iraqi Government have an appalling record of repression and oppression of human rights, led by a man who claims 45 presidential palaces. It is by no means clear why the president of Iraq, whose country is apparently in such hardship, needs more palaces than any other monarch anywhere in the world. Sanctions are continuing after six years not because the world is vindictive, but because Saddam Hussein continues to refuse to comply with the resolutions of six years ago.

Mr. Dalyell: Has it occurred to the Foreign Secretary that the perceived cruelty against children might strengthen rather than weaken Saddam Hussein's position?

Mr. Cook: My hon. Friend raises a serious issue, which all of us involved in the debate must address. That is precisely why we have embarked on trying to get across to the Arab world that sanctions apply to Saddam Hussein because of his military ambitions and particularly his acquisition of chemical and biological weapons, not because we wish in any way to punish the Iraqi people. I hope that we can get that message across throughout the region because other Arab countries in the region stand to be most at threat if Saddam Hussein succeeds in acquiring such a capacity.

Mr. Menzies Campbell: Is not the person best able to help the children of Iraq Saddam Hussein himself? What assessment has the Foreign Secretary made of consequences in the event of the United Nations abandoning its efforts to ensure that the Security Council resolutions were fully implemented? Is it not likely that, in those circumstances, Saddam Hussein would swiftly return to the manufacture of chemical and biological weapons, continue to pursue the nuclear capability, which he wishes above all else, and thereafter simply threaten to use weapons of mass destruction whenever he thought that it was in his interests to do so?

Mr. Cook: The hon. and learned Gentleman's best answer lies in UNSCOM's report to the Security Council. I commend it to any hon. Member who has any doubts about the Security Council's policy. The report makes it

quite clear that Saddam Hussein still persists in seeking to acquire a chemical and biological capacity. It is only with the greatest persistence that UNSCOM has worn down his attempts to develop a nuclear capacity. For all those reasons, I have not the slightest doubt that if the world were to accept the propaganda war being waged from Baghdad and drop its guard and sanctions, we should be left with a regime in Baghdad that had not only acquired such weapons but has, in the past, shown a willingness to use them.

Mr. Benn: Is the Foreign Secretary aware that the policy has been pursued for seven years and that Saddam Hussein is stronger than ever? The punishment of the Iraqi people and the death of hundreds of thousands of Iraqi children amount to a war crime. Is he also aware that America has no support whatever in the Security Council, China, France and Russia or the Arab world for the military threats made? Is it not time to look at the matter again rather than make innocent people suffer for policies that have failed, and will almost inevitably continue to fail?

Mr. Cook: I cannot accept my right hon. Friend's view that the policy has failed. Indeed, if he studies the UNSCOM report, he will discover that it has effectively halted the Iraqi nuclear and missile programmes. As the chairman of UNSCOM never tires of pointing out, UNSCOM has managed to dismantle and destroy more weapons than were ever destroyed during the Gulf war. The policy has not completely succeeded, but that is down to the defiance of Saddam Hussein.

In Geneva, where all five permanent members of the Security Council met at a meeting which I chaired, we achieved a unanimous agreement on a text which requires Saddam Hussein unconditionally to comply with Security Council resolutions. It weakens the pressure on Saddam Hussein and encourages him when anybody suggests division among the permanent members of the Security Council.

Mr. Howard: I acknowledge the humanitarian concerns that have been expressed on both sides of the House. Does the Foreign Secretary share my apprehension over today's report that Saddam Hussein has halted the work of the United Nations inspection team, headed by Mr. Scott Ritter? What action does the Foreign Secretary propose to take in response to this latest attempt by Saddam Hussein to flout the UN's authority?

Mr. Cook: I fully share the right hon. and learned Gentleman's concerns about the development of the past 24 hours. It is for the chairman of UNSCOM, not Saddam Hussein, to decide the composition of teams that carry out inspections. The present round of inspections has been carried out by 44 personnel from 19 different countries. It is therefore wholly false to accuse UNSCOM of any national bias. I shall be discussing the matter with the United States Secretary of State Madeleine Albright on Thursday, when I visit Washington. Mr. Butler, the chairman of UNSCOM, will be returning to Baghdad next week. In the light of his report and those discussions, we shall certainly be considering what further action should be taken through the Security Council.

Mr. Campbell-Savours: May I remind my right hon. Friend that many of those who oppose sanctions today are the same people who argued for them in 1991, and opposed the military action?

Mr. Cook: I am seeking to achieve maximum unity against Saddam Hussein, and I do not think that it would be consistent with that policy to answer my hon. Friend's question.

Mr. Cohen: On a point of order, Madam Speaker. In view of the unsatisfactory nature of the reply, I give notice that I intend to raise the matter on the Adjournment.

Gibraltar

2. **Sir Teddy Taylor:** If he will make a statement on the constitutional status of Gibraltar. [20413]

Mr. Robin Cook: Gibraltar is a British dependent territory whose relationship with the United Kingdom is defined by the provisions of the 1969 constitution. Britain has repeatedly confirmed to the Spanish Government that there can be no change to that constitution without the democratic agreement of the people of Gibraltar.

Sir Teddy Taylor: Is the Secretary of State aware of the concern in Gibraltar about the proposal by NATO to establish sub-regional commands, and the published reports that Gibraltar could be put under the control of a sub-regional command based in Madrid? As any such move would have significant constitutional implications, will the Foreign Secretary, after his welcome statement today, make it clear that he would consult the Secretary of State for Defence before any such move was made?

Mr. Cook: I am glad that the hon. Gentleman has asked that question, because it enables me to put the record straight, in case there is any apprehension on the subject. The new sub-regional command in Madrid does not include Gibraltar; the military post in Gibraltar is under the direct control of the British military authorities and reports directly to Britain, not to Madrid. I hope that that clear position affords the hon. Gentleman the reassurance that he seeks.

Mr. Hoyle: Has the Minister told the Spanish Foreign Minister that there will be no joint proposals on Gibraltar, and that the future of Gibraltar rests with the people there? We do not want to see Gibraltar sold down the river, as the people of Hong Kong were sold down the Yangtze.

Mr. Cook: My hon. Friend has put two questions to me, and I shall reserve the right to answer only the first. I agree entirely with his observation about Gibraltar. We are a democratic House elected on democratic principles, and we must respect the same democratic right of the people of Gibraltar to decide their own future. In December, I expressed forcefully to the Spanish Foreign Minister the importance to us of respecting the wishes of the people of Gibraltar. I am pleased to say that, afterwards, he acknowledged that there could be no

question of forcibly imposing a solution against the wishes of the citizens of Gibraltar. That represents an improvement in the Spanish position, and I am glad that we have managed to secure it.

EU Enlargement

3. **Mr. Spring:** If he will make a statement about the Government's objectives in respect of enlargement during the UK's presidency of the European Union. [20414]

11. **Mr. Paice:** If he will seek to establish target dates for the next stage of European enlargement during the United Kingdom presidency. [20423]

Mr. Robin Cook: Enlargement will be one of the central themes of our presidency. In accordance with the conclusions of the Luxembourg European Council, we shall open the accession process on 30 March and begin accession negotiations with the six applicants that are ready, very soon thereafter. On 12 March, we shall inaugurate in London the European conference, which will be open to all current candidate countries. Our aim is to give the enlargement process as much momentum as possible before the end of the British presidency.

Mr. Spring: Will the right hon. Gentleman confirm that, only last month, the Prime Minister said that successful enlargement could come about only with the resolution of the problem of the common agricultural policy? Why, therefore, when the Prime Minister listed the important concerns for the United Kingdom presidency only last week, did he make no allusion to the common agricultural policy and its solution in connection with enlargement?

Mr. Cook: We have repeatedly pressed the importance of reform of the common agricultural policy—*[Interruption.]* With all due respect to hon. Members, I must tell them that we have done so repeatedly, in the context not only of our election manifesto but of the presidency, as I did again only last Sunday.

Of course, we must be frank about the fact that, although during our presidency we can take forward the detailed proposals made by the Commission and ensure that those are worked up into specific proposals, we cannot hope to complete the work in the six months of the presidency. It sits ill for Opposition Members, after 18 years of leaving the problem behind, to demand that we solve it in six months.

Mr. Paice: Is not the real reason why the Prime Minister did not mention CAP reform that he knows full well that it is not only unachievable in the six months of the presidency, but that it is highly unlikely to be achievable in a longer time? [HON. MEMBERS: "Eighteen years."] I must point out to Labour Members that the Conservative party was in power when the CAP was reformed in 1992. Is it not the case that, until the German elections are out of the way this autumn, the German Government will not agree to move on any reform of the CAP that would mean a reduction in the subsidies to their farmers—the principal obstruction to any reform in the future, as it was on the previous occasion?

Mr. Cook: The hon. Gentleman is quite wrong in being defeatist about the prospects for change. At the November Agriculture Council, 14 out of 15 member states backed the Commission's proposals, which we shall take forward during our presidency; for instance, to cut the price support mechanism for cereal. I note the hon. Gentleman's support for that, and I am sure that his constituents will welcome it.

As to the future, there are two major pressures on Europe to reform the CAP. The first is the immediate pressure of enlargement, because we must reform the CAP if we are to be able to afford enlargement. The second pressure is the growing liberalisation of world trade, which will not indefinitely allow what is essentially a protectionist instrument.

Mr. Corbett: Will my right hon. Friend confirm that neither threats from Ankara nor bluster from North Nicosia will delay the opening of negotiations on the entry of Cyprus to the EU, while it making clear to Turkey that it would be a welcome participant in the London conference on 12 March?

Mr. Cook: My hon. Friend's question points out the delicate tightrope that anyone involved in those negotiations must walk. We have persistently made it clear that we support the right of the Republic of Cyprus to apply for membership of the EU, and we believe that that application must be considered on its merits and cannot be vetoed by any third party. At the same time, we wish to have positive and constructive engagement in dialogue with Turkey. I spoke to my Turkish opposite number only last week and I continue to press Turkey that, if it wishes to come to the European conference, the door is ajar and we should welcome Turkey to discuss matters of mutual concern.

Mr. Mackinlay: Will the Foreign Secretary review the amount of funds available through the UK know-how fund and European Union programmes to help the applicants to begin the lengthy and difficult process of harmonising their domestic laws with those of the EU in advance of accession? Will he ensure that more resources are available to help civil servants and people from business, commerce and industry from the applicant countries to gain skills in EU languages?

Mr. Cook: My hon. Friend makes a fair point, but I am happy to respond by saying that there is already a large budget in the EU to assist the applicant countries through accession partnerships to prepare themselves for full membership. Britain is running a scheme to train negotiators among the first wave of applicant countries. That is precisely because we do not regard those negotiations as confrontational, and we want to enter into them in the spirit of making the negotiations succeed and to bring in those countries to create a wider, stronger Europe and a more stable and secure central Europe.

Mr. Wilkinson: Does not the Foreign Secretary view it ill that the EU should adopt an invidious policy towards the accession of the Baltic states—inasmuch as Estonia, rightly, has enjoyed a fast track, but Lithuania and Latvia are in the slower lane towards accession—while the United States, in its charter for partnership towards the Baltic states, is adopting an all-embracing policy of open

welcome and political partnership leading, hopefully, to the accession to the North Atlantic Treaty Organisation of all three states?

Mr. Cook: Like the United States, we seek warm and constructive relations with all three Baltic states. However, the partnership agreement proposed by the United States is a much less complex task than accession to the European Union, with the acceptance of all the European acquis that is necessary. It is the Commission's advice that Estonia is ready to begin the task of detailed negotiation. Until Latvia and Lithuania have achieved the same point of a functioning market economy, it is not necessarily right for them to enter those detailed negotiations. I entirely agree with the hon. Gentleman that it is important that we do not send a negative signal to those countries that are not in the first wave. That is why all three Baltic states will be invited to that European conference and there is no bar on any member that is not in the first wave catching up on those that are.

Western Sahara

4. **Mr. Corbyn:** What monitoring he proposes of the United Nations referendum on the future of the Western Sahara. [20415]

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): We shall monitor the referendum, whenever it takes place, especially through our mission to the United Nations in New York and through our embassies in north Africa. It is too early to say whether we shall send monitors to the referendum itself.

Mr. Corbyn: Does the Minister recognise that, during the 24 years of Moroccan occupation of Western Sahara, Morocco has constantly obstructed the efforts of the United Nations to bring about peace and to register the people who live or belong to the Western Sahara? Will he ensure that any monitoring that takes place is of the entire process, not merely voting, and that the European Union, the Commonwealth and this country all send observers in the run-up period as well as during the very welcome referendum so that, at last, the people of the Western Sahara can see peace and prosperity, free from military rule?

Mr. Fatchett: I share my hon. Friend's view that the best way to make progress in the Western Sahara is through the referendum. We are monitoring the initial processes to ensure the objectives to which my hon. Friend refers. We all hope that those processes go speedily and that the referendum will take place on schedule on 8 December.

Caribbean

5. **Mr. Mullin:** What recent discussions he has had on human rights in the Caribbean; and if he will make a statement. [20416]

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): The Foreign and Commonwealth Office made clear in its mission statement its commitment to human rights. Ministers have not yet raised any specific issues, but, in accordance with instructions, our high commissioners and ambassadors regularly raise our concerns with the Governments to which they are accredited. Ministers will reinforce our message on human rights with Caribbean Ministers on suitable occasions.

Mr. Mullin: Is my hon. Friend aware that a suitable occasion will come up when the Foreign Secretary visits the Caribbean next month? That visit will provide him with a golden opportunity to put into practice our commitment to link respect for human rights with aid, favourable trade arrangements and debt relief. Is my hon. Friend aware that Jamaica, Trinidad and Belize are holding hundreds of people under sentence of death and are anxious to resume a big bout of hangings? Many of those people are held in appalling conditions after an often inadequate trial. Will the Foreign Secretary make it clear, when he goes to the Caribbean, that countries that seek assistance from liberal democracies will first have to clean up their act?

Mr. Lloyd: My right hon. Friend the Secretary of State for International Development has made it clear that human rights lie at the centre of her Department's policies as well as those of the Government. We are concerned about prison conditions in the Caribbean and the countries that my hon. Friend mentioned, but we already raise those issues on a bilateral basis. For example, I draw his attention to the recent European Union demarche in Jamaica, concerning Jamaica's decision to opt out of the optional first protocol of the international covenant on civil and political rights, where the British Government were represented. It is our view that we should press all Governments to abandon a death penalty—a change since the previous Government. We shall continue to pursue that ambition both in bilateral relationships and more generally in our dealings with states, not merely in the Caribbean but globally.

Mr. Ian Taylor: Although there are still concerns about human rights in Cuba, does the Minister accept that that island represents 11.5 million out of a total Caribbean population of 30 million and so it is vital that the island is brought into the world economy, despite the efforts of the United States Administration under the Helms-Burton Act? Will he confirm that he is continuing the previous Government's policy of opening up trading links with Cuba and trying to integrate it into the international community?

Mr. Lloyd: I welcome the constructive tone of the hon. Gentleman's question. That position, adopted by the previous Government, has been continued by the present Government. We have concerns about individual aspects of life in Cuba, and we raise those issues bilaterally with the Cubans, but we believe that constructive engagement is the right way in which to make progress. We have made it clear, consistently with the policies of the previous and the present Government, that the Helms-Burton Act has no useful place in relations with Cuba.

Mr. Kaufman: Is my hon. Friend aware that the United Nations Commission on Human Rights has specifically condemned the Jamaicans' treatment of prisoners on death row; that Jamaica is in breach of Privy Council rulings on how long they should be held there; and that Her Majesty's inspector of prisons has said that prison conditions in Jamaica are among the worst that he has ever seen? I am grateful to my hon. Friend for the action that the Government have already taken. Will he and my right hon. Friend the Secretary of State for International Development continue to bear it in mind that favourable trade treatment and aid must be dependent on an acceptable human rights record?

Mr. Lloyd: My right hon. Friend the Secretary of State for International Development has made it clear that the logic behind our policies on debt forgiveness, for example, is very much concerned with helping the poorest people, and we would not want to confuse the different aspects of our policies. I can nevertheless reassure my right hon. Friend that we shall continue to raise with the Jamaican authorities our concerns about not only prison conditions but the existence of the death penalty in Jamaica; I know that he has been a consistent and vocal advocate of change in Jamaica and that his voice has been heard not only in the House but in Jamaica itself.

Madam Speaker: Mr. Leigh.

Mr. Garnier: Or even Mr. Garnier.

Madam Speaker: Mr. Garnier is better.

Mr. Garnier: Not for the first time, Madam Speaker, you are 100 per cent. correct.

Is the Minister aware that, in some Commonwealth countries in the Caribbean, there are insufficient law libraries to enable judges and lawyers acting for criminal defendants in those jurisdictions to address the court adequately on matters of law that could, in the final analysis, lead to questions of life and death? Will he, with the Department of International Development, do all that he can to ensure that we give such assistance as is necessary to improve the law libraries in those countries and to give judicial training to Caribbean judges, so that none of the problems outlined by the hon. Member for Sunderland, South (Mr. Mullin) need occur?

Mr. Lloyd: While I cannot claim detailed knowledge of the specific problems of law libraries, I can confirm that we are examining ways in which we can make progress, especially in giving assistance not just to the three countries named by my hon. Friend the Member for Sunderland, South (Mr. Mullin), and not only in improving prison conditions but, more generally, in training. We recognise the problem of access not only to the law but to adequate judicial protection. Britain has, over many years, made available expertise from the legal profession here to ensure that there is adequate and improving access to the judicial process in the Caribbean.

Conventional Arms Exports

6. **Mr. Pickthall:** What plans he has to secure agreement on an EU code of conduct on conventional arms exports during the UK presidency. [20418]

17. **Mr. Timms:** What plans he has to secure agreement on an EU code of conduct on conventional arms exports during the United Kingdom presidency. [20429]

Mr. Robin Cook: We aim to agree a code of conduct on arms sales with our European Union partners during the United Kingdom presidency.

Mr. Pickthall: I congratulate my right hon. Friend on this important initiative, but can he assure us that we shall have a tightly drawn agreement, and not just a rationalisation of existing divergent export policies? For example, will the code ensure that when a contract is refused by one European Union country, it cannot be snapped up by another?

Mr. Cook: I can assure my hon. Friend that we shall seek as tight a draft as we can obtain, and that will certainly reflect much of the language in the tougher criteria that we introduced in July. My hon. Friend puts his finger on what must be the single biggest gain of a European code of conduct: the inclusion of a provision that makes it obligatory on any European state that is thinking of taking up a contract that another state has turned down to provide advance notice of that intention. That should ensure that when any member of the European Union turns down such a contract on grounds of reference to human rights, for instance, it will not be undercut by a partner. That will provide a much firmer, stronger base for the policy.

Mr. Timms: I welcome my right hon. Friend's commitment to achieving high standards in the code rather than looking for the lowest common denominator. I urge him to stand firm by that commitment. How much priority is his Department giving to securing agreement on the code and what progress has been made in preparing the ground for an agreement before the end of the British presidency?

Mr. Cook: I am pleased to answer my hon. Friend as he asked the question in answer to which we announced the original code back in July. I am very glad to say that that has resulted in a tightening of our criteria. In answer to my hon. Friend's question today, I have to say that most member states of the European Union have now bilaterally expressed their support for a code of conduct, have applauded what we did last July and would like to see it turned into a European agreement. I hope that we shall soon be ready to take a text to our partners and to get agreement from them.

Mr. Sayeed: Is the Foreign Secretary certain that the enforcement and policing of the code of conduct will not allow the French to cheat yet again?

Mr. Cook: As we are currently in negotiation with our French partners on the text, it would be impolitic of me to accept any suggestion that the French ever cheated. We hope to reach an agreement that will ensure that we

share common standards and will notify each other of what we are doing. That openness is the best way of ensuring that the code is adhered to.

Mr. Howard: Pending the securing of such an agreement, will the Foreign Secretary look into the delays in granting licences, which are causing British firms to lose orders for equipment to which there cannot be any sensible objection? Is he aware that the firm RBR International asked on 15 May last year for urgent clearance of the sale of helmets to the United Nations High Commissioner for Refugees for use by personnel in Kabul? As a result of the delay in granting that clearance, the order went to Scandinavia and the firm has received no approaches for any equipment from UNHCR since. Is that what the Foreign Secretary intended to achieve by his so-called ethical foreign policy?

Mr. Cook: I am not familiar with that individual case—*[Interruption.]* If the House will allow me. The right hon. and learned Gentleman has never raised that case with me on any day since 15 May. If he is so concerned, of course we shall be happy to entertain any views that he may wish to express on a particular sale.

We have adopted criteria which are plainly designed to achieve the outcome that sales of equipment to any regime that might use it for repression will not get a licence. That has to be the right approach. The great consensus of British opinion is behind us. If the Conservative party wishes to opt out of that consensus, that tells us more about the Conservative party than about our policy.

EU and NATO Enlargement

7. **Mr. Hawkins:** What plans he has to support the application of Latvia and other Baltic states to join the EU and NATO. [20419]

Mr. Tony Lloyd: The United Kingdom supports the accession to the European Union of all central European applicants as soon as they are ready, including Latvia and Lithuania, and the targeting of assistance to deal with applicants' shortcomings. At the NATO Madrid summit in July 1997, my right hon. Friend the Prime Minister, together with other NATO Heads of State and Government, undertook to review the NATO enlargement process at their next summit in 1999.

Mr. Hawkins: I thank the Minister for that answer. Further to the answer that the Foreign Secretary gave to my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson), will the hon. Gentleman confirm that in their EU presidency Her Majesty's Government wish to consider the Baltic states case by case and certainly wish to encourage Latvia and Lithuania to catch up with Estonia so that all three Baltic states accede to NATO and the EU simultaneously?

Mr. Lloyd: My right hon. Friend the Secretary of State and, indeed, the whole of the European Union have made it clear that the ambition is that all the Baltic states will eventually be members of the EU. The rate at which individual Baltic states achieve that membership depends on their ability to conform to the criteria laid down within the accession process. As my right hon. Friend has made clear today, there is no inevitability that those who are now at the front of the queue automatically will not be overtaken by those who make rapid progress. If Latvia and Lithuania make the right kind of progress, their speed of accession will be in their own hands.

Mr. Rammell: Does my hon. Friend agree that there is a logical contradiction on the part of Conservative Members, who argue for enlargement of the European Union while attempting to block any sensible measure to improve EU decision making, such as the modest proposals for improvements in qualified majority voting encapsulated in the Amsterdam treaty?

Mr. Lloyd: My hon. Friend is right that there is a logical contradiction at the heart of Conservative party policy on that matter. I would go further by noting that that reflects the logical confusion at the heart of the Conservative party.

Commonwealth (Democracy)

8. **Mr. Day:** What steps his Department is taking to promote democracy in the Commonwealth. [20420]

Mr. Tony Lloyd: Under my right hon. Friend the Prime Minister's chairmanship, Commonwealth Heads of Government at Edinburgh reaffirmed the Commonwealth's principles of human rights and democracy and set them as criteria for new members. Britain plays an active part in all Commonwealth bodies and in particular the Commonwealth Ministerial Action Group, whose remit was extended by Commonwealth Heads of Government at Edinburgh.

Mr. Day: The Minister will be aware that Malawi has made great strides towards a more democratic and accountable system. He may not be aware that a delegation from the UK branch of the Commonwealth Parliamentary Association, of which I had the honour and privilege to be a member, recently visited Malawi. We discovered that the only real help for its people, who were suffering particularly from the threat from AIDS, came from health clinics fully funded by British aid under a programme established by the previous Government. Can the Minister assure the House that he will confer with the Department of International Development to ensure that when that aid programme comes up for review shortly, it is allowed to continue its terrific work, which is desperately needed by the people of Malawi, as a recognition of the strides towards democracy that Malawi has made?

Mr. Lloyd: I endorse the hon. Gentleman's observations. Under its present Government, there is no doubt that Malawi has made considerable advances towards conformity with international human rights standards. We should all applaud that. AIDS affects huge areas of Africa. That was brought forcefully to my attention by many people when I was in southern Africa last week. I do not want to pretend that our wish to support the very necessary funding of programmes to combat the effects of AIDS should be made conditional, directly in this case, on the human rights performance of

Governments. The House will agree that the devastation caused in the wake of AIDS transcends many issues on which we would normally place a high priority.

Mr. Ernie Ross: What action are the Government taking, bilaterally or through the Commonwealth, to move Kenya towards democracy?

Mr. Lloyd: I thank my hon. Friend for that question. As he knows, the Kenyan people had the opportunity to go to the polls over Christmas and the new year. The Government funded the presence of local observers at those elections. There is no doubt that there were some irregularities in those elections. That was the strong view not only of local observers but of the international diplomatic community, and was reflected in the statement put out by the European Union under the British presidency. Clearly, we had concerns. Nevertheless, we have little doubt that President Moi achieved election according to the will of the Kenyan people under the present constitution. It is now incumbent on him to conform to what he has already said about the need for a constitutional convention to update Kenya's constitution, the need to drive hard against corruption and the need to involve opposition politicians in establishing a new future for the country. In our bilateral deals, and as part of European Union, we will ask him to keep to those commitments.

Mr. Streeter: Does the Minister agree that it is an important right in any democracy that all citizens should have free access to an independent court? Does he therefore share my alarm that farmers who are to have their land confiscated in Zimbabwe will, apparently, be denied access to their courts to challenge the legality of that act? If he does share my alarm, will he take the necessary steps to stop further aid to Zimbabwe until its Government are prepared to act in a more democratic manner?

Mr. Lloyd: Fortuitously, I was in Zimbabwe last week and I raised that issue with the Zimbabwean Foreign Minister among others. We made it clear that Britain will offer support for the process of land reform provided that a number of conditions are met. First, land reform should be targeted at giving the land to the poor, which is one of our legitimate interests. Secondly, any land reform programme should be transparent, and legal rights under domestic law and in accordance with international obligations should be respected by the Zimbabwean Government. On that basis, we made it clear to that Government that the present land reform scheme simply does not allow those conditions to be met. We have therefore made it clear that Britain will not provide any money for that scheme.

Mr. Donald Anderson: Does the Minister agree that much of the key work of democracy building in the Commonwealth is carried out by and through non-governmental organisations, and that paramount among those is the Commonwealth Parliamentary Association? He will be aware that the millennium conference of the CPA will be held in Edinburgh, where it is hoped that the Scottish Parliament and the Welsh Assembly will be represented as full members. Will he ensure that Her Majesty's Government pledge their full support for that important millennium conference?

Mr. Lloyd: My hon. Friend is right to draw to the House's attention the valuable work performed by the CPA throughout the Commonwealth not only in bringing parliamentarians together but in insisting that the common standards of acceptance of parliamentary democracy and human rights are the norm within it. The important conference that is due to take place in Edinburgh will receive Government support.

Indonesia (Arms Exports)

9. **Dr. Tonge:** If he will seek to persuade all EU member states during the United Kingdom's presidency to freeze arms exports to Indonesia. [20421]

Mr. Fatchett: No, but, as my right hon. Friend the Secretary of State has already said, we aim to agree a code of conduct on arms sales with our European Union partners during the UK presidency.

Dr. Tonge: I thank the Minister for that reply, but given that 22 export licences have been signed since 1 May—I have the list here—for arms exports to Indonesia, does he not agree that the United Kingdom would set a good example to the rest of the European Community during our presidency if we unilaterally stopped signing such contracts, especially in view of the Government's earlier statements about a code of conduct and human rights?

Mr. Fatchett: The hon. Lady is unfair because the United Kingdom has already taken the lead in the European Union by suggesting a Europewide code of conduct on arms sales. That will set clear criteria along the lines already established in the UK. That is the best way to conduct, organise and regulate the arms industry. We are taking a lead on that and I am disappointed that the Liberal Democrats are not prepared to support us.

Mrs. Brinton: Does my hon. Friend agree that it is totally impossible to imagine that the Conservative party could ever agree on a code of conduct towards Europe during this generation or the next?

Madam Speaker: The question is on Indonesia, not Europe.

Mr. Fatchett: Or a mixture of both, if you like, Madam Speaker.

My hon. Friend is right to say that the Conservative party could not give a lead in Europe on such an important issue because it is so divided on the very subject of Europe. That is one reason why it lost the election and my hon. Friend benefited by gaining her seat.

Madam Speaker: Order. The Minister is out of order, as was the questioner.

Mr. Faber: On 9 June last year, the Secretary of State for International Development told the House, in reply to a question from the hon. Member for Cynon Valley

(Ann Clwyd), that the Government would provide no further assistance to the Indonesian police force. On 29 August, the Foreign Secretary told an audience in Jakarta that we should make a significant contribution in the field of police training; and the Minister himself has subsequently confirmed in a written answer to me that detailed proposals are being prepared. Did the Secretary of State for International Development inadvertently mislead the House in June, or has she subsequently been overruled?

Mr. Fatchett: I hope that the hon. Gentleman has misinformed himself. My right hon. Friend the Secretary of State for International Development made it clear that there would be no financial aid support for the Indonesian police; and my right hon. Friend the Foreign Secretary said that we would be in a position to help the human rights programme in relation to the Indonesian police. The suggestion that emerged at the end of August was that we should put forward a series of lectures and help the Indonesian police to conduct their affairs in a much more effective way. There is no inconsistency in that position and I must say that I find it strange that Opposition Members wish to criticise our policy: it is important that we should help to improve community policing and the approach taken by the Indonesian police.

Illicit Arms Trafficking

10. **Mrs. Mahon:** What action he is taking to combat global illicit arms trafficking. [20422]

Mr. Tony Lloyd: The problem of illicit arms trafficking is a priority for the Government, as it is estimated to account for more than half the international trade in small arms. We have endorsed the recommendations of the report of the UN panel of experts on small arms. During our presidency of the European Union, we are developing the EU programme on combating and preventing illicit trafficking in conventional arms.

Mrs. Mahon: I am sure that my hon. Friend will agree that the evil traffickers who supply regimes such as the Taleban are to be condemned. Will he make it a priority of the EU presidency to discuss how to stop illicit arms getting into Afghanistan and to examine the plight of the women of Afghanistan, who are suffering greatly?

Mr. Lloyd: My hon. Friend is absolutely right. I recently raised the issue with the Foreign Ministers of several of the states neighbouring Afghanistan, because although there is no doubt that the arms going into Afghanistan come from somewhere, a significant number of the neighbouring states deny any knowledge or responsibility. We have to make progress on this agenda and the European Union intends to do just that: in February, Her Majesty's Customs and Excise is hosting a conference with our EU partners in order to exchange ideas on this subject and to discuss how best to move forward on a global basis.

My hon. Friend's specific point about the abuse of the rights of women in Afghanistan is one which must concern every civilised person and every civilised nation. She rightly draws attention to the fact that the Taleban can only draw worldwide condemnation for its ignorance of human rights and for the level of abuse and atrocity against its own civil population.

Mr. Ian Bruce: I am sure that the Minister will agree that the most important problem facing this country in terms of illegal arms is that of illegal arms coming into Northern Ireland. Will he tell us what his Department is doing in respect of discussions with our American friends, given that the route often used by terrorists is to purchase weapons legally in the United States and then to import them illegally into Northern Ireland?

Mr. Lloyd: The hon. Gentleman would not expect me to discuss in detail the precise nature of the British Government's knowledge of the transmission of illegal arms—that is a basic starting point. However, it is a common position that the House condemns the illicit use of arms in Northern Ireland and the holding and bearing of those arms. As is the case with everyone, if he has specific information about the abuse of particular routes into Northern Ireland, his knowledge must be made available to the Northern Ireland Office and to others, so that we begin to crack down on those routes.

Invest in Britain Bureau

12. **Mr. Healey:** If he will make a statement on his Department's plans for the Invest in Britain Bureau. [20424]

Mr. Fatchett: The promotion of inward investment is an important objective of my Department. Staff in 30 locations world wide are now actively involved in seeking new investment for the United Kingdom. Since 1 April 1997, the Invest in Britain Bureau has been jointly managed by the Foreign and Commonwealth Office and the Department of Trade and Industry. Together, we shall continue to promote the attractions of the UK in order to consolidate our position as the preferred location in Europe for inward investment.

Mr. Healey: Does my hon. Friend agree that good product knowledge is basic to good marketing? Is he aware that the Invest in Britain Bureau has, I understand, been to Rotherham to brief itself just once in the past five years? Will he ensure that the IBB has adequate knowledge of all the areas that it promotes? Will he encourage officials to consider visiting our area so that they may better appreciate the merits of Rotherham and South Yorkshire as excellent locations for inward investment?

Mr. Fatchett: I can give my hon. Friend an assurance on the subject. He may be pleased to know that I was talking to a senior official of the IBB this morning; I spoke of the success of South Yorkshire, particularly the attractions of Rotherham. I have no doubt that Rotherham is now high on the list of potential locations for inward investors—it would be an excellent choice. If investors were to come to Yorkshire, that would be an excellent choice.

Mr. Boswell: As the Minister has a difficult choice to make between being strictly fair and objective while trying to promote British interests, will he remember to

ensure that the bureau tells inward investors about the consequences of recent Government changes, including the £5 billion raid on pension funds held by companies, the other increases in taxation, the five-fold rise in interest rates and the imposition of a national minimum wage?

Mr. Fatchett: I have no difficulty in being fair and objective and promoting Britain's interests; we have a good story to tell. Inward investors are attracted to the United Kingdom and know that, in the Labour Government, they have a secure Government with a long-term future.

BBC

13. **Mr. Mitchell:** If he will make a statement on Government financial support of *(a)* BBC World Service and *(b)* BBC World. [20425]

Mr. Fatchett: Financial support for the World Service, along with other commitments, is currently being examined as part of the Government's comprehensive spending review. The allocation for 1998-99 will remain at £166 million.

BBC Worldwide Television is a commercial venture and receives no public funding.

Mr. Mitchell: The House recognises the value of the BBC World Service as a major British asset. The World Service suffered years of enforced meanness from the Conservative Government, and I hope that my hon. Friend will accept the case for a real improvement in the BBC World Service budgets in the coming years. I hope that he will look in particular at the capital budgets which have been unreasonably held back owing to the hope, which turned out to be vain, that private finance initiative funding would be available for such a facility. Will he look particularly at those budgets so that the BBC can not only update its short-wave technology but provide FM transmissions where local conditions allow and move into the provision of television programmes in certain key languages?

Mr. Fatchett: My hon. Friend is right to say that every hon. Member recognises the importance of the BBC World Service. Whenever hon. Members travel abroad they are told time and again that the BBC World Service is regarded as the most important source of independent and objective news coverage. I can assure my hon. Friend that we are in constant touch with the BBC. I have regular meetings with Sam Younger, the managing director of the BBC World Service. I am sure that our warm and friendly relationship will be maintained in future.

Mr. Blunt: Will the Minister acknowledge that the BBC World Service is on record as being extremely satisfied with the last financial settlement that it received from the previous Government? Will he guarantee that real resources for the BBC World Service will be maintained?

Mr. Fatchett: I can tell the hon. Gentleman that the BBC is also satisfied with the settlement that is coming forward for the next financial year.

Taiwan

14. **Mr. Stringer:** What assessment his Department has made of the future level of inward investment from Taiwan. [20426]

18. **Helen Jones:** What assessment his Department has made of future levels of inward investment from Taiwan. [20430]

Mr. Fatchett: The United Kingdom has an unrivalled record in attracting inward investment from Taiwan, highlighted recently by significant investments by two major Taiwanese companies, Acer Peripherals and ADI. The promotion of the UK as the preferred location in Europe for Taiwanese investors will remain a priority for the Invest in Britain Bureau and the British Trade and Cultural Office in Taipei.

Mr. Stringer: I thank my hon. Friend for that answer and congratulate those organisations on the work that they are doing bringing investment into this country. I wonder whether they would share my opinion—which resulted from my experience when Teco Electric and Machinery Company first came to the Trafford Park estate in Greater Manchester—that the prime reason why Taiwanese companies locate in this country is for access to European markets. Does my hon. Friend agree that enormous damage is being done to that prospect by the comments of the Leader of the Opposition and the shadow Foreign Secretary?

Mr. Fatchett: My hon. Friend is absolutely correct in what he says. The role of Britain as a central player in the European Union is important in attracting inward investment and creating new job and employment opportunities for the British people. Those opportunities would be placed at risk if the Conservative party's policy were put into effect. That is why so many knowledgeable and experienced members of the Conservative party now disagree openly with the Conservative leader and with the shadow Foreign Secretary.

Helen Jones: Is my hon. Friend aware that more than 10,000 students from Taiwan are currently paying their way through higher education in Britain? Does he agree that this can only serve to strengthen the links between the two countries and encourage further inward investment, and will he undertake to do all that he can to promote those developments?

Mr. Fatchett: We should always sell the importance of our higher education system. It has a great deal of merit; it is attractive to other countries. It is important to build the person-to-person contacts that the higher education system provides. That is true not only in Taiwan but throughout the world. I give an assurance to my hon. Friend that we will sell British higher and further education in Taiwan and throughout the world.

BILL PRESENTED

PARLIAMENTARY DECLARATION

Mr. Tony Benn, supported by Mr. Chris Mullin, Audrey Wise, Mr. Roger Berry, Ms Diane Abbott, Mr. Dafydd Wigley, Mr. Alan Simpson, Mr. John Austin, Mr. Ken Livingstone, Mr. Cynog Dafis, Mr. Jeremy Corbyn and Mr. Dennis Skinner, presented a Bill to provide for a new Declaration to be made by Members of Parliament upon their election to the House of Commons: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 106].

Points of Order

3.31 pm

Mr. Gerald Howarth (Aldershot): On a point of order, Madam Speaker. I apologise for detaining the House, but, as you know, Select Committees are held to be extremely important, not only to the House but to the wider public, because they are the forum where hon. Members come together to seek common ground on which they can address complex issues. I wish to draw to your attention the "Agenda" programme, broadcast on Radio 4 last Saturday, which dealt principally with the tobacco industry and problems of the circumvention of British tobacco duty.

During that programme, the hon. Member for Wakefield (Mr. Hinchliffe), who I understand is Chairman of the Select Committee on Health, and to whom I apologise for not having given notice in raising this matter—[HON. MEMBERS: "Oh."] There is no discourtesy intended. The point that the hon. Gentleman made during that broadcast was that he saw no point in having a dialogue, as he put it, with representatives of the tobacco manufacturers.

As you know, Madam Speaker, this is an extremely important issue, not just for the House but for the public. We have had considerable debate on tobacco advertising, on which the Government have altered their policy in response to a very substantial donation to the Labour party. In this case, do you not think that it is inappropriate for the Chairman of a Select Committee to deny access to a key Committee of the House for people who have an important point to raise on behalf of 15 million of our constituents—more people than voted for the Labour party at the recent general election?

Madam Speaker: No. What I know is that it is up to hon. Members to make the comments that they wish to make, and it is not for me to inhibit those comments in any way. What I also know is that the hon. Gentleman should have given notice to the hon. Member for Wakefield (Mr. Hinchliffe) before raising this matter. I have not seen the "Agenda" programme; I was not in the country at the time.

Mr. David Faber (Westbury): On a point of order, Madam Speaker. In reply to my question during Question Time on the training of the Indonesian police force and any plans that the Government have to help and to give training assistance, the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leeds, Central (Mr. Fatchett), said that I had misunderstood a reply that had been given by the Secretary of State for International Development. The previous question asked by the hon. Member for Cynon Valley (Ann Clwyd) had clearly referred to both training and assistance being given to the Indonesian police force. This is a crucial matter, as the Government are making great play of their ethical foreign policy, particularly with reference to Indonesia. Either the right hon. Lady has misled the House, albeit inadvertently, or the policy has changed.

Madam Speaker: What is the point of order for me?

Mr. Faber: The point of order for you is that I should like either the Minister or the Secretary of State for International Development to make a statement. Either she has been overruled or the policy has been changed.

Madam Speaker: Statements by Ministers are not a matter for me, but no doubt Government Front Benchers have heard what the hon. Gentleman has had to say.

Local Government Boundary Changes (Referendum)

3.34 pm

Mr. Ronnie Fearn (Southport): I beg to move,

That leave be given to bring in a Bill to provide for the holding of referendums on proposals of the Local Government Commission for England to change local government boundaries; to make the results of such referendums binding; and for connected purposes.

The new Government have made much of their wish for the emergence of democratic initiatives, particularly in local government. Active friends in local government have mentioned to me that the Minister for Local Government and Housing has made encouraging noises on this topic on several occasions. I understand, too, that a Bill is being introduced in another place permitting specific initiatives in this area. However, both that Bill and such words as I have heard from Ministers deal with initiatives that relate to current institutions of local government, based on current boundaries.

That approach is fine where local government boundaries are functioning well and are accepted by the people concerned—but what of the areas where they are not? The Government have already shown that they are not minded to tolerate identifiable communities being trapped in an insensitive system of government with which the people concerned are unhappy. They made it quite clear, for instance, that the ending of the current state of affairs in Scotland and Wales had to be determined by the people of those parts of the United Kingdom themselves. They have also made it clear, most importantly, that the views of the other parts of Britain are to hold no sway in these matters. Accordingly, the Government moved swiftly to enact change by means of the referendums for Scotland and Wales.

I seek the support of right hon. and hon. Members, particularly those in the governing party, for the idea of consistency of approach, thereby enabling people to determine which local government areas their long-identifiable communities should belong to. My principle is that the people of the affected areas should decide through the power of a binding referendum.

At the moment, we have a complete and utter shambles. The Local Government Commission for England is a quango. The previous Government wasted parliamentary time replacing the—then perfectly good—boundary commission by setting up this new quango, to no purpose besides giving it new terms of reference to make its members putty in ministerial paws. Members of the commission are doubtless good men and women true, but they know full well, whatever the circumstances they are called in to comment on, that they will have wasted their time if they do not come up with a decision that finds favour with the Secretary of State of the day. They are asked to judge any proposals for change not just according to how much favour they find with the people concerned, but according to the effects that the proposals may or may not have on the people of the adjoining areas, who are not bothered one way or the other about the whole idea.

The commissioners are allowed to obstruct any proposals, such obstruction being based not on hard and fast evidence that they may have about the effects of a

[Mr. Ronnie Fearn]

proposed change but on speculation or guesswork as to what the financial effects on the given communities might be. They may leave aside any assessment of the potential of the changes for good, financially and in other aspects of good governance; disregarding if they wish any improvements that might accrue from changing the form of local government to one with which local people could identify. The commissioners have treated the adult population in my part of the country like children who are not to be trusted with taking into their own hands responsibility for the consequences of determining their own affairs.

I have read that the Government are contemplating giving the populations of various areas the power, using a referendum, to determine whether local government spending should be allowed to exceed Government guidelines. If that is so, it is in line with the direction of my Bill.

The present position is, in short, that in order to recommend change to the Secretary of State, the local government quango must prove a negative. It must prove that the proposed change will not create a net harm to some undefined portion of the people, who may not be bothered one way or the other by the suggested change. How are such matters to be decided? The answer is that the quango seems to please itself.

One thing is certain, however: the commissioners do not please the people of the communities in question. The experience of dealing with the commission has been described by some of those who have had occasion to do so in my part of the north-west as trying to knit with spaghetti.

There has always been a particular frustration that anyone wishing to introduce a petition for change has no idea whether it will ever be translated into a formal proposal for consideration by the commission, let alone whether it will become the basis for positive action.

The commission's timetable is kept full, so its limited resources are stretched. To respond to a major structural review of local government in one area within a short time, as the people of Southport have had to do on two occasions, has taken phenomenal effort by a dedicated set of people, including myself, working to achieve the public will.

For example, in 1995 a ballot was organised in Southport, with the people of the town being polled on a particular prospect for change and the status quo. Twenty-two thousand people spoke with such an overwhelming and convincing majority of 19:1 that the chairman of the boundary commission, as it was then called, felt that he had no option but to request the then Secretary of State to instruct him to conduct a special review of Southport's position. The Secretary of State rewarded that request by winding up the boundary commission and caused further years of delay by pushing through a Bill to create the new commission for England, which is no better than its predecessor.

Through those years of delay, the people of Southport held firm. When the review finally came, we presented our evidence in technical detail, advocating the advantages of change, and citing the vast numbers of local people who supported such a change. What did the commission do? It listened intently to boasts of efficiency from the officers of Sefton council, of which Southport is part, who did not want Southport to break free, and watched as the same officers orchestrated a campaign to maintain power over Southport.

The commission took evidence from various spurious community groups and seemed to give equal consideration to the opinions of many of those unrepresentative bodies and to the views of thousands of Southport residents who had consistently voted for change over the past 23 years. It also commissioned a small public opinion poll from MORI, in which the questions were phrased in a way that was hopelessly irrelevant and confusing to respondents and subject to gross misinterpretation.

Given such shoddy behaviour from the quango, we in Southport were not particularly surprised when the commission made an interim recommendation that the status quo should prevail, provided that Sefton council gave the commission within the following 12 weeks some evidence of its ability to introduce changes in the way in which it dealt with local government in communities such as Southport.

We were downcast, but then the amazing happened—or, perhaps in the case of Sefton council, it was not so amazing. After ignoring the Local Government Commission's findings throughout the summer of 1997, Sefton failed to submit to the commission any evidence at all. One can imagine the disbelief of thousands of people in Southport when the commission returned to us in November to tell us that we could ignore its previous document, together with the conditions that it attached to maintaining the status quo and its precisely defined single, viable, alternative proposition for a Southport and Formby unitary authority. The people's faith in fairness and accountability in the democratic process was shattered.

For reasons that were not disclosed, the commission decided to ignore not only its own previously published criteria for decision making, but the votes in a properly organised referendum of the thousands of people affected.

Southport is one example, among others. That is why I feel that there is no option but to introduce the Bill, which requires the Secretary of State to cause any local authority—

Madam Speaker: I must call the hon. Gentleman to order.

Question put and agreed to.

Bill ordered to be brought in by Mr. Ronnie Fearn, Mr. Bob Russell, Dr. Jenny Tonge, Mr. Adrian Sanders, Mr. Paul Burstow, Mr. David Heath, Mr. Andrew Stunell, Mr. Brian Cotter, Mr. Colin Breed, Mr. Don Foster and Mr. Richard Allan.

LOCAL GOVERNMENT BOUNDARY CHANGES (REFERENDUM)

Mr. Ronnie Fearn accordingly presented a Bill to provide for the holding of referendums on proposals of the Local Government Commission for England to change local government boundaries; to make the results of such referendums binding; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 30 January, and to be printed [Bill 107].

Orders of the Day

Scotland Bill

Order read for resuming adjourned debate on amendment to Question [12 January], That the Bill be now read a Second time.

Which amendment was, to leave out from "That" to the end of the Question, and to add instead thereof:

"this House, while accepting and respecting the clear decision of the Scottish people in favour of a devolved Scottish Parliament with limited income tax-varying powers, nevertheless believes that the Scotland Bill is not an acceptable measure because it fails to create a constitutional settlement which is stable and enduring within the United Kingdom; because it undermines Scotland's role both in Europe and within the Government and Parliament of the United Kingdom; and because its lack of clarity on taxes and resources threatens the interests of Scottish business, Scottish people and Scottish jobs."—[*Mr. Ancram.*]

Question again proposed, That the amendment be made.

Madam Speaker: Before I call the Minister, I wish to make an appeal to the House for short speeches. I see hon. Members in the Chamber who sat through the entire debate yesterday while waiting to be called; I was not able to call them. I wish to call them today in addition to other hon. Members who I know also want to speak in today's debate. Voluntary restraint in the length of speeches would be helpful all round.

3.45 pm

The Minister for Education and Industry, Scottish Office (Mr. Brian Wilson): We had a useful debate yesterday, and I hope to take up some of its themes today. I was particularly grateful yesterday for the remarks of the hon. and learned Member for Orkney and Shetland (Mr. Wallace). I pay tribute to the contribution that he and his party made to the work of the Scottish Constitutional Convention where, as he remarked yesterday, sleeves were rolled up and hard work was done. Without that groundwork, we might not be debating the Bill today. I join the hon. and learned Gentleman in saying that the Bill represents an opportunity to create a bold new constitutional settlement that will give Scotland the best of both worlds, which is its own Parliament firmly within the United Kingdom.

As one who shares the strong view that devolution need not and must not become a Trojan horse within the Union, I was greatly encouraged by the speech made yesterday by the right hon. Member for Devizes (Mr. Ancram), who was anxious to warn that the Bill is a reckless measure that will lead to the destruction of the Union. If the argument that the right hon. Gentleman advanced represented the true strength of that case, we can all sleep sound in the knowledge that the Union is indeed secure.

I recall the days not so long ago when the hon. Member for Banff and Buchan (Mr. Salmond) was describing the work of the Scottish Constitutional Convention as laying the ground for nothing more than a puppet Parliament. The hon. Gentleman has since thought it prudent to retreat from that position, for the simple reason that the general election results showed just how far out of step he, too, was with the views of the Scottish people.

The work of the convention led with remarkable accuracy to the White Paper published by my right hon. Friend the Secretary of State for Scotland within weeks of the general election. That White Paper led with remarkable accuracy to the Bill that is before the House. Everyone who has been involved in the three stages of that process is entitled to take enormous satisfaction from the speed, efficiency and integrity with which it has been pursued. As the party of government, the Labour party is entitled to take particular satisfaction from the historical reality, which not even our meanest-minded critics will ever be able to contradict, which is that we promised it and we delivered it. Above all, that achievement will be identified with the name of my right hon. Friend the Secretary of State.

Much was made in the debate yesterday of constitutional architecture, the position of Scotland in the Union, relationships between the devolved Parliament, the Administration and our counterparts in London, the position in relation to Europe and financial provisions for the Parliament. Those are all important issues, which must be debated carefully.

I was struck yesterday by the gloom and pessimism that were being spread around by the right hon. Member for Devizes and some of his colleagues. In contrast, the Government are confident that the settlement, as described in the White Paper, endorsed by the people of Scotland and now translated into the Bill, will produce better government in Scotland and strengthen the Union. We have recognised the desire for change and modernisation and have responded positively and constructively. There is no doubt in our minds that the package of measures in the Bill provides the basis for a stable settlement that will benefit all parts of the United Kingdom.

Mr. Michael Ancram (Devizes): Will the Minister explain the difference between this measure and the Scotland Act 1978, which he opposed so vehemently and so successfully in Scotland, and when he was on the same side as I was during that referendum campaign?

Mr. Wilson: As I recall, the right hon. Gentleman supported that legislation. He, too, will remember the substantial differences between that measure and this one. *[Interruption.]* I am sorry; he opposed it. The precise chronology is obviously important in these matters. There are enormous differences between the 1978 legislation and the Bill, many of which I can claim prescience of as I argued for them, most notably the inclusion of tax-raising powers—they were absent from the 1978 legislation—which give the Scottish Parliament a fiscal authority and a legitimacy that it would not have had if they were not available to it.

However, let us cast aside the gloom and doom of the right hon. Gentleman and turn to the central and essential fact: the Bill gives the Scottish Parliament the powers to make laws for Scotland, and that substantial scope to do so will be devolved to Edinburgh. The Bill sets out clearly and in necessary detail the powers that will be reserved to Westminster, and the many exceptions to those reservations, which will broaden and extend the devolved powers of the Parliament.

The fact that anything that is not listed in the Bill is devolved and will become the business of the Parliament in Edinburgh means that a very wide range of responsibilities will be devolved. The powers that will be devolved are in areas that are crucial to Scotland's

[Mr. Wilson]

economic and social well-being: health, education and training, local government, social work and housing, economic development and transport, law and home affairs, environment, agriculture, forestry and fishing.

Devolution of the Scottish courts and legal system will also mean that responsibility for that fundamental part of the Scottish constitution will lie where it logically belongs, while the Bill makes provisions that protect the stature and independence of the judiciary. Legislators elected solely by voters living in Scotland will have the power to pursue a distinctive agenda that responds to the needs and aspirations of the Scottish people. There will be an opportunity to devote significant time to debating and legislating on Scottish issues, some of which may have been neglected for many years.

I already sense that some far-reaching debates are beginning within Scotland about what the Parliament might do in areas that are within my current portfolio. I shall say a little about each of the main areas that fall within it: education, industry, tourism and the Gaelic language.

Mr. Alex Salmond (Banff and Buchan): It is encouraging to ask a question of somebody with such a consistent track record on these matters. On the devolved matters, clause 27(7) says that the power of this Parliament to legislate even in devolved areas will not be affected by the legislation. It is an all-catching, all-encompassing clause. Can the Minister give the House an example of one area that the Westminster Parliament will still want to legislate on and overturn the will of the Scottish Parliament in devolved areas? If he cannot, why have the clause?

Mr. Wilson: The clause, as the hon. Gentleman has repeatedly been told, is a simple statement of fact rather than a prediction of events. It is very difficult to think of an instance in which it would be invoked.

Mr. Dominic Grieve (Beaconsfield): If one reads the small print of the Bill, the circumstances in which the clause would be invoked seem implicit. Clause 54 gives the Secretary of State the power to direct that the Scottish Parliament shall pass certain legislation to keep it in conformity with our international obligations. Presumably, the Minister agrees that if the Scottish Parliament were not to pass such legislation, that would be an instance in which this Parliament would pass legislation for it.

Mr. Wilson: If the Scottish Parliament were ever to fall into such irresponsible hands that it passed legislation that was in direct contradiction of international obligations, it would be right and proper that it should not have the power to pursue that further. That eventuality should not come about, because the power to renege on international commitments is not being devolved to the Scottish Parliament.

Mr. Tam Dalyell (Linlithgow): My hon. Friend referred to the independence of the judiciary. Will Ministers look benignly on an amendment to clause 89 to double-lock the independence of the judges, particularly in relation to their removal, rather than their appointment? Should not the Government look again at the tenure of the judiciary?

Mr. Wilson: I understand that the position is being strengthened, because a two-thirds majority of the Parliament would be required to dismiss a judge. My hon. Friend will be entitled to pursue such points tenaciously in Committee.

I should like to say a few words about—

Mr. Ancram *rose—*

Mr. Wilson: I shall give way for the last time. I am conscious of Madam Speaker's strictures.

Mr. Ancram: I am grateful to the Minister for giving way. Clause 27(7) is important. I was dealing with it yesterday. Will it be possible for a private Member's Bill in this House to change the law on a devolved matter in Scotland?

Mr. Wilson: I understand that the answer is no. If the right hon. Gentleman needs a fuller reply or explanation, I shall be pleased to provide one after the debate.

I should like to say a little about the main areas in my portfolio—education, industry, tourism and the Gaelic language. Our system of schooling and higher education in Scotland has always been distinct in its legislation and its administration. I think that a majority of those present today are products of that system, and I am sure that we all share a belief in its merits and a concern to build on those merits. Our system already has a strong Scottish identity and its own legislative framework. The vital interests of our schoolchildren and students should not have to queue for parliamentary time and attention. The Scottish Parliament will look at those issues from a Scottish perspective. I trust that it will not be tempted to import measures that reflect the prevailing Westminster ideology, but enjoy no popular support in Scotland, such as the measures that were so damagingly imposed on Scotland under the previous Administration. I look forward to the Scottish Parliament stimulating all those in the education service and in further and higher education to continue to build on the achievements of the Scottish education system.

The Parliament will be responsible for policy and legislation on higher education and the support of students. We have had administrative devolution for some time, although funding for universities was devolved only in 1992—another significant improvement on the 1978 legislation. There was a suspicion that higher education could become inward-looking and parochial, but the past five years have proved the sceptics wrong. The Scottish higher education sector produces high-quality, employable graduates. I understand that Scotland produces proportionately more graduates than any European country apart from Finland. Research evidence shows that our graduates earn 15 per cent. more than they would had they not attended university, representing a considerable contribution to the Scottish economy.

The breadth of Scottish education is also highly valued. The traditional honours degree provides a longer period in which students can consider wider aspects of their

education. There is no point in being distinctive for its own sake. We need to be clear about why we want that extra year's study and about its costs and benefits.

One concern frequently raised is that the extra year's study will act as a disincentive for some students who are expected to make a contribution towards their tuition costs. Scottish students have always borne higher costs in maintenance and earnings forgone as a result of longer study. I have ended the need for a Scottish student to pay more in fees for an equivalent qualification than someone at an English university. Around 40 per cent. of our students will pay no fees in any year of their course.

That is a preamble to the fact that, as has been mentioned, it will be open to the Scottish Parliament to change the new student support arrangements if it chooses to do so. That would mean forgoing around £140 million of income for higher and further education and a return to the underfunding left behind by the previous Government. That will be a matter for the judgment of the Parliament.

We also have some exceptional centres of research in our universities. Scotland is ranked third in the world in research publications per head of population. The responsibility for the research councils will remain with Westminster. Scottish universities, which welcome that proposal, will continue to access UK funds for specific research projects. The sector has welcomed the Government's proposals as a means to ensure that research activity maintains its high standards against its counterparts across the United Kingdom and the rest of the world. The reservation strengthens the Parliament. It maintains a UK system where appropriate, but provides the Parliament with powers to support research in, for example, higher education via the funding council, or by commissioning its own research through the Executive.

The Scottish Parliament, of course, will also have responsibility for further education. Colleges will play an increasing part in helping Scottish people to equip themselves with the skills needed for a growing, healthy and competitive economy. We are already encouraging and seeing those developments through Government programmes such as the new deal and our emphasis on lifelong learning and widening participation, especially in further education. I want to ensure that the Scottish Parliament takes over and can build on a strong FE sector with a clear vision of its key role in the future of Scotland.

I come now to the industry remit. Much of the basic infrastructure within which Scottish industry and commerce operate will continue by virtue of the reservations in the Bill. That is an important aspect of the settlement proposed in the Scotland Bill, and one which will safeguard the benefits of a single market for Scottish business in the UK and beyond. In the framework of that single market, devolution will present important new opportunities for business to present its concerns and make its voice heard in Scotland. Across a wide range of devolved topics, the Scottish Parliament and Executive will have direct powers over services and decisions that affect industry and commerce. Perhaps more important, the Scottish Parliament will be anxious to encourage and support all aspects of business activity.

Legislative responsibility for Scottish Enterprise and Highlands and Islands Enterprise will pass to the Scottish Parliament. The bodies, in turn, will continue to delegate statutory responsibilities for economic development, environmental renewal and training to local enterprise companies. Immensely valuable organisations, such as Locate in Scotland and Scottish Trade International, will also be accountable to Parliament. I have not the slightest doubt that all those bodies will continue to serve Scotland's interests as effectively in future as they do at present. Equally, I might add that in order to be effective, they must be allowed to operate at arm's length from government. That is a reality which will not change with the advent of a Scottish Parliament.

As became extremely apparent to me on recent visits to the far east, Scotland does well in the area on its own account, and also benefits greatly from its place in the United Kingdom. The UK commercial, trade and diplomatic presence in every corner of the globe serves us well. We add a great deal of value through our Scottish-based effort. That is the best of both worlds, which we shall maintain and build on under the legislation.

A Scottish Parliament in the United Kingdom can also bring great benefit to Scotland's tourism industry, which I am sure we all recognise is a major and growing contributor to the Scottish economy. It is therefore right that the development of the industry and the work of the Scottish tourist board should be among the important issues to be subject to the democratic control of the Scottish Parliament. It is the kind of industry whose status and public profile should benefit from the new political focus through which it will be scrutinised. The Scottish Parliament will be able to make the focused and informed contribution that tourism requires.

However, we see the benefits—the argument of the best of both worlds—of our continuing place in the United Kingdom, as the tourism industry will also remain able to call on the experience, resources and expertise of the British Tourist Authority, which has promoted Scotland well overseas for many years. That will be a real benefit and is greatly appreciated by those who are in the front line of the industry.

Mr. Alan Clark (Kensington and Chelsea): I am glad to hear the Minister draw attention to the tourism industry in such a sympathetic way. Will the Scottish Parliament have complete powers of decision and arbitration over interests that sometimes come into conflict with the tourist industry? I draw to his attention a case with which he is familiar. The Cairngorm funicular railway is totally opposed by all environmental lobbies in the highlands, yet subsists on the argument that it might be beneficial to the tourist industry—discounting, of course, the fact that many tourists will be greatly offended by the sight of an ugly funicular railway. That is an example of something that one would like to be entirely within the remit of the Scottish Parliament. Can the Minister confirm that it would be?

Mr. Wilson: Of course, many aspects of the Cairngorm funicular debate will be devolved responsibilities of the Scottish Parliament. Offhand, I cannot think of any that would not. For instance, there is the conservation argument. The right hon. Gentleman is not right to say that everyone opposes the railway. Scottish Natural Heritage has approved it in its refined form.

The tourism element, too, will certainly be devolved to the Scottish Parliament. Many people in the area, as well as the development agency, support the idea. The other

[Mr. Wilson]

aspect with which I have a direct involvement is the economic development responsibility, as a substantial amount of the money will come from public sources. All those would be devolved responsibilities of the Scottish Parliament.

The funicular railway is a good example of a matter that I would expect to be the subject of lively debate within the Scottish Parliament—a debate which would then inform the decisions both of the agencies involved and of Ministers.

It is also interesting to note that, in future, as at present, we must have regard to European environmental directives. Ultimately, another element in the funding package will be an application for European regional development fund money, so there is another European element, too. The proposal presents an interesting case study of a matter that is clearly of great public concern, with strong feelings on both sides of the argument, which would be far more fully debated in a public forum than it has been in present circumstances.

Sir Teddy Taylor (Rochford and Southend, East): If, under clause 54, the Government decided to cancel a Scottish law passed after much discussion because they considered that it was in breach of what are referred to as convention rights, what could the Scottish Parliament do about it? Would it have an appeal? Would there be anywhere for it to go?

Mr. Wilson: The hon. Gentleman would have to give me a hypothetical example. If he cares to present me with one, I shall try to answer his question. Within the areas of devolved responsibility, laws passed by the Scottish Parliament are not open to cancellation. That will not happen.

Mr. Salmond *rose—*

Mr. Wilson: No, I must try to respect Madam Speaker's suggestion, but I shall give way to the hon. Gentleman at a later stage, if he can be patient. I must move on now—although the intervention by the right hon. Member for Kensington and Chelsea (Mr. Clark) was helpful, because it allowed me to cite a good example of an issue on which we would be able to have a far fuller democratic debate than has hitherto been possible.

Mr. Alan Clark: But rail transport and grants are reserved.

Mr. Wilson: Funicular railways are not the kind of railway on which the right hon. Gentleman doubtless commutes daily.

I shall now say a word about the fourth in my selection of responsibilities—the Gaelic language. I am the first Minister to have been appointed with special responsibility for that language. I would be the first to recognise that the previous Administration did many good things in connection with Gaelic, and the present Government's first priority is education, especially advancing the cause of Gaelic-medium education and supporting pre-school provision.

We also support a wide range of cultural organisations, and the funding of the Gaelic Broadcasting Committee, currently a matter for the Scottish Office, will be devolved to the Scottish Parliament. That area of broadcasting as a whole will be a responsibility of the Parliament. I hope that it will carry forward the work currently being done and give due place to the language in the organisation of its affairs—but that will be a matter for the Parliament itself. Historically, most of the reasons for the decline of Gaelic have been self-inflicted, from within Scotland, and I hope that we shall do better in future.

Mrs. Ray Michie (Argyll and Bute): I congratulate the Minister on his appointment as the Minister responsible for Gaelic. We all know of his support for, and keen interest in, the language. Does he agree that it would be sensible to amend the Bill to include a clause that secured the status of Gaelic, similar to the status secured for the Welsh language in the Welsh Language Act 1993?

Mr. Wilson: It is not for me to say what will take place in Committee, but I am sure that an hon. Member will try to raise that matter in Committee. The hon. Lady—whose long and consistent interest in this subject I recognise—indicates that she may be the one who seeks to do so. Some interesting things are happening on the issue of status which, I hope, will not all have to wait for the Scottish Parliament. The Parliament will have extensive powers in that area, and I hope that it will use them sympathetically, wisely and with a sense of historic obligation.

That is a summary of virtually all the powers that I am currently privileged to exercise through the Scottish Office and which will become the responsibility of what Parliament. It illustrates the depth and breadth of what is being devolved.

Yesterday, some Tory Members became exercised about the UK-wide structure of devolution and what they regarded as an ad hoc approach. They took the view that if we could not have a rigid unitary state—which they perhaps prefer—we needed a solution that treated all parts of the Union in an identical fashion. I see that train of thought; it starts from wanting to control everything from the centre and, failing that, having a neat symmetry for the entire country. The same mentality doubtless resulted in the map of Africa having straight lines drawn all over it.

Mr. James Paice (South-East Cambridgeshire): I can assure the Minister that that is not the motivation of those of us who made that argument yesterday. We did so because we believe in the equality of Members of this House. Can he make it clear that the Government accept that, as a result of the Bill, there will be hon. Members with different levels of power over the activities and public services provided in the areas that they represent?

Mr. Wilson: I do not accept that. We could get into an argument about constitutional theory. A decision by the whole House to devolve certain powers for legislative purposes to the Scottish Parliament would doubtless result in a difference in the nature of hon. Members' work load. However, in constitutional theory or in practical terms, it would not create two levels of Members of Parliament, and neither should it be allowed to do so.

The view that everything has to be the same throughout the United Kingdom is one which we reject. The United Kingdom did not grow up on a symmetrical, neat constitutional basis, and neither can power be devolved away from the centre on a symmetrical, neat constitutional basis.

The two underlying principles of devolution are that government that is closer to the people should be better government, and that the system of devolution chosen must fit the needs and desires of those involved. The Bill is specifically designed to produce better government for the people of Scotland within the United Kingdom. Similarly, the proposals in the Government of Wales Bill are specifically designed to meet circumstances in Wales. Our proposals for the English regions—which will be subject to the wishes of people living in those regions—are aimed at improving government in those areas. This seems to me to be a matter of common sense, as well as constitutional propriety.

We are not afraid of devolution and decentralisation; neither are we afraid to listen to what people want and to tailor our proposals to those wishes. Asymmetric devolution not only can work but, in my view, is the best way to improve the governance of the United Kingdom. Different histories, different geographies, different identities and different aspirations all require different solutions. In the view of the Labour Government, that is not a threat, but a challenge.

Let us consider for a moment precisely how the Parliament might go about pursuing a distinctive Scottish agenda. For a start, I would expect the Parliament and the Executive accountable to it to be good at listening as well as acting. As my right hon. Friend the Secretary of State said yesterday, it will be for the Parliament to decide how it will operate, but I am sure that when it makes its decisions, it will want to experiment with new ways of consultation and pre-legislative scrutiny.

The Scottish Parliament will be geographically closer to the people it represents. Because of the voting system that we are putting in place, it should also be a fairer reflection of opinion in the country. In a relatively small country, it will be possible for ideas, proposals and even draft Bills to be debated openly, sensibly and constructively.

I am delighted that there are already signs that interest groups from across the spectrum are thinking seriously about how to grasp the opportunities that devolution of substantial powers will present. I welcome that willingness to engage with the future and, in particular, the constructive note that has been struck throughout the business community in Scotland since 11 September. All that bodes well for the future.

As I said, the right hon. Member for Devizes showed a depressing pessimism about the quality and maturity of future political debate and about each Parliament's ability to seek an effective working relationship. He argued that our proposals had to be tested against the worst possible case and suggested that little in them passed that test. That view is unnecessarily doom laden.

The authors of the White Paper and the Bill have been widely congratulated on the clarity with which they set out the responsibilities of the Scottish Parliament and Executive as opposed to those of the United Kingdom Parliament and Government. The Bill also establishes robust processes for resolving disputes over the Parliament's powers—myself. Clarity and robustness are key elements in achieving a stable settlement. Of particular importance is the fact that the responsibility for deciding whether the Scottish Parliament has acted within its powers will be subject to judicial scrutiny, ultimately by the Judicial Committee of the Privy Council, and the decision will not be made by the UK Government.

The approach to determining the boundary between devolved and reserved matters was taken on the ground that it was the best way to build stability into the settlement. The White Paper pointed out that the approach taken in 1978 of defining the areas to be devolved would have required frequent updating and might have given rise to regular legal arguments about whether issues were devolved.

Mr. James Wallace (Orkney and Shetland): May I draw the Minister's attention to clause 29(2), which states that subordinate legislation may be used to make modifications to the schedule that sets out the reserved powers? Clearly, no one would suggest that that power might be abused by the Secretary of State, but does the hon. Gentleman accept that this Bill, when enacted, will last for some considerable time and that, as it stands, a Government who were hostile to devolution in Scotland could use that subordinate legislation to take powers away from the Scottish Parliament? A safeguard might be required.

Mr. Wilson: That is an important question, and there is an important answer. That could be done only by agreement, and that is the safeguard for which the hon. and learned Gentleman is looking.

Briefly, on the West Lothian question, in the context of setting up a Scottish Parliament, it is only fair that the requirement for a minimum number of Scottish seats should be dropped. In future, of course, Westminster will no longer be the forum for scrutinising as much of Scotland's domestic legislation. That strengthens the case for dealing with the present disparity in constituency sizes between Scotland and other parts of the United Kingdom. However, it is also important to note—as Opposition Members tend to forget—that there are other statutory requirements. For example, the need to give due weight to geographical considerations and local ties will still apply. I have dealt with the question, and we do not believe that it would be right to introduce a mechanism to limit voting rights for Members of Parliament from Scottish constituencies. That would be against the spirit and the theory of devolution.

The Scotland Bill has the blessing of the Scottish people, but should also be good for democracy within the United Kingdom as a whole. Indeed, as we move into the second day of debate on the Bill, I must reiterate the Government's philosophical position. We believe that the establishment of a Scottish Parliament together with a Welsh Assembly and, in due course, regional assemblies in England, will modernise and enhance democracy and, as a result, strengthen the United Kingdom itself. The experience of other countries throughout the developed world is that a strong and vibrant devolutionary system is perfectly compatible with loyalty to a larger nation state.

Mrs. Eleanor Laing (Epping Forest) *rose—*

Mr. Wilson: I am sorry, I must continue.

[Mr. Wilson]

Fulfilling the aspirations of the Scottish people for a devolved Parliament is the surest way of cementing the United Kingdom. Continuing to ignore the legitimate demand would have been the most likely way to weaken it. Margaret Thatcher was a bigger threat than the hon. Member for Banff and Buchan could ever hope to be, and the United Kingdom was strong enough to survive even her.

A brief survey of recent European history shows us that devolution works, and works well. In Germany, Spain, Italy and Belgium, devolving power from the centre to the regions has not led to break-up; indeed, they are some of the most affluent, successful and best functioning countries in the world. Every European country has separatist movements comparable to the one in Scotland, and there is no example in the modern history of western Europe of devolved government leading to the success of any of those movements. That is the real lesson of history, conflicting directly with the bombast of nationalism.

We have reacted in direct response to the wishes of the Scottish people, but we were determined not to get out of step with them. That is why we legislated for a referendum in Scotland. That democratic safeguard was also attacked by our opponents, but we were right, and our democratic credentials were strengthened as a result.

Now that the electorate have spoken so decisively in favour of a Parliament with law-making and tax-varying powers, the onus is on us as a Government and, I suggest, on all of us as parliamentarians, to ensure that we deliver the best possible legislation, based firmly on the proposals endorsed in the referendum.

Clearly, there are differences of view between parties, but that should not hinder the process of constructive scrutiny that we hope will take place over the next few months. The Government are certainly prepared to consider sensible amendments on points of detail that do not cut across the White Paper principles. I hope that the debate today and in Committee will be conducted in that spirit.

4.20 pm

Dr. Liam Fox (Woodspring): I shall try to be as brief as possible, Madam Speaker, given your earlier strictures.

I welcome the decision to have all our Committee proceedings on the Floor of the House. That says a great deal about the Secretary of State's willingness to have proper constitutional debate. I ask him, even at this late stage, to have a word with the Secretary of State for Wales to find out whether the same courtesies might be given to the House on the Government of Wales Bill.

Yesterday, many hon. Members, especially Conservative Members, said that they had long supported the concept of devolution. Many said that, naturally, as a result of collective responsibility, they had never felt able to say that openly in the House. My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) made such a speech, and an excellent speech it was.

I would never pretend to be among that number: I did not want devolution as proposed by the Government; I argued and campaigned against it—that is the honourable course in a democracy—but my side lost. I disagreed that it was the best way in which to safeguard the Union, but I agree with the Government about two things: it is the clearly expressed will of the Scottish people; and it must be made to work. No shame attaches to those Conservative Members who argued against and lost, but I hope that everyone will try to make the system work and not obstruct what clearly has a democratic legitimacy.

The Secretary of State says that his plans safeguard the Union, and I accept that that is his genuine belief, so we should be working in roughly the same direction—he looks worried about what the catch to that sentence will be, but he need not, because it means exactly what it says—but, if the settlement of the Bill is to endure, it must suit not only Scotland's needs but those of the whole United Kingdom, and it must be fair, just and equitable to all its constituent parts.

Despite what the Minister has just said, we cannot change the constitution of one part of the United Kingdom without fundamentally changing that of the rest: when we alter the arrangements for one set of Members of Parliament, we automatically alter them for others. The Bill's ability to endure will have to be judged against its openness and fairness to all Members of Parliament from all parts of the United Kingdom.

Some matters may best be dealt with in Committee, but I want to take issue with what the Minister said about the West Lothian question and to touch on the relationship with local government, the relationship with Europe, and some other unresolved matters that we feel exist in the Bill.

Those who seek an answer to the West Lothian question in the Bill will be disappointed; within the framework of devolution as proposed here, there is no perfect answer, because devolution means an unequal status. What the Minister referred to as asymmetric devolution is a constitutional hotch-potch, with Scottish Members of Parliament able to vote on English matters, but English Members of Parliament not able to vote on Scottish matters, and even Scottish Members of Parliament not able to vote on Scottish matters that affect their own constituency. As the hon. Member for Linlithgow (Mr. Dalyell) said yesterday:

"there is something improper in the new arrangement if the hon. Member for Linlithgow may vote on matters in relation to Lincolnshire but, in relation to Linlithgow, he cannot. How long can that go on? I say to any of my hon. Friends that that cannot endure."—[*Official Report*, 12 January 1998; Vol. 304, c. 83.]

Some arrangement must be found. *[Interruption.]* I am sorry that the hon. Member for Dundee, East (Mr. McAllion) was not in the Chamber when he was being baited by the hon. Member for Linlithgow yesterday. I am sure that if he reads *Hansard* he will enjoy what his hon. Friend said about clause 27.

Mr. Andrew Rowe (Faversham and Mid-Kent): Does my hon. Friend agree that the Bill takes its confidence from the large majority that the Government currently enjoy? Does he agree that in a future House of Commons, in which the majority was accorded to a Labour Government by Scottish Members of Parliament alone, the taking of decisions by Scottish Members on matters

relating to, for example, my constituency, would be a recipe for the friction that the Government claim that they are trying to avoid?

Dr. Fox: There are many in-built frictions in the Bill. I shall come to the point that my hon. Friend raises in a moment.

An answer to the West Lothian question requires either a federalist solution, providing a balanced solution constitutionally without the United Kingdom, or independence, which would remove the question altogether. Neither has public support, but, within the devolutionary framework in the Bill, that answer is not available.

Two questions need to be asked. Do we need to balance the inequality and diminish the unfairness, as my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) mentions, and, if so, how do we go about doing that? The Government propose that we reduce the number of Scottish Members of Parliament to the equivalent of English constituency levels. That is to acknowledge the question, but not to answer it. We could reduce the number to below what would be required to give parity, as was the case in Ulster. We could have designated English legislation. We could have English-only days.

Whichever way is found round the question, the fact remains that, as a result of the proposals in the Bill, we shall no longer be equal Members of Parliament. No amount of arguing by the Minister will change that. We shall lose our equal status within this House as a result of the passage of the Bill.

Mr. Gordon Prentice (Pendle): The asymmetry about which the hon. Gentleman complains existed in the previous Parliament. Northern Ireland Members voted on the Firearms (Amendment) Bill—a measure which did not extend to Northern Ireland. Would the hon. Gentleman like to comment on that?

Dr. Fox: The question was raised on many occasions yesterday, as the hon. Gentleman will know. The question of scale cannot be ignored here. We are talking about large numbers of Scottish Members—72—as opposed to a small number of Northern Ireland Members. The scale and the over-representation give added weight to arguments such as that made by my hon. Friend the Member for Faversham and Mid–Kent about the backlash that would result from the Bill.

Failure to tackle the West Lothian question will provide a dangerous tension within our constitutional relationship. For example, my hon. Friend the Member for Faversham and Mid-Kent alludes to funding. How long are Members of Parliament from the north of England likely to want to continue funding Scotland at a higher level than their own constituencies within the current funding formula? How could they justify that to their constituents? That is likely to cause a huge amount of tension. It makes a mockery of the idea that a Scottish Parliament could reduce the level of taxation there without a subsequent reduction in the Consolidated Fund.

The House of Commons and English Members of Parliament would be unlikely to sit back while a Scottish Parliament reduced its income tax and to remain willing to contribute the same amount of money through the Treasury.

Mr. John Swinney (North Tayside): Is the hon. Gentleman aware of the study carried out before the general election by the previous Secretary of State, Michael Forsyth, for which a firm of consultants were commissioned to compare local government expenditure per head in England and Scotland? When the firm got down to comparing apples with apples, it found that there was absolutely no difference between Scotland and England.

Dr. Fox: I do not believe for a moment what the hon. Gentleman says. He will no doubt get a chance to use Scottish nationalist creative accountancy techniques on the House later, but on a head-by-head basis, public expenditure is clearly higher in Scotland. In the referendum, we argued that that question would come up early in the passage of this legislation.

In government, we accepted the Barnett formula as a reasonable mechanism for assessing and redressing need in Scotland, as part of the constitutional architecture that existed then. When that constitutional architecture was deconstructed, it was inevitable that questions would be asked. They have been asked in Select Committees not by Conservatives but by English Labour Members. That is where the tension will arise. The question will need to be addressed if we are to have a stable constitutional relationship.

The Secretary of State for Scotland (Mr. Donald Dewar): I have a simple question. I do not want a detailed answer. *[Laughter.]* No, no, it will all come in time. May I ask whether, as a matter of principle, the Opposition spokesman will produce solutions to these conundrums in Committee?

Dr. Fox: The Secretary of State must contain his curiosity until we get there. On the funding formula, a continuing problem with the assessment of need—we will advocate that it needs to be addressed—is the sensitivity and specificity of information. We will table amendments on all the matters that I have mentioned.

The Minister spoke about the Government's willingness to reduce the number of Scottish Members in this House. If he accepts the principle of the need to reduce their number, why cannot it be done for the general election that immediately follows the setting up of a Scottish Parliament? Is it, as a Labour Back Bencher said yesterday, that the boundary commission cannot get it done in time—which, frankly, I do not believe—or is there a point that we have not yet considered? No answer comes forward, because there is no logic in what the Government propose. There is no reason why, when the Scottish Parliament is put in place, the reduction in the number of Scottish Members of Parliament could not be made for the next general election. We hope that the Government will rethink that. Their proposal is illogical and has no justification.

What will be the role of Scottish Members of Parliament in this House? I cannot speak for Labour Members, but if housing, health and education were taken out of my mailbag, it would be very small. Labour Members smile, but I should be surprised if their mailbags were substantially different. What will the work load be that entitles so many Scottish Members of Parliament to sit in the House after the Scottish Parliament has been put in place? How will they justify a full salary for only a fraction of the work that they do now? More importantly, what will be the role of the regional list Members of the Scottish Parliament in Scotland? More specifically, what will be the role of political parties?

[Dr. Fox]

I have served in the Government Whips Office. I know the power of patronage and the techniques that Whips may use to twist arms. However, there is no power remotely as great as that of dropping people from a party list if they do not back the party line. Labour Members who smile may not be smiling much longer. Those who have a rebellious tendency, those who have not yet been through the Millbank cloning process, may come to regret previous rebellious comments when they are dropped from their party's list for having views of their own. Proportional representation is always a mechanism for increasing the power of parties. I do not believe that that is healthy. I have never believed in PR and never will do. I can give an assurance, though only on behalf of my party, that no candidate will appear on a list for our party who has not stood for a constituency in the Scottish Parliament. If candidates are unwilling to face the electorate directly, they should not be able to find their way on to a party list.

Ms Roseanna Cunningham (Perth): I am interested to hear that, because all the political parties in Scotland are looking at how to deal with that matter. Perhaps the hon. Member is not aware that the lists will normally comprise a number of candidates somewhat in excess of the number of constituencies for the Euro-area from which they will be compiled.

Are we now being told that the Tories in Scotland will not put forward 129 candidates? That appears to be the impact of the hon. Gentleman's remarks. We should all be interested to learn that the Tories intend to put forward just 79 candidates, not 129.

Dr. Fox: Seventy-nine seats in a Scottish Parliament would do us absolutely fine. I would be very happy with that, and I am sure that the hon. Lady would be, too. We will be fighting all the constituencies, but our lists will not comprise people who have been unwilling to face the Scottish electorate in the past. No one will go forward in the name of the Conservative party who has not been willing to face the Scottish people at the ballot box. That is a correct principle for any democratic party to follow.

I was sorry to note that the Secretary of State was unable to give us an assurance yesterday that Millbank will not veto his party lists. Certainly no veto will be exercised by the Conservative party south of the border when we choose our constituency lists.

Yesterday, much was made about the relationship between Scotland and Europe, and the relationship between the Scottish Parliament and Ministers who currently may attend Council of Ministers meetings. It is obvious that any change in the United Kingdom structure will also affect the relationship between Scotland and Europe, but Ministers did not quite grasp that point yesterday.

At present, Scottish Office Ministers can represent the United Kingdom at a Council of Ministers meeting. Yesterday, the hon. Member for Banff and Buchan (Mr. Salmond) made that point several times. He is not present now, but to save one of his colleagues from repeating it, I remind the House that, on occasions, albeit not many, that has happened. For example, the previous Member for Aberdeen, South, Mr. Robertson, represented the United Kingdom at a Fisheries Council meeting. Such representation is important.

Article 146 of the Maastricht treaty states:

"The Council shall consist of a representative of each member state at Ministerial level, authorised to commit the Government of that national state."

Does the authority exist for a Scottish Minister to represent the United Kingdom? I do not believe that the Scotland Bill gives Scottish Ministers the authority required by article 146, because schedule 5 states that a Scottish Minister may assist a Minister of the Crown in relation to international issues, although foreign affairs and other matters referred to in paragraph 6(1) of that schedule remain reserved.

Even if there were a power to allow a Scottish Minister to represent the United Kingdom, how could the House of Commons accept that its interests were represented by someone who could not be called to account on the Floor of the House? As several of my colleagues have already said, that arrangement would be an affront to the House.

Mr. Wallace: Does the hon. Gentleman accept that the White Paper made it clear that if the position that was agreed and argued on behalf of the United Kingdom at a Council of Ministers meeting was one agreed between a Scottish Parliament Minister and a United Kingdom Minister, the responsible UK Minister would have to be answerable to the House for the line agreed by him or her at that Council meeting? A Minister would still be directly accountable to the House. Such a practice already exists. For example, if a Minister from the other place represents the United Kingdom at the Council of Ministers, it is still a Minister of the House of Commons who must answer to this House.

Dr. Fox: That Minister is still a United Kingdom Minister, but, under the Bill, such a Minister would not be a United Kingdom Minister, answerable to the House as a Minister representing all the United Kingdom. That simply would not be the case. I do not believe that the authority exists to allow for such representation, and it is something which the Government must address.

At present, Scottish farmers and fishermen—*[Interruption.]* I will give way to the hon. Member for East Lothian (Mr. Home Robertson) if he can put a sentence together. It does not surprise me that he is content with monosyllabic sedentary interventions.

At present, Scottish fishermen and farmers can be directly represented at the Council of Ministers, but that will not continue. Whatever concordats the Secretary of State may put together will not have the same legal force as the current arrangements.

I had some sympathy with the Minister who opened today's debate. He previously held a position on devolution that differed from his current position.

Mr. Wilson: That was on different proposals.

Dr. Fox: That is semantics.

Mr. Norman A. Godman (Greenock and Inverclyde): Will the hon. Gentleman give way?

Dr. Fox: No—I am very conscious of the time.

If being in opposition has any benefits at all—they are hard to find—it at least allows us to focus on the wider picture. I am sure the Government will agree that there is clearly something wrong with the running of local government in Scotland, especially in the west of Scotland, as is illustrated by the cases of Paisley, Govan and Monklands—all apparently isolated examples, until we join up the dots. It is obvious that the larger part of the blame for that must lie primarily with individuals—those who conduct their careers in local government—but secondarily with the party to which they belong and those who are responsible for the management of that party.

Both local government as a whole and central Government must examine their respective roles. I accept our full responsibility in the diminution of the status of local government in our political system. We have seen a great deal of bad local government and, in the words of one of my colleagues, we have on many occasions used a sledgehammer to crack a nut. Like many of my colleagues, I have long believed that power should be exercised at the lowest practical level. Yesterday, the hon. and learned Member for Orkney and Shetland (Mr. Wallace) said that were we able to start again with a clean sheet, that is what we would do and we would allow power to be moved to the level at which it was required in order for functions to be properly fulfilled.

Mr. Wallace: That is a novel position for a Tory.

Dr. Fox: It is not, and the hon. and learned Gentleman, with whom I have privately discussed this issue, knows that it is a traditional Conservative position to believe in both diversity in local government and decentralisation of government.

Mr. Ian Davidson (Glasgow, Pollok): The hon. Member never said anything like that when the Conservatives were in government.

Dr. Fox: The hon. Gentleman really should listen. Since the 1970s, there has undoubtedly been a creeping centralisation in our relationship with local government, and I regret that trend. Moreover, I believe that the Conservative party in Scotland should return to a more traditional, decentralising position and begin with functional, not geographical, decentralisation. One of the challenges facing the Scottish Parliament will be resisting the temptation to take further powers from local government.

In this country, politics is a profession in disrepute and nowhere is that more true than in local government.

Mr. Davidson: Nowhere more than in the Tory party.

Dr. Fox: The hon. Gentleman should ask the voters of Paisley, Govan and Monklands what they think about the calibre of the local government that they have. They will tell him that it is rotten to the core: almost nobody in those areas does not know someone who could not get a job because he did not know a member of the Labour council, or could not get a house because he did not know someone on the housing committee—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The House must calm down, and I must point out to the hon. Member for Woodspring (Dr. Fox) that we are not having a debate about local government.

Dr. Fox: It was the Minister who referred to local government in his speech.

There is a need to improve the calibre of those involved in local government in Scotland and to increase accountability and public interest. I believe that it is unjustified for Glasgow and Edinburgh to require so many councillors. We need to conduct a widespread review of the new relationship that will need to be forged between local government and the Scottish Parliament.

We will question other details in the Bill—the tax proposals, borrowing and lending proposals, summons powers and procedural matters. At this early stage, I make a plea to the Secretary of State on one point, which is the question of privilege. One of the questions that often arise in the House is that of relative and absolute privilege, especially the relative privilege of hon. Members who write to Ministers and the fact that they are not protected in the same way as they are when raising a matter on the Floor of the House. I hope that the Secretary of State will consider a reform which is overdue in this House and which should be introduced at an early stage in the Scottish Parliament: to give proper privilege to Members of the Scottish Parliament when writing to Scottish Ministers, just as Members of this Parliament should have proper privilege when writing to Ministers of the Crown.

We shall also table early amendments relating to abortion and embryology, because we believe that not to transfer the relevant powers is illogical. It is morally illogical for the Scottish Parliament to have the power to introduce the death penalty in Scotland, but to be unable to make its own rules on abortion and embryology. Given that health powers are being devolved, why are powers relating to abortion and embryology not being devolved? It is not acceptable to leave something so illogical in the Bill, simply for the convenience of the Labour party.

Mr. Dalyell: Let us be absolutely clear. Is the hon. Gentleman advocating, or have I misunderstood his remarks, a Scottish human fertilisation and embryology authority? Is that the proposal?

Dr. Fox: I believe that the Scottish Parliament should have the powers relating to embryological policy making and abortion, because it is illogical to keep them in this House when other powers relating to health policy are being transferred to the Scottish Parliament.

Mr. Wilson: I ask the hon. Gentleman to reconsider what he has just said. Does he really want to introduce a cross-border trade in abortion? If not, will he reconsider his pledge to table amendments on that subject?

Dr. Fox: First, that question assumes that Ministers believe that there will be a different law in Scotland from that in the rest of the United Kingdom; that goes to the

[Dr. Fox]

core of the proposal. The only reason the Minister puts his question in that way is that he knows there may be tension in the Labour party on that issue.

Secondly, I thought that the Bill was about trusting the people—the Minister's own words. Surely the Scottish Parliament should be as able as the United Kingdom Parliament to make a decision on health matters. It seems that the people are to be trusted, but not where that is inconvenient for the Labour party.

We welcome clause 27(7), but would have liked it to be given greater prominence in the Bill, instead of being hidden in the undergrowth. The question of sovereignty was discussed yesterday and, of course, sovereignty rests with the people of Scotland. We have always accepted that if the people of Scotland wanted to leave the Union, they would have a right to do so—but they show no sign of wanting to do so. That is the heart of the matter and the point on which we are in agreement with the Secretary of State.

In the referendum, Scottish voters expressed their sovereignty as UK citizens. We accept that the Scottish people chose to have devolution within the Union; the Government accept that the Scottish people chose to have devolution within the Union; and the Liberal Democrats accept that the Scottish people chose to have devolution within the Union. That leaves the Scottish National party. The first three parties have an interest in making devolution work, and we accept that that was the democratically expressed wish of the Scottish people. Only the Scottish nationalists have a direct interest in not making it work. If the Bill has a wider benefit, it is in making explicit the nationalist threat to the Union—to the nationalists, devolution is merely a stepping stone to independence. Where the Government genuinely seek to protect the Union we shall support them and where they seek to thwart the nationalists we shall join them with whole-hearted relish.

I cannot say that I believe in my heart that the Bill is the best way for Scotland to proceed. All the risks that we pointed out during the referendum campaign are still present, but we accept that devolution is how we shall proceed, and we shall do our best to make it work equitably. Fairness and balance for all parts of the United Kingdom are required if the settlement and the Union are to endure. The Bill can be improved and, in a constructive and Unionist spirit, that is what we will join the Government in seeking to achieve.

Mr. Deputy Speaker: I remind the House that Madam Speaker has asked for brief speeches, as there are so many hon. Members who wish to participate in the debate.

4.48 pm

Mr. John Home Robertson (East Lothian): The hon. Member for Woodspring (Dr. Fox) invited me to intervene, but I did not want to prolong the agony, as his was one of the most depressing speeches I have heard from an Opposition Front-Bench spokesman in this Parliament. He started by saying that he accepted the principle of the decision taken by the Scottish people on 11 September, but spent the rest of his speech making threats that a future Conservative Government would seek to thwart that decision.

This is certainly the most important piece of legislation that I have seen in nearly 20 years as a Member of the House; I suspect that it is one of the most important pieces of legislation to come before Parliament this century. After so many years campaigning through thick and thin for Scottish home rule within the United Kingdom, I am extremely happy to be here to support the Bill today.

The Bill, together with our proposals for Wales, London and the House of Lords, add up to a bold and constructive package of constitutional reforms. I also welcome today's news that the Scottish Parliament may be able to join a framework to help to achieve a settlement in Northern Ireland—an example of the radical thinking of the Labour Government.

The Bill addresses a genuine problem. Far too much power has been centralised here in Whitehall, especially during the Thatcher years. It would have been better if the hon. Member for Woodspring had acknowledged the role of the Government he supported in that process. The Labour Government are right to reinvent the principle of accountable government in response to the settled will of the people of Scotland.

This process is much more than an academic debate about the machinery of government; it affects people's lives. Unaccountable government is inefficient government, and too often it can be oppressive government; there are plenty of examples which range from the outrage of the poll tax, through a long catalogue of neglect and delay and abused power. I shall cite a couple of examples, one small and one large.

I recall a nasty little statutory instrument that destroyed the traditional livelihoods of small groups of salmon netsmen on Scottish rivers at the behest of landowning interests in Scotland. To his credit, Alick Buchanan-Smith voted with us against that measure, but it was forced through as a result of those vested interests in Scotland.

At the other extreme—an extreme of neglect—is the extraordinary survival of the feudal system in Scotland. I should declare an interest as an hereditary feudal superior. It is a ludicrous anachronism, which is wide open to serious abuse. Parliament has signally failed to address the problem for many years, but I am sure that it will be high on the agenda of the new Scottish Parliament.

Opposition Members have been waxing eloquent about the cherished rights of English Members to speak and vote on Scottish affairs. I cannot help wondering whether they are the same hon. Members who have been heard grumbling and moaning about being whipped for late votes on Scottish business in days gone by. I am not entirely convinced by their new-found concern for Scottish affairs. We have devolved Scottish legislation already; it takes up a lot of time for hon. Members from other parts of the United Kingdom. It must make sense to have a devolved Parliament to deal with devolved powers.

We should spare a thought for our constituents. The government of Scotland is currently conducted on a merry-go-round of trains and planes between Edinburgh and London. If a Scottish Member of Parliament manages to get a constituency case on to the Floor of the House, constituents have to travel from Scotland to sit up in the Gallery, officials have to travel from Edinburgh to advise the Minister for an exchange, which may or may not lead to action in St Andrew's house. It is time to put the Parliament of Scotland in the same place as the people and the Executive of Scotland. That is what the Bill is about.

As we all know, Scotland already has wide-ranging devolved powers and a substantial devolved budget, but the chain of democratic accountability has been stretched beyond all common sense or credibility. The Bill will establish a devolved Parliament to take control of those devolved powers, and the people know that that makes sense.

I may be a parliamentary private secretary, but Ministers will concede that I am not by nature a sycophant; when I pay tribute to a Minister, I mean it. My right hon. Friend the Secretary of State and his colleagues produced an excellent White Paper last year; we took the case to the people in a referendum, and now we have a commendably clearly written Bill, which delivers exactly what the people voted for, including the system of proportional representation.

I find clause 1(1) particularly appealing in its clarity and brevity. It states:

"There shall be a Scottish Parliament."

That is what we shall vote on tonight.

I even agree with the choice of Holyrood as the site for the Parliament. We shall have a modern Parliament on an accessible site in the historic heart of our capital city. Speaking of history, I cannot resist a reference to Andrew Fletcher of Saltoun, my constituency predecessor in the Scottish Parliament in 1707. He warned that the minority of Scottish Members of Parliament at Westminster would

"dance around for all eternity in a trap of their own making"

in the incorporating Union between Scotland and England as proposed at that time. Happily, that eternity will come to an end when the new Scottish Parliament assumes its responsibilities in the year 2000.

In the intervening 293 years, Scotland has been a jurisdiction without a legislature, a Government without a Parliament, a nation with a clear identity and distinct institutions submerged in that irrational incorporating Union. The Bill will transform the Union into a partnership. It removes those aggravating anomalies, and it will strengthen the successful union with our neighbours in England and Wales.

We all know that the hon. Member for Banff and Buchan (Mr. Salmond) and his colleagues have a different agenda, but I submit that the Bill is a redundancy notice for the Scottish National party. The Bill fulfils Scotland's legitimate demand for home rule within the United Kingdom, and it will take the constitutional issue off the agenda in Scotland.

Mr. Swinney: Does the hon. Gentleman accept that the issuing of redundancy notices to politicians is a matter for the electorate, not for one Labour Member of Parliament?

Mr. Home Robertson: Indeed, I think that the hon. Gentleman may find that, as the constitutional issue is addressed in the Bill, interest in his party will diminish rapidly. We are already seeing that. The only hope for the Scottish National party is to fill the vacuum on the right of Scottish politics left by the collapse of the Tory party. I shall leave it for the hon. Member for Banff and Buchan and Mr. Bill Walker to work that one out.

I offer just one suggestion which could make a good Bill even better; it relates to the important principle of entrenchment. The Scottish Parliament that we are establishing in the Bill will be no ordinary subordinate body: it will be not another council, board or quango, but a national Parliament, established by the specific authority of not only this Parliament, but the people in a referendum.

The referendum of 11 September 1997 was not just an opinion poll, but a serious historic decision made with a turnout of more than 60 per cent. of the electorate of Scotland, on an old register on a rainy day. There was a clear result: 74 per cent. of our people said yes to a Parliament; 63 per cent. of our people said yes to tax-varying powers.

One of the main arguments for holding a referendum was to secure an entrenched status for the new Parliament. I therefore submit that there should be a specific reference to that endorsement by referendum either in the Bill's long title or in clause 1, in order to cite the authority of the people for the establishment of their Parliament and to make the implicit point that the legislation should not be repealed in future without a similar direct democratic mandate from the people of Scotland.

That is a very important point, and I hope that the Government will consider an appropriate amendment to cite the authority of the referendum and so entrench the status of our Scottish Parliament.

Mr. Laurence Robertson (Tewkesbury): No Parliament can bind its successors. If what the hon. Gentleman has suggested is inserted in the clause, will he also insert a statement that 44 per cent. of the people of Scotland voted for the Parliament, and 38 per cent. voted for the tax-varying powers? The hon. Gentleman mentioned the people of Scotland—those are the figures.

Mr. Home Robertson: I should not have given way to the hon. Gentleman. Of course no Parliament can bind its successors; I am simply saying that there should be a reference on the face of the Bill to the fact that it is being enacted on the strength of a referendum. That would make the implicit point that such legislation should not be repealed except on the strength of a similar referendum.

Mr. Godman: Will my hon. Friend give way?

Mr. Home Robertson: I must make progress, because Madam Speaker has asked us to be brief.

Yesterday, the right hon. Member for Devizes (Mr. Ancram) tried to chide my right hon. Friend the Secretary of State for Scotland on the subject of who was going to stand for election to the Scottish Parliament. I have bad news for my right hon. Friend, and it is probably just as well that he is not in the Chamber: I intend to seek the nomination of the East Lothian constituency Labour party. I believe that the Scottish Parliament can make a very real difference for our people. After 20 years of campaigning to get that Scottish Parliament, I make no bones about it: I want to be there.

In conclusion, I cite one area where the new Scottish Parliament can make a fresh start: rural affairs and land in Scotland.

Mr. Oliver Heald (North–East Hertfordshire): Will the hon. Gentleman give way?

Mr. Home Robertson: No. Madam Speaker has asked us to be brief and I want to be fair to other hon. Members.

[Mr. Home Robertson]

Vast areas of Scotland are very sparsely populated—not only the highlands and islands, but the north-east, the borders, Dumfries and Galloway and other parts of rural Scotland. With only 5 million people in a land of 30,000 sq miles, our population density is nearly six times less than that of England, so the new Parliament is bound to pay greater attention to rural affairs than the Westminster Parliament has done.

I mentioned the anachronism of the Scottish feudal system. I could talk about land ownership, land use, rural development, employment, transport services and ways of making European Union policies work far better in rural Scotland. After centuries of neglect and abuse, and the cynical manipulation of Government policies by powerful vested interests in recent years, rural Scotland will have strong representation in the new Parliament. The Parliament will be able to apply new policies, and will be able to target resources. It will be able to legislate for change in rural Scotland—which is just one of many reasons why I hope to be a Member of the new Scottish Parliament.

Words cannot adequately express my support for the Bill, but I must say that tonight's Division will be one of the happiest experiences of my career in this House of Commons.

5.1 pm

Mr. Malcolm Bruce (Gordon): I very much welcome the opportunity to support the Second Reading of the Bill, which I believe marks the start of a fundamental reform of the United Kingdom constitution—an idea which terrifies the Tories but which we whole-heartedly welcome. It has implications for England, which England must address.

I shall briefly take issue with one or two markedly inconsistent things that have been said by members of the Conservative Front-Bench team.

The right hon. Member for Devizes (Mr. Ancram) said:

"On 11 September 1997, the Scottish people endorsed the concept of a Scottish Parliament with tax-varying powers, and I respect that democratically expressed view"—

but we have heard nothing constructive from the Conservatives as to how that should be brought about—just carping, criticism and complaints. *[Interruption.]* I accept that some legitimate questions have been asked, but nothing positive or constructive has been said. In those circumstances, it is difficult to understand why anyone in Scotland would vote for a Conservative candidate for the Parliament, to which the Conservatives have no contribution to make.

Mr. Oliver Heald (North-East Hertfordshire): What could be more constructive than the suggestion that the Parliament's funding should be secure and protected?

Mr. Bruce: I do not have a problem with that, and I have said that a number of comments were made, but the Conservatives have said nothing about how they would set about reforming the United Kingdom and the government of Scotland in a way that meets the aspirations of the Scottish people. Most of their comments were complaints about the new Parliament.

Indeed, the right hon. Member for Devizes said, when referring to our "Gladstonian . . . euphoria", that the Liberal Democrats

"have had very little constructive comment to offer to the debate."—[*Official Report*, 12 January 1998; Vol. 304, c. 35.]

Has he any idea what went on in the Scottish Constitutional Convention over eight years? If the Conservatives had been there, they might have a legitimate argument to suggest that they had helped to shape the operation.

It was always open to the Conservatives, knowing that they were opposed to the idea of a Scottish Parliament, to participate in the constitutional convention and express their reservations. They took no part in it, because they never believed that this day would come, and it is to their eternal shame that they failed to recognise their responsibilities.

Mr. Bernard Jenkin (North Essex): Are you going to stand?

Mr. Bruce: I am coming to that.

The right hon. Member for Devizes said that he wanted

"a full reassertion of the supremacy of the Westminster Parliament."—[*Official Report*, 12 January 1998; Vol. 304, c. 42.]

I have news for him. If he does not understand what is going on in the next few years, he will start to realise that the days of the supremacy of the Westminster Parliament are, thankfully, numbered, and that sovereignty will be returned to where it came from—to the people, not to the arrogation of people elected in a representative Parliament. Ultimately, the people should decide. The people of Scotland have made a clear decision on what they want, and it is our job to pass the legislation.

I strongly believe that the practicalities of the birth of this home rule Parliament will concentrate the minds of people in Scotland on two complementary benefits. First, they will at last have real influence over and control of the decisions that affect the day-to-day lives of all those people living in Scotland, from wherever they come, as long as they have the rights of residence and participation. Secondly, the Parliament will focus the attention of people living in Scotland on the benefits of participating in the United Kingdom rather than opting out.

This is an evolutionary process. I do not believe that the Bill sets in stone the final, ultimate constitutional settlement for Scotland, but I firmly believe that it sets the foundations of what will inevitably become a federal settlement for the United Kingdom, even if the final formula is not wholly foreseen.

I believe that people in Scotland will realise that it is in Scotland's interest for us to share in funding and participation in matters such as social security, defence, foreign affairs, trade and economic policy development, instead of trying to do those things on our own. It is extraordinary that Conservative Members suppose that taking a close interest in social security, defence, foreign affairs, trade and economic policy is a minor detail, which should not occupy much of our time.

Scottish Members of Parliament at Westminster will do two vital things. First, they will protect the interests of Scotland so far as the Parliament at Westminster is legislating for Scotland, ensuring that Scotland's voice continues to be effectively heard. Secondly, in partnership

with all Members of the United Kingdom Parliament, they will share in the development of policies on those issues in which we all have a common interest. In both those roles, it seems to me a very worthwhile job to do.

Mr. Jenkin: Part-time.

Mr. Bruce: I do not believe that it is part-time at all. Many Members of Parliament have managed to be part-time under the existing arrangements. Ultimately, how hard anyone works and how effective they are is a matter for their judgment and the verdict of their constituents.

Mrs. Laing: Will the hon. Gentleman give way?

Mr. Bruce: No; I will not give way on that. I simply say that I would find the decision whether to be in the Scottish Parliament or the Westminster Parliament very difficult. I have believed all my life in the case for a Scottish Parliament, and I want to see it operating effectively, but I believe that there is a very important job for Scottish Members of Parliament to do in Westminster, and I therefore firmly intend to continue to represent my constituents in the House as long as they will elect me.

Mr. James Gray (North Wiltshire): Two jobs.

Mr. Bruce: I do not understand the sedentary jibe that it is two jobs.

Mr. Gray *rose—*

Mr. Bruce: I will not give way. I shall continue to do the job that I have been elected to do for the past 14 years, and which the Conservative candidate has totally failed to—

Mr. Jenkin: Touchy.

Mr. Bruce: I am not in the least bit touchy.

Mr. Gray *rose—*

Mr. Bruce: I will not give way.

When some Conservative Members talk about the tensions and divisions that arise, as they see it, from the introduction of the Bill, they seem to fail to understand how much tension and division exists under the present system, creating the need for the Bill.

A dynamic democracy must change. If it was always run by Conservatives, it never would, by definition. Conservatives must interact with the forces of change from time to time, and now they are finding that they must react to the momentum for change.

I sometimes wonder, listening to them, whether Tories take the view that the only way to resolve disputes is to ensure that there is only one source of power. Actually, one must put in place mechanisms to recognise and resolve friction. Much of what is in the Bill does just that.

Dr. Fox: Does the hon. Gentleman think it fair that a Scottish Member of Parliament should be able to vote on English legislation when the opposite is not true?

Mr. Bruce: Yes, it is fair. We were subjected to English Members voting on Scottish legislation for the past 18 years. We in my party are unashamed federalists. We do not think that the Bill delivers federalism, but we support it because we see it as a building block which can lead to federalism. These issues can ultimately be resolved; in the meantime, it would help if English Conservatives had a clearer idea of how England could be better governed, and abandoned their view that Scotland should not control its own affairs. More constructive thinking on the issue is called for—perhaps the passage of the Bill will force Conservative Members to do some.

One Conservative point that was constructive concerned the financial arrangements for the Scottish Parliament. I agreed with the right hon. Member for Devizes, who said yesterday that he would like the future financial arrangements for Scotland and the rest of the UK to be set out in the Bill. I know that the Government have made their position clear, but it would be nice to see it in the legislation.

The block grant and the formula system have been in place since before the Barnett formula—effectively since 1947, if not before. I find it offensive—wherever the idea comes from—that a formula found acceptable when administered by devolved administration subject to the Secretary of State should become unacceptable when administered by an elected Parliament operating inside the same system. Now is not the moment to try to change that system. I believe that the current funding arrangements and the continued operation of the Barnett formula are essential to the success of the project and to ensuring that it goes ahead without unnecessary friction.

I was a member of the Treasury Select Committee which reported before Christmas. I would not have minded what happened so much if the Committee had taken any relevant evidence: but it did not. Some questions were asked about the Barnett formula, but halfway through the evidence it suddenly dawned on members of the Committee that they were not interested in the Barnett formula. Rather, they were interested in the overall funding for Scotland—about which they asked nobody any questions. That did not stop them voting 10 to one in favour of recommending something which they had not even investigated.

It was a shoddy piece of work for a Select Committee of this House. I have served on a number of Select Committees, but I have never before participated in a piece of work that was so badly researched and so unjustified in its conclusions. I hope that the Government will reject it out of hand.

Yesterday, my hon. and learned Friend the Member for Orkney and Shetland (Mr. Wallace) touched on the business case. I welcome the growing number of Scottish businesses that are beginning to recognise that a Scottish Parliament is not a threat, and might even be a real opportunity. Standard Life and the Bank of Scotland have offered actively to encourage their employees to take part in elections to the Scottish Parliament, and to hold their jobs open for them in the event that they are not successful. That should be of some comfort to Conservative party candidates.

I have had a number of informal discussions, too, with business people, who are beginning to see how these developments in Scottish administration could be positively helpful. The suggestion was put to me that, because of the importance of the oil and gas industry to Scotland, it would be valuable to have a Minister in the Scottish Parliament with responsibility for oil and gas.

[Mr. Bruce]

For the avoidance of misunderstanding, I make it clear that I fully accept that licensing and taxation policy in respect of oil and gas remains at Westminster; but the development of the industry and its export opportunities and jobs are all crucial to Scotland. As such, they are of legitimate interest to the Scottish Parliament, and a Minister with such responsibilities could make a useful contribution to developing the industry.

I end on a note of concern about the north-east, although it is a concern shared to a lesser extent by other parts of the country. We should not be pushing ahead with local government changes, in the form of council numbers, at a time when we are about to devolve power and responsibility to the Scottish Parliament. I should prefer such changes to be left until after the Parliament is elected.

Neither I nor my hon. Friend the Member for West Aberdeenshire and Kincardine (Sir R. Smith) can fathom why the Local Government Boundary Commission for Scotland is arguing that Aberdeenshire's complement of councillors should be increased from 47 to 68. It is a complete waste of money, and utterly unnecessary. No one anywhere in Aberdeenshire is in favour of the change, yet the Boundary Commission is insisting that it go ahead in time for the next local government elections. I hope that the Minister can do something to stop the change going ahead, or at least that he will defer it until the Scottish Parliament has been set up.

In due course, the local government boundaries may need to be reviewed.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): Write me a letter.

Mr. Bruce: I appreciate the Minister's comment.

If Aberdeenshire's boundaries were changed to conform to those of the old Aberdeenshire and Kincardineshire, and Moray were extended to become Moray and Banffshire, re-creating the two as a joint authority, that would prove a popular move, improving the administrative efficiency of both areas without fundamentally altering their political mix.

The funding settlement for the new Parliament gets us off to a good working start, but over time we may need to revisit the issue. The hon. Member for Banff and Buchan (Mr. Salmond) pointed out yesterday that we are talking about tax-varying powers of only 3 per cent. of the total spending power of the Parliament. Over time, people will argue that the Scottish Parliament should have access to more of its own resources through some form of assigned revenues or the collection of taxes within Scotland. In 10 years' time, such a rethink may prove welcome, once people see how the system has settled down.

The block grant formula and the 3 per cent. tax-varying power will not last for ever, although they are a good start. Without them, there would be too many uncertainties; and it would have been much harder to persuade people to vote for anything more complicated. Of course, wide consultation will be called for, but the Minister will recognise, I hope, that such a review will encourage the Scottish Parliament to be imaginative and enterprising. It will have the incentive to control its own taxes and to be accountable to the people it serves.

We should like the same principle to be applied to local government generally, which has been heading in the wrong direction—as even the Conservatives acknowledge now. To include in the Bill security for existing funding and a recognition of the need for a fundamental review in 10 years' time would be most desirable.

The Bill is an historic development which will have far-reaching implications for the whole United Kingdom. I urge Conservative Members who have thus far been so resistant to it to embrace the programme for change and to start to think constructively about how the English question can be resolved—not at the expense of Scotland, but to the benefit of the whole United Kingdom.

5.18 pm

Miss Anne Begg (Aberdeen, South): Every time I have spoken in the Chamber on the Scottish devolution I have used the word "historic". To avoid being too repetitive, I thought I would turn to the thesaurus for new words. I found the following: celebrated, acclaimed, legendary, great, illustrious and glorious.

On this glorious day, I am delighted to take part in this legendary debate on an acclaimed Bill introduced by my celebrated, great and illustrious right hon. Friend the Secretary of State for Scotland. Perhaps that is a bit over the top, contrasting as it does with the traditional understatement of the Scots. When they think something is wonderful they say, "It's no bad"; they also think that the Secretary of State and the Scottish Office team have done "a pretty good job".

I feel that I have been practising the arguments for this debate almost all my life—for years and years. It is therefore unlikely that I shall say something new, but it is worth reiterating the importance of the Bill and of the Scottish Parliament.

The Scottish Parliament will address the democratic deficit in Scotland, which has led to so many bad decisions being made over the past 18 years. One feels that Scottish legislation has always been tacked on at the end of English and Welsh legislation, and never given its own priority. There never seems to be parliamentary time for legislation that is peculiar to Scotland. That is why we have a feudal system, to which my hon. Friend the Member for East Lothian (Mr. Home Robertson) referred.

I now know who to blame, because I have been a victim of the Scottish feudal system over the past few months. I bought a new house in my constituency. Until we get houses for life, and houses that people in wheelchairs can get into, I must build a ramp. I applied to the local council for planning permission, and six weeks later a letter dropped through my door, stating that planning permission had been granted, but along with it dropped another letter reminding me that I have a feu superior, and that no alterations can be made to the outside of the house without the permission of the feu superior. Consequently, I have waited another six weeks for further permission to build the ramp. I am still not in my house, and I am still waiting. Perhaps at Easter I will be able to invite hon. Members to the house-warming.

Mr. Dennis Canavan (Falkirk, West): Must we bring our own bottle?

Miss Begg: I am an Aberdonian—of course you can bring your own bottle.

I am sure that Scottish land reform will be tackled early in the new Scottish Parliament, as it is long overdue and has never been able to be dealt with in the House. Scotland is different; some may say that it is peculiar. We need the Parliament to deal with matters that are peculiarly Scottish.

The Scottish Parliament will give Scots a new confidence in their ability—not a confidence that will result in the narrow nationalism of the "fa's like us, nae many and they're a' deid" mentality, but a confidence that will come from having control over our domestic affairs, although we will still be part of Britain and Europe.

It is one of the strengths of the Scottish psyche that we can happily be Scottish, British and European all at the same time.

Mr. Eric Clarke (Midlothian): And Irish?

Miss Begg: Yes. That is why the Scottish people have voted for devolution, not independence, and why we Scots do not display the antipathy to the European Union that is displayed by Opposition Members.

However, I have a word of caution. We have been waiting such a long time for a Scottish Parliament that there may be a danger of over-expectation. I have a great fear that the Scottish Parliament may fail to live up to what each person wants. Let us be clear that it will not be a panacea. It may come as a surprise to some, but a Scottish Parliament will not help Scotland win the World cup. I am sorry about that, but it will not. Even a Scottish Parliament will not be able to stop it raining in Aberdeen. I am sorry to disillusion the SNP, but the Scottish Parliament will definitely not lead to independence; it will, however, allow decisions to be taken in Scotland on issues that are distinctly Scottish—decisions on education, health, local government, and law and order.

Before I got on the plane yesterday morning, I was listening to Radio Scotland. One hears Radio Scotland only in Scotland, never down here, which is strange. It was interesting to hear an explanation of how the Scotland Bill will progress through the Houses of Parliament. The fact that the Westminster legislative process had to be explained on national radio speaks volumes. That is because it is a great mystery to most people. Indeed, it is a mystery to many hon. Members as well. It is to be hoped that there will not be such alienation from the political process in the new Scottish Parliament.

There will be new structures for the new Parliament, and an end to the archaic procedures of the House. I often think that those procedures were designed to keep the population at arm's length, and to persuade us that there is something mystical and complicated about the exercise of power.

The Scottish Parliament will be open, accessible, accountable and—something that is quite alien in Westminster—it will be consensual. It will be new politics. Those who do not believe that politicians in Scotland can behave in the grown-up, civilised manner that is required to come to decisions through a process of consensus should look at how the constitutional convention operated. There is the potential for maturity in Scottish politics.

It is right that the new Parliament will decide on its own structures. That is not a job for Westminster, as it would be likely to create a Parliament in its own image, which would be a disaster. If the Parliament is to be truly accessible, it needs to be open and understandable to all.

The Parliament must also be physically accessible, which is why I welcome the decision to site the Parliament at Holyrood in a new, purpose-built building. Anyone who believes that Calton Hill was the ideal site, perched on top of a hill in a converted old building, has never lived life from a wheelchair. Any adaptations would always have been a compromise and never satisfactory—one just has to look at this place.

Another reason why the new Parliament will have greater accessibility is that it will be elected by proportional representation. There is no doubt that the result of the referendum in Aberdeen was so decisive because the people of the north-east know that they will have a strong voice in the new Parliament.

There is no doubt that the electoral system will prove to be the saviour of the Scottish Tories. I suppose that it is too much to expect a thank you from Opposition Members to the Labour Government, but we can always live in hope.

Today is not the day to be churlish. I welcome the recent conversion of the Opposition, who realise that the Scottish Parliament is the settled will of the Scottish people. The Opposition have said that they want to make the Parliament work, and I am very glad about that. The Tories claim that they want to make it work. The Liberal Democrats claim that they want to make it work. Even the members of the SNP claim that they want to make it work, and I hope I can believe them. Obviously the Labour Government and the Labour party want it to work. If those claims are true, the Scottish Parliament proposed by the Bill will be a great success and will allow the Scottish people, after 300 years, to claim their right to home rule.

5.26 pm

Sir Teddy Taylor (Rochford and Southend, East): We have all been delighted to hear the optimism expressed by the hon. Member for Aberdeen, South (Miss Begg). I hope that it will prove to be wholly justified, and that those of my opinion will prove to be wholly wrong.

I would counsel the hon. Lady against overoptimism. I had the pleasure of being a Scottish Member of Parliament and then coming down to England, which was quite a transfer. I am surprised that the feudal system concerns her. My experience in Scotland was that that seemed to cost very little, and one used to deal with respectable lawyers, whereas in England one must pay a great deal more and deal with people who are not respectable at all.

It is outrageous for Scottish Members to argue that devolution will bring more democracy direct to the people, while the same Members consistently argue for more power to go to the European Union, where people's rights do not exist and where democracy is effectively dead.

I was horrified to hear from the Liberal Democrat Benches the astonishing interpretation of the views of the Treasury Select Committee, of which I am a member. The hon. Member for Gordon (Mr. Bruce) seems to be interested in parish pump, rather than accuracy. If hon. Members study the Committee's report, they will see that no conclusions were arrived at and that the Committee called for further investigation of what it considered an interesting idea.

[Sir Teddy Taylor]

In light of the referendum result and the massive Government majority, it might appear that there is little point in my taking part in this debate. However, I believe that there is a little merit in people such as me, who have opposed the devolution proposals presented by both Conservative and Labour Governments, making suggestions, just in case devolution turns out to be a great disaster.

Some people may have forgotten—people of your age, Mr. Deputy Speaker, and others who were not around when the Conservatives presented their proposals—that those devolution plans were very similar to Labour's. The impression that I gain from speaking to colleagues is that among the true believers in devolution, there was hardly anyone who believed in it at all. They thought that the way to cope with the rising threat of the SNP was to offer devolution as a kind of halfway house.

Strange to say, as the House will well recall, when we, the then Conservative Government, were promoting devolution, instead of the SNP fading away, it enjoyed a wonderful boost. From 1979, I think we had 11 SNP Members, who were all of great ability and enthusiasm. Basically, they argued the case for an independent Scotland. Unfortunately, I have met quite a few Labour Members who do not appear to be quite so enthusiastic about devolution when one speaks to them privately as they do publicly.

Those who think that devolution will knock the SNP on the head are living in cloud cuckoo land. Those who think that the move to devolution will lead to the collapse of the SNP will be subject to a brutal shock. I think that this time round, like last time, instead of the SNP collapsing, it will enjoy a mighty boost. I think that the SNP Members who are present will agree with me and will be content to see what happens.

What is my objection to the Government's proposals? First, it is obvious that the proposed Parliament will be one of utter frustration. We know that it will have the power to talk about everything, but it will have extremely limited powers. One example is fishing, where the powers of the new Parliament and those of the Westminster Parliament will be very limited. The power of discussion without the power to act will lead to a great deal of frustration, and that frustration will become infinitely worse if different parties are in charge of the Scottish Parliament and the Westminster Parliament.

Secondly, it should be appreciated, especially by the enthusiasts such as the hon. Member for Aberdeen, South that the proposed Parliament will be one of cuts in services. There is a great danger in that some Members think that the new devolved Parliament will be able to bring better services and organisations to Scotland. The costs will be substantial and will have to come from the block grant. The Government's estimate is that the cost will be about £5 per head in Scotland, which is, let us say, £20 a family. Sadly, as we know from the present Government and previous Governments, such estimates always prove to be wildly inaccurate.

If we assume that nothing else will happen, there will still be a reduction in services for the average Scottish family to the tune of £20, which is a considerable sum. I suggest that if we in this place were suddenly put in charge of Edinburgh and of administering the affairs of Scotland, a cut of £20 per family would not prove particularly agreeable.

Thirdly, we are talking about a Parliament of constitutional mess. We in this place cannot appreciate what it must be like to have a Parliament in which about half the Members have constituencies to look after, committees to which they must be answerable and constituency correspondence to which they must attend, along with meeting representatives of the boroughs in which they operate, while another group of Members—albeit, not quite so large—sitting in the same Parliament have no such responsibilities. Those Members without constituency responsibilities will simply be a party of hacks, people who have been presented by their parties and put on a list.

Ms Roseanna Cunningham: The hon. Gentleman's rather pessimistic view of what the list Members would have to do is not necessarily borne out by the facts, as I understand them, across Europe. List Members often end up with more work than constituency Members because electors who do not agree with their elected constituency Members turn to list Members. I suspect that list Members will end up with larger postbags than constituency Members. We may find that list Members have much more work than the hon. Gentleman thinks.

Sir Teddy Taylor: It is possible that that will be the case. I hope that the people of Scotland will know who the list Members are and to whom they should write. I think that experience will prove that if someone is not directly elected the average person will not be entirely sure who they are. The people can be sure only that list Members will probably have the privilege of being invited to lunch by the CBI—something that will, of course, achieve a great deal.

We should not disregard the fact that the proposed Parliament will be a Parliament of strife. Some of those who have spoken in the debate have perhaps not read some of the Bill's provisions, which are quite frightening. For example, it seems that clauses 53 and 54 would give unlimited power to the Secretary of State. They seem to mean that, irrespective of a decision that the Parliament has taken or decided not to take, the Secretary of State can instruct it to cancel legislation that has been agreed to—in other words, to cancel the action or to take other action.

If we in this place were sitting in the Assembly and someone outside had the power to tell us that what we had done was wrong and should be cancelled, or that what we had not done should be done, there would be a great deal of confusion and stress. Similarly, we should not disregard the capping powers that will be given to the Secretary of State, whereby if, in his opinion, the Parliament is spending too much money or is charging ratepayers too much, which is a form of indirect taxation, he can basically cut its grant. That would create constitutional privilege.

I note that the Minister is shaking his head, and that surprises me. I have set out my understanding of what I have read. It would appear that the capping powers that would be given to the Secretary of State would enable him to reduce the grant. Perhaps I have misread the relevant provisions, but I assure the Minister that I read them rather carefully.

We are setting up a rather ridiculous structure with some Members representing constituencies and some not. It is all very well to be critical, but what should be done instead? I, like others, think that the whole process will end in an horrendous nightmare. Is there another approach? Those who come from Scotland, as I do, are well aware that Scotland is a nation and not a region and that there has sometimes been great frustration in Scotland when legislation has been applied there that was considered unacceptable. The same objective could almost certainly be realised by giving independent powers to, for example, the Scottish Grand Committee, consisting solely of Scottish Members, so long as the same power was given to English Members in respect of legislation relevant to us. There lies one of the great fears, and one which should not be disregarded.

Sir Robert Smith (West Aberdeenshire and Kincardine): Does the hon. Gentleman recognise the concern that would be felt in the north-east given the total domination of the central belt and of the Labour party in any policy making in Scotland, with no restraint at all on the powers of the Scottish Executive? Unless the House were reformed with the introduction of proportional representation, does the hon. Gentleman recognise that his solution would be more frightening than the current system or the proposed Bill?

Sir Teddy Taylor: I am well aware of the fear in Southend-on-Sea, where I now reside, about the central powers of Chelmsford, which is about 10 miles away. That is one of the reasons why in Southend we have a unitary authority, which was established on 1 May.

Outlying areas should remember that in terms, for example, of unemployment and prosperity, they do quite well. I remind my hon. Friends from elsewhere that the level of unemployment in my constituency is 10.3 per cent. Against that background, it is rather strange to hear others say that they are neglected. There are piles of grants and a great deal of prosperity along with far lower unemployment levels.

Even within Essex there is the fear of centralisation, but if the problem in Scotland is effectively to be resolved without creating appalling constitutional difficulties, such as the West Lothian question, we should consider seriously proceeding through this Parliament.

The cost of the Scottish Assembly will be substantial and the democratic situation will be extremely dangerous. As proposed, we can expect from the Assembly, or the Scottish Parliament, only a curtailment of services. There will be battles within the United Kingdom and opportunities will be stoked up for the SNP.

I spent most of my life in Scotland and I believe that people will have to make up their minds. There is a good, logical and strong case for an independent Scotland. I do not agree with that case and I would campaign and argue against it, but I accept that there is a logical case that must be argued. There is an appalling danger for Scotland, England and the United Kingdom if we try to find a halfway house. That approach will create many more politicians, all of whom will want researchers, secretaries and visits. Such a system will generate a great deal of cost, and the people of Scotland will have to pay.

We are creating a constitutional nightmare, but one which will not be obvious immediately so long as the Labour party dominates both Parliaments. There will be a real nightmare, however, if the constitutional situation changes. I hope that my party will make it clear that in the event of there being a Conservative Government at some time in the future, the issue will be faced and every effort made to resolve it. The way to resolve what is a real problem is not through the Bill, which I believe will create additional cost, result in a reduction of services and cause a great deal of strife within the United Kingdom.

5.39 pm

Mr. Dennis Canavan (Falkirk, West): The speech that we have just heard from the hon. Member for Rochford and Southend, East (Sir T. Taylor) was like a repetition of an old record from the 1970s, but it was no golden oldie. It sounded as though the needle had been stuck since the 1970s, and as though he was stuck in a time warp.

In the 1970s, the hon. Gentleman represented Glasgow, Cathcart. He and I are two of the few hon. Members present this evening who were also present on Second Reading of the previous Scotland Bill, which proposed to set up a Scottish Parliament, or Assembly as it was called. The man who piloted that Bill through Parliament was the late John Smith, and here we are, more than 20 years later, trying to finish what John described as unfinished business and the settled will of the Scottish people.

After the general election in 1979, one of the first things that the Tory Government did was to repeal the Scotland Act 1978. One of those who spoke in favour of repeal—indeed, who voted in favour of it—was the right hon. Member for Devizes (Mr. Ancram), who has just left the Chamber, and who opened the debate for the Opposition yesterday. He spoke and voted for the repeal of the Scotland Act 1978, despite the fact that the majority of the people who voted in the 1979 referendum voted in favour of a Scottish Parliament, or Assembly, as it was called—so much for his respect for the wishes of the people of Scotland. No wonder he was subsequently kicked out of his Edinburgh, South seat. Just as the hon. Member for Rochford and Southend, East was kicked out of Glasgow, Cathcart, so the right hon. Member for Devizes was kicked out of Edinburgh, South—just as he had previously been kicked out of Berwickshire and East Lothian. The right hon. Gentleman had to seek refuge in the salubrious climes of Devizes, where he proceeds to lecture the people of Scotland on what is best for us. What a cheek. What an effrontery. It is rather like Edward II trying to lecture Robert the Bruce on the best military tactics to be used at Bannockburn.

My hon. Friend the Member for Aberdeen, South (Miss Begg) referred to the unique democratic deficit that has existed in Scotland for many years because of the absence of a Scottish Parliament. Scotland is constitutionally unique in that we are the only country with our own laws and legal system but no Parliament of our own to pass laws. As a result, this place has to act as a legislature for Scots law as well as the laws that apply throughout the whole of the United Kingdom.

During the 18 years of Tory misrule, the Tory Government cynically exploited that democratic deficit by foisting on the people of Scotland many laws and decisions that were quite contrary to the wishes of the majority of the people of Scotland and the majority of their elected representatives. We can think of many examples: the misuse of public funds for private

[Mr. Dennis Canavan]

fee-paying schools and the misuse of taxpayers' money—more than £30 million—for a private hospital in Clydebank while people were queuing up to get into national health service hospitals. Probably the worst example of all was the deliberate use of the people of Scotland as guinea pigs for the iniquitous poll tax.

During those 18 years of Tory misrule, an increasing number of people came to realise that if there had been a Scottish Parliament, those abuses of power would have been impossible. We had a much bigger majority in the referendum last year than in the 1979 referendum partly because many of the people who were sceptics way back in 1979, and others who voted no in the 1979 referendum, had come to the conclusion—after 18 years of Thatcherism and 18 years of Tory misrule—that a Scottish Parliament would be able to give some protection to the people of Scotland.

I congratulate the Secretary of State for Scotland and his ministerial colleagues on their excellent job in getting the message across to the people of Scotland during the referendum campaign and on helping to bring about that magnificent victory in the referendum last year. I look forward to the Bill reaching the statute book at the earliest opportunity so that we can have the first elections to the Scottish Parliament on 6 May next year.

I realise that not everyone will be satisfied with the contents of the Bill, but it proposes an enormous transfer of power to the people of Scotland. I would be one of the first to say that it is not absolutely perfect in every respect, but I do not see the Bill's contents as something that has been handed down from high on tablets of stone. I see the relationship between the future Scottish Parliament and the Westminster Parliament not as being static but as being dynamic. The dynamics, in time, may well lead to more power being given to the Scottish Parliament if that is the democratic wish of the people of Scotland.

The sovereignty of the people of Scotland is surely at the heart of the matter. Those of us who are members of the Scottish Constitutional Convention signed the Claim of Right acknowledging the sovereign right of the Scottish people to determine the form of government that is best suited to their needs.

The Bill will certainly eradicate the democratic deficit to which my hon. Friend the Member for Aberdeen, South referred. It will give the people of Scotland the first democratic Parliament in Scotland's history. We all know that there was a Scottish Parliament before 1707, but the Scottish Parliament that existed then could hardly be described as democratic or truly representative of the people of Scotland as a whole. If it had been, its members might not have been foolish or corrupt enough to vote for its abolition. This is not a case of turning back the clock or restoring something that used to exist three centuries ago; it is a case of establishing, for the first time, a modern, democratic Parliament for the people of Scotland, elected by the people of Scotland and accountable to the people of Scotland. It will be a new Parliament for a new millennium—a Parliament that will help to give a fresh start and build a better future for the people of Scotland.

5.48 pm

Ms Roseanna Cunningham (Perth): Thank you for allowing me to speak, Mr. Deputy Speaker. I listened yesterday to some fascinating interventions, particularly from the Conservatives. The right hon. Member for Devizes (Mr. Ancram) was echoed by several of his colleagues, all gravely concerned about the apparent risk of Scotland becoming increasingly marginalised after devolution. Listening to their expressions of concern, I thought, "Excuse me, where have they been for the past 20 years?" It is precisely because Scotland was marginalised by the previous Government that the desire for more control over the affairs of Scotland has not only not gone away but increased to the extent shown in the stunning referendum result on 11 September.

I never fail to be amazed that, in their oh so grudging acceptance of the scheme, after all their attempts to defeat it and their continued half-hearted approach to it, not once have I heard any Conservatives accept that maybe—just maybe—the Scottish people felt as they did at least in part because of the atrocious attitude to Scotland exhibited by the previous Government. A little humility might be in order, but we have come to accept that we shall never hear any humility from the Conservatives.

It seems that having once attended a Burns supper, or something similar, is regarded by the Tories as sufficient qualification to opine on the future of Scotland. I am getting fed up with listening to the genealogical history of Conservative Back Benchers who feel the need to display their genetic credentials when they speak.

I have personal experience of living outside Scotland—indeed, my colleagues are fed up with listening to me talk about those experiences. I wanted to be part of the debate in Scotland. There was an easy way to resolve that. I was taken away at the age of eight and came back in my mid-20s with the express purpose of becoming politically active. The hon. Member for Aberdeen, South (Miss Begg) talked about having practised all her life for today. I do not regard today as the end point of what I have been practising for, but it is a stage post on a journey that started 12,000 miles away. I suggest to those who are so keen on their Scottish ancestry and so desirous of having their voices heard that they take the same not very difficult step. They should go to Scotland and help their colleagues in the Scottish Conservative party. They might find that their perspective changes substantially. I might be criticised for inviting an increase in the number of Conservative activists in Scotland, but let us be fair—there are so few of them and at 12 per cent. in the opinion polls a handful more transferring to north of the border will probably not make much difference.

Mr. Desmond Swayne (New Forest, West): I certainly have no Scottish credentials to rehearse before the House. Does the hon. Lady accept that we are not pontificating about the affairs of Scotland? The Bill has profound implications for my constituents in England.

Ms Cunningham: I have been listening to Tories pontificating about Scotland for years and years. Many of those interventions have been made in this Chamber—including several last night.

As a nationalist, I regard the devolution scheme as half a loaf. I fully expect that when the people of Scotland have devoured this half a loaf, they will look around them for a few more crumbs. That is a matter for them. As democrats, we all accept that. We shall continue to urge them to look for an increase in the power of the Scottish Parliament. I have heard tonight that the Liberal

Democrats are expecting that. I think that the hon. Member for Gordon (Mr. Bruce) used the word, "evolutionary".

Mr. John McAllion (Dundee, East): Revolutionary.

Ms Cunningham: The hon. Member for Dundee, East (Mr. McAllion) and I agree on many issues, of which that may be one, although I do not think that the hon. Member for Gordon would agree with such an approach.

The hon. Member for Woodspring (Dr. Fox) was all over the place this evening. While adopting the typical grudging attitude of the Conservatives, he went on to argue for more powers for the Scottish Parliament, with the transfer of responsibility for abortion and embryology. At one point during his speech, I saw the spectre of a Labour-Tory coalition as he canvassed the possibility of a Unionist cabal to ensure that there were no changes to the scheme in future.

Hon. Members would not expect me, as a nationalist, to say that the scheme went far enough. However, our comments so far have made it clear that we are not going to attempt to change the Bill to an independence measure, much as I might wish to. We have focused on three specific areas in the devolutionary spirit—a difficult spirit for me to get into, but we try—in an attempt to amend the Bill for the better. I shall deal with broadcasting.

In the convention scheme, broadcasting was listed as a proposed devolved power. Until the publication of the White Paper, there was a widespread understanding that that would remain the case. However, the White Paper made it clear that, regardless of the understanding, broadcasting would remain a reserved power.

To be fair, the White Paper made some reference to the importance of broadcasting. Paragraph 2.11 referred to cross-border public bodies that would

"continue to be significant in the economic or social life of Scotland, and therefore likely to be of interest to the Scottish Parliament."

It allowed that the Parliament would be able to invite the submission of reports and the presentation of oral evidence to its Committees from such bodies. The short list of examples given—I did not expect it to be exhaustive—included

"broadcasting and telecommunication organisations such as the BBC and the Independent Television Commission".

That did not represent the devolution of power over broadcasting, but it allowed for the prospect of scrutiny of broadcasting by the Scottish Parliament and the expectation that people from the BBC and the ITC would be accountable to the Scottish Parliament.

Last night there was a bit of a flurry on the Government Benches when my hon. Friend the Member for Banff and Buchan (Mr. Salmond) remarked that there had been a retreat from the commitment in the White Paper. Labour Members began waving their White Papers excitedly and pointing to them. The Secretary of State went into little private confabs in an attempt to understand what was being implied.

Clauses 83, 84 and 85 deal with cross-border public bodies, which are defined as those having

"functions exercisable in or as regards Scotland which do not relate to reserved matters."

That is a little different from the definition outlined in the White Paper, but it might not necessarily have caused enormous alarm. There are good reasons for not producing a list of those cross-border public bodies in the Bill.

However, there is a detailed list in annexe E of the guidance notes, which were helpfully published alongside the Bill. As I flicked through the notes, which carefully outline the very few changes from the promises in the White Paper, I wondered whether I should be a tad cynical about our attention being directed to such specific areas. Perhaps there might be aspects that were overlooked. That is indeed the case. Annexe E gives a comprehensive list of 41 cross-border bodies under a variety of headings, including agriculture and fisheries, sport and the arts, the environment, home affairs and health. The list covers three pages. Lo and behold! What is missing? The BBC, the ITC and the other telecommunications organisations are missing.

Perhaps Labour Members, including Ministers, were totally unaware of that omission—and, perhaps, I came up the Clyde on a banana boat. Somewhere between the publication of the White Paper and of the Bill, the BBC and the ITC have mysteriously disappeared from any definition of a cross-border public body. As far as I can gather, they are therefore not even subject to the minimal scrutiny originally suggested. So, the next time that the BBC in London decides to repeat the infamous "Panorama" experience, the Scottish Parliament will not be able to call it to account.

I give the Minister every opportunity to state on the Floor of the House that the omission is wholly accidental and will be rectified in Committee. I wonder whether he will leap to his feet to give us that reassurance. I see that he does not. In those circumstances, we shall table amendments to ensure that both organisations will be deemed cross-border public bodies—just in case, somewhere along the way, the Secretary of State for Culture, Media and Sport puts his nose in the matter or broadcasters quietly indicate that the last thing that they want is any parliamentary scrutiny by the troublesome jocks.

Mr. Desmond Browne (Kilmarnock and Loudoun) *rose—*

Ms Cunningham: The hon. Gentleman is leaping to his feet to tell me that, despite everything, the BBC and the ITC will be answerable to the Scottish Parliament. I would like him to say how.

Mr. Browne: Is not the hon. Lady barking up the wrong clause? Are not the powers in paragraph 2.11 of the White Paper reflected in clause 23, which deals with the power to call witnesses and documents?

Ms Cunningham: There is no specification anywhere that the BBC or the ITC will be answerable to the Scottish Parliament. It does not matter what clause one looks at. Nowhere in the guidance notes is there any indication that those bodies will be answerable.

Mr. Browne *rose—*

Ms Cunningham: I have given way to the hon. Gentleman, who did not make his point.

We are debating a scheme in which responsibility for the arts, education and Gaelic are devolved—yet responsibility for broadcasting is not. That means that all

[Ms Cunningham]

aspects of cultural life except broadcasting are covered. There will be a separate Scottish arts council, but no body responsible for broadcasting.

It struck me as interesting that the Minister for Education and Industry made a number of remarks about education. He said that the Scottish Parliament—at least concerning education—will not import measures which reflect the prevailing ideology at Westminster and which would be so damaging. That is an interesting use of language.

Mr. Salmond: The hon. Member for Kilmarnock and Loudoun (Mr. Browne), who once told me to cut to the chase, seems to have cut to the wrong clause. Clause 23, to which he referred, is specific that witnesses and documents can be called on

"devolved matters concerning Scotland,

matters in relation to which statutory functions are exercisable by the Scottish Ministers."

I am not certain how the BBC or the ITC would apply to that clause.

Ms Cunningham: Indeed, they do not. In no way will the BBC or the ITC be accountable to the Scottish Parliament.

I return to my comments on the Minister's use of language concerning education. I found it interesting because the phrase is one which I could certainly use without blushing. I wondered whether his youthful membership of the Scottish National party had not quite been eradicated. If such comments apply in respect of education, why in heaven's name do they not apply to broadcasting? I do not see how the argument can be made in respect of education but not broadcasting.

The omission of broadcasting represents a major inconsistency in the Bill. In the arts, Gaelic and education, broadcasting plays a central and vital role, and the SNP believes that it should be devolved as well. Rapid changes are taking place in broadcasting. Indeed, such changes, especially the imminent arrival of digital television, have already provoked major changes in ownership and control of the Scottish media. I know that hon. Members who represent the area covered by Grampian Television are already expressing concerns about that.

Mr. Grieve: I come in on a discussion which I have no doubt will be pursued in Committee. Does the hon. Lady agree that one reading of clause 23 certainly gives the Scottish Parliament power to require attendance at a Select Committee in order to answer questions by organisations that produce material which comes within devolved provisions? She is complaining that the Scottish Parliament will not have control over the BBC's charter in so far as it relates to broadcasting in Scotland. She is in fact asking for the BBC to be split in two.

Ms Cunningham: Although I am interested in the hon. Gentleman's remarks, I notice that the one person who has not yet leapt to his feet to give any reassurance is the Minister. Until some such reassurance is given, we must take the view that the apparent omission between the publication of the White Paper and of the Bill was deliberate. If it was not deliberate it will be rectified. I look forward to that. Nevertheless, even if it were rectified, we would still be arguing for full devolution of broadcasting. At least the White Paper offered a minimal amount of control.

Mr. Wilson: In her public pronouncement on the matter, the hon. Lady talks blithely about controlling broadcasting. I have listened to her go on for some minutes on the subject, but I am still no clearer about what exactly she wants to control. Does she want to control the content of broadcasting or its structures? If so, is not she endorsing what the hon. Member for Beaconsfield (Mr. Grieve) has just proposed? Does not she in fact want to set up a Scottish broadcasting corporation, a Scottish ITC and, who knows which other bodies? If she elucidates what she wants to control, it might be easier to help her.

Ms Cunningham: If the Minister will hold his horses, he might hear one or two things that apply to that criticism. I do not take on board by any manner of means the implied criticism. I have already stated that we are not talking about an independent Scottish broadcasting commission. Would that we were! We shall not be proposing that in the amendments that we intend to table. I described the changes that are taking place and the need for the Scottish Parliament to be part of them.

Mr. Michael Connarty (Falkirk, East): Will the hon. Lady give way?

Ms Cunningham: No, I will not give way. I want to move on. Some of what I have to say will answer the Minister's point.

I understand the way in which the Minister looks at the issue. He thinks that, since broadcasting is outwith the remit of politicians, it would be folly to hand it to the Scottish Parliament. That is the basic line that the Minister is peddling. Leaving aside the small contradiction in his remarks that is exemplified by the specific reservation of broadcasting powers—since, if Parliament does not have powers, I do not see how they can be reserved—we are arguing for devolution to the Scottish Parliament of powers that are presently exercised by the Westminster Parliament in relation to Scotland and the services there.

In keeping with the devolutionary—as opposed to the independent spirit—of the Bill, such an argument would exclude a number of areas that would be included under any independence proposals. It would exclude, for example, the allocation of frequencies, since they are affected by international agreement. We are trying to look at the matter within the spirit of devolution, difficult though that may sometimes be. The truth is that the framework for broadcasting is set by politicians. We desire at least to create a framework for Scotland, not only for what cannot happen but for what can happen.

For example, we might insist on there being more take-up from the independent sector. Scotland is not currently well served by broadcasting. Up to 97 per cent. of news and current affairs on Scottish television comes from network sources, which remain largely uninterested in the debate in Scotland. For example, I understand that last night the 9 pm news headlines did not even mention this debate.

Network coverage is not designed with a Scottish audience in mind. Perhaps that is what the Labour party wants to continue, to ensure that news remains dominated

by big brother and Big Ben. We propose that there should be exceptions to the reservation in schedule 5 so that scheduling and finance in so far as they relate to services in Scotland—for example, responsibility for BBC Scotland and its services within Scotland—are devolved to a broadcasting council for Scotland, whereas the BBC generally remains responsible for United Kingdom services.

Equally, the Scottish Parliament would have powers over a Scottish ITC equivalent to those currently exercised by Westminster over the ITC. With a proper devolution of broadcasting it would become possible to allocate in Scotland the unused frequencies that I am told exist, but have not been allocated because their counterparts are in use in England, and England is where the decisions are made.

Leaving the situation unchanged would lead to anomalies and inconsistencies. For example, I understand that STV is now forced to pay for large chunks of network programming, even for programmes that it does not broadcast, or even want to broadcast. Surely it would be preferable for STV to be able to opt in rather than opt out, paying along the way only for the programmes that it uses.

No doubt some people in the Chamber will object that in those circumstances Scotland would end up with parochial and irrelevant programmes. However, in my view we are already subjected to much parochial and irrelevant material from a Londoncentric broadcasting base that has trouble seeing beyond the M25. That situation cannot continue after devolution, and that is why we shall table our amendments.

Yes, the Parliament will be able to make substantial changes in many areas. I look forward to some of those—changes affecting land, law and local government, for example—but even within the spirit of the scheme there are major improvements that we should be able to make. I believe that broadcasting is one which, on the face of it, should receive widespread support, especially as it was originally designated for inclusion in the list of devolved rather than reserved powers.

6.12 pm

Ms Sandra Osborne (Ayr): In keeping with Madam Speaker's request, I shall be brief. I apologise in advance if what I say is somewhat repetitive. I have sat through the debate both yesterday and today so I know that, unfortunately, some of the points that I wish to make have already been made by others. No doubt that is inevitable at this stage. However, I have great pride in and enthusiasm for the Bill, so I hope that hon. Members will forgive me.

What I am holding up may look to Opposition Members like a credit card, but they would not get very far if they tried to buy anything with it. My hon. Friends may recognise it as the card containing Labour's five early pledges.

"Keep this card and see that we keep our promises",

it says. For Scotland our pledges were slightly different in that, because of the swifter Scottish juvenile justice system, we did not mention a fast-track punishment for young offenders. Instead, our card states:

"Legislate for a Scottish Parliament in our first year by holding a referendum on devolution and campaigning for a Yes Vote".

First and foremost the Bill is about trust, and about promises kept.

The Labour party always said that we would deliver a Scottish Parliament—the Parliament that the people wanted. Some Opposition Members did everything that they could to question and undermine that commitment. I am especially pleased to be standing here now, because throughout the long unofficial election campaign and the six weeks of the official campaign we heard the Conservatives say that the last thing that we needed was more parliamentarians. Indeed, we have heard that allegation repeated today by the hon. Member for Rochford and Southend, East (Sir T. Taylor).

However, the people who said those things are now in Scotland scrambling for nominations to stand for that same Scottish Parliament. To be fair, I must admit that the Conservatives were not all singing from the same hymn sheet. While my predecessor prophesied the end of the Union, others were saying that they had always been devolutionists. We have heard that repeated in the debate too. While some talked of abolishing the Parliament if it was set up, others warned, "A Scottish Parliament is not for Christmas, it is for life."

As for the Scottish National party, it told us that the Parliament would not be worth having. It would be a toytown, Mickey Mouse effort, and in any case the referendum was a cunning device to get off the hook and fail to deliver. None the less, I welcome the last-minute conversions to the cause, from whatever quarter they come. I also welcome the positive public support given by the SNP during the referendum campaign, as well as the positive contribution we have had from SNP Members to this debate. That has been gratifying to hear.

However, the party that has consistently said that there will be a Scottish Parliament has kept its promise in government at every stage of the process, just as it is keeping all its other pledges—on the minimum wage, welfare to work, reform of the health service, tackling crime and investing in education, child care and nursery provision.

We have kept faith with the principles of the Scottish Constitutional Convention. I join others in praising the convention and all the hard work that it carried out over the years. I was not involved personally, but it is gratifying to see that all that hard work has now to come to fruition.

We campaigned vigorously for a double yes vote in the referendum, and we secured three quarters of the vote. We delivered a White Paper clearly outlining what was proposed, and now we have delivered the Bill. The whole timetable has been driven by the Government's determination that there shall be a Scottish Parliament.

The support for that idea, both from the Government and from others throughout the community in Scotland, derives from the principles undergirding the policy. We genuinely support a Scottish Parliament looking after Scottish affairs, while remaining within the United Kingdom and playing our part in Europe and the world.

We do not support the Parliament for the same reasons as the SNP—reasons that have just been outlined by the hon. Member for Perth (Ms Cunningham)—nor do we take the negative view outlined by some that the Parliament should be supported simply to stop the break-up of Britain. We genuinely see it as good for

[Ms Sandra Osborne]

Scotland. It will be a shot in the arm for our democracy and for our self-confidence, economically, culturally and politically.

I shall now turn from promises kept to the opportunity that the Parliament offers for a new politics. I have not noticed any particular interest in that aspect of the argument on the part of Opposition Members during the day and a half that this debate has lasted so far. Perhaps they should consider how people throughout the country, in other parts of the United Kingdom as well as in Scotland, view our democracy at the moment—with cynicism and alienation. In that context the possibility of a new politics should be welcomed.

Keeping our promise on the Scottish Parliament in itself goes some way to restore public trust in the political process following the public cynicism born in part of the years of Conservative government.

Changes are being considered in the way in which this House operates, and I welcome that—but with a brand new Parliament we shall have a unique opportunity to do things differently from the outset.

Mr. Gray: Is the hon. Lady of the view that the new politics as practised in Paisley and Glasgow will reduce the cynicism she talks about?

Ms Osborne: The new politics formed as part of the Scottish Parliament will include discussions with all the people and will be different from the cynical and hostile attitude displayed by the hon. Gentleman.

There will be a place for all-party discussions. These have already begun, as was announced yesterday, and I genuinely welcome that. There will be a place for history, tradition and institutions, but not at the expense of modern culture and civilised behaviour for the 21st century. If the Scottish Parliament is to have credibility and is to contribute to the evolution of democracy in this country and beyond, there must be no place for practices that make sensible co-operation impossible, polarise every issue and inhibit thought and constructive debate.

There have been 200 Acts passed since 1979 removing democratic responsibilities from elected councils and there has been an enormous growth in the quango state. In that context, the Scottish Parliament is not a stand-alone issue, but is part of a wider process; an extension of democracy, including the Welsh Assembly, an elected authority for London and the opening up of debate on appropriate regional decentralisation.

Conservative Members have commented on the principle of regional government. I will not attempt to suggest what is appropriate for England, but I believe that the institution of a Scottish Parliament will open up the debate. That is why the type of Parliament that we create is important, as it will provide the model for improving democracy, and not just in Scotland.

We need a modern legislature with sensible working hours and conditions, and it must be accessible to the public. I know—as others do—of the level of interest in Scotland and the enthusiasm, particularly among young people, for the Parliament. I hope that the structure of the Parliament will encourage participation and generate further enthusiasm.

The Parliament needs to be representative of Scottish society as a whole, politically, geographically and socially. However, it must go further than being a beauty contest between the parties to see how many show business personalities can be cajoled onto the additional member list. People of different political views will be genuinely delighted to hear that my right hon. Friend the Secretary of State is to stand for the Scottish Parliament because they all recognise the wisdom and experience that he will bring.

We need to draw on a range of different experience and we need to ensure the fair representation of women and men. If this institution can be transformed in a single election into one that has more than 100 women Members of Parliament, there is no excuse for failing to find gender balance in the Scottish Parliament which has no sitting Members and no favourite sons.

Mrs. Laing: Does the hon. Lady agree that any attempt to achieve what she calls "gender balance" by positive discrimination in favour of women is simply an insult to women, because it presupposes that women are not capable of doing on their own what men are capable of doing—in other words, being elected to this institution or to the new Scottish Parliament?

Ms Osborne: I totally disagree with everything that the hon. Lady has said. I find it offensive—many other women agree—that we are not represented in public life as we should be. As we all know, that has nothing to do with merit and, as we can see, the Conservative party does not regard this as a significant issue. It does not regard the fact that women are under-represented in politics as a problem. That is one of the reasons why the Conservatives have no Scottish Members of Parliament.

The election on 1 May brought equality into this House. Now we can go one better and achieve equality in the Scottish Parliament. We do not want equality for its own sake, but for the positive difference that it will make well beyond the life of the political institution.

We have legislation to ensure that women and men are treated the same, but there are real differences in their social and economic positions. Girls in Scottish secondary schools achieve better exam results than boys, but fewer go on to higher education. Full-time women workers earn only three quarters of their male counterparts' wages. Only a small percentage of women retire on the full basic pension. Women make up about a third of solicitors and 10 per cent. of police officers, and there is only one woman judge. In public bodies over which the Scottish Parliament will have authority, women make up 40 per cent. of the members, but only 25 per cent. when children's panels are excluded.

During yesterday's debate, my hon. Friend the Member for Edinburgh, North and Leith (Mr. Chisholm) said that the Government are committed to gender equality in the Scottish Parliament and asked whether a temporary special measure could be introduced to exclude the first election from the Sex Discrimination Act 1975. I am aware that Scottish Office Ministers are making strenuous efforts to examine how a 50:50 gender balance can be achieved, and I look forward to a report on their progress.

I noted that the hon. and learned Member for Orkney and Shetland (Mr. Wallace) also raised the possibility of tabling an amendment relating to the Sex Discrimination

Act. I welcome his interest in the issue of gender equality, but I hope that it does not signify the laying of the groundwork to renege on the agreement that his party has entered into to ensure gender equality following discussions with the Scottish Constitutional Convention.

It has been shown that when women are fairly represented alongside men in the decision-making process, there is a difference in the way things are done and in the policy priorities. Not only can the Scottish Parliament be a shining example of new politics, it can begin to promote new politics. On that subject, it was very unfair of the media to make so much of the fact that the site for the new Parliament is to be a brewery. They did not mention that it is also the site of an old folk's home. That is equally significant.

As an aside, I concur with many of my hon. Friends that the distribution of jobs associated with the Scottish Parliament should be considered throughout Scotland. Just as the competition to design the Parliament building will be open to architects from throughout the world, the Parliament is a completely new political institution which can contribute to the development of democracy in other countries.

Just as the campaign for a Scottish Parliament drew strength from the examples of Catalonia and the German lander, we have the chance to encourage developments elsewhere. Just as the movement for gender equality draws from the successes of other countries, we have the chance to promote further equality elsewhere by successfully achieving equality in a Scottish Parliament.

Finally, I wish to say a few words about the scope of the Parliament's powers and the opportunities they present. I was around during the previous devolution referendum and legislation in 1978 and 1979. I know what was proposed then, and this Parliament is no 1978-style assembly. This is a Scottish Parliament for the new millennium with powers over all Scottish Office functions. This is a Scottish Parliament which will act in partnership with the UK Parliament in many areas of reserved powers. This is a Scottish Parliament which will have oversight of other Scottish public bodies—more than 100 are listed, especially within the health service and local government. This is a Scottish Parliament with the discipline and responsibility of defined financial powers.

Let me comment briefly on the importance of the range of functions devolved. The social and economic problems facing Scotland do not arise from national suppression or London mismanagement—they result from a political failure to tackle inequality and from the narrow centralised nature of our democracy.

The problems we experience in Scotland are no different from the problems experienced in other parts of the UK—inadequate social services, poor housing, homelessness and health service waiting lists. The distinctive and separate Scottish education system and criminal justice system—indeed, the whole devolved administration of the Scottish Office—is crying out for political accountability.

From my background in local government and my previous job dealing with the problems of homelessness, I know at first hand the distinctive Scottish tradition of socially rented housing. The Scottish Parliament will be able to address the specific and distinctive nature of Scotland's economic, social, political and cultural needs in a way that will liberate our capacities and aspirations.

In conclusion, the Bill is about trust and promises kept by the Government, but it is also about new politics, democratic advances affecting well beyond the Scottish borders and the opportunity to take control of our own affairs to the economic, social, political and cultural benefit of Scotland. It represents the settled will of the Scottish people being put into practice by the Government in whom the people placed their trust.

6.28 pm

Mr. James Gray (North Wiltshire): While listening to the hon. Member for Perth (Ms Cunningham), I was reminded of a recent former pupils' dinner at my school, Glasgow high school, when I was sitting next to the rector, who turned to me and said, "What's a nice boy like you doing in the Conservative party?" I explained why I was in the party and why I believed in the Union. He explained why he was such a passionate Scottish nationalist and why he was so passionately convinced that Scotland must go her own way. I then asked him to tell me where he was educated and he said, "Rugby and Cambridge."

Significantly, the hon. Member for Perth spent her formative years, from the ages of eight to 25, in Australia. She therefore went to great lengths to rubbish those of us who do not feel any need to establish our Scottish credentials. My Scottish credentials are available for all to see in "Dod", and I intend to waste no more time on the matter.

Mr. Canavan: May we have an interpreter?

Mr. Gray: The hon. Gentleman makes a good point. He presumes that because I have a vaguely English accent, I am somehow English, as was the case when I fought a seat in Scotland in 1992. If he believes that a man who attended Hillhead primary school, Glasgow university and Glasgow high school, whose father was a minister in the Church of Scotland and became Moderator of the general assembly of the Church of Scotland and whose every ancestor was 100 per cent. Scottish—a man who never left the borders of Scotland once until the age of 20—is not Scottish, he is wrong. He is judging a book by its cover and making a significant mistake in doing so.

Mr. Swinney *rose—*

Mr. Gray: I will not take any more interventions on the subject of Scottishness now. My point was that when I spoke recently in the referendum debate, I spoke as a Scot, and 100 per cent. Scot I am indeed, but, like hon. Friends who have spoken in this debate, I fully accept the outcome of the referendum that I so wholly opposed. I accept the fact that the people of Scotland—my colleagues, relations and friends—have now voted convincingly in favour of devolution. I deeply regret that decision, but I none the less speak today not as a Scot, but as the representative of an English constituency, which puts a different complexion on the matter.

The Bill will be desperately damaging to the interests of the people of North Wiltshire. First, it will, without question, lead to the end of the Union as we know it. I say so for two reasons. Two time bombs are ticking away underneath the Bill and sooner or later, whether in 10, 20 or 50 years, they will explode and lead to the end

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of the Union as we know it. The first is the devolution drug, which has affected this nation since we first invented the notion of administrative devolution around the end of the previous century. Since then, we have made more and more devolutionary changes, handing more and more power to the Scottish Office and Scottish Ministers, culminating in the new Parliament that we are setting up.

The history of devolution shows that the more power we get, the more we want. If anything demonstrates that that is the case, it is the discussion of the past two days. The hon. Member for Cunninghame, South (Mr. Donohoe) argued, convincingly enough, that the railways are such an important issue that they should be handed over to the Scottish Parliament. Since then, more and more hon. Members have argued that a variety of the powers reserved under schedule 5 should be handed over to the Scottish Parliament.

Imagine what it will be like when the Scottish Parliament is in existence and the properly elected representatives of the Scottish people are sitting in Edinburgh. People will raise all sorts of subjects at their surgeries and will ask why people in Westminster continue to take decisions on, for example, the railways in Ayr or the funicular railway in the Cairngorms. You name the subject, Mr. Deputy Speaker, and the people of Scotland will be telling their Members of the Scottish Parliament, "We want you to decide these matters in Edinburgh." Those MSPs will properly argue in Edinburgh over and again that more powers must be handed over to Edinburgh. They will argue that only the residual powers left in Westminster prevent them from carrying out their due mandate.

The effect on finance, to which so many hon. Members have alluded, will be precisely the same. The situation is directly analogous to the relationship between Westminster and local government. Anyone who has been involved in local government in the past few decades will know that increasing numbers of local authorities have said, "We want to do X, Y or Z, but the Department of the Environment, Transport and the Regions and our paymasters in Westminster are preventing us from doing it." Precisely the same will happen when the Scottish Parliament is in existence, except that it will be magnified to the nth degree.

Members of the Scottish Parliament will make all sorts of legitimate and sensible decisions on all sorts of issues. They will vote to give teachers more money and vote money for all sorts of things, such as better roads and trains. You name it and they will vote for it in the Scottish Parliament, but the 3p in the pound will not even begin to pay for it. What will happen then? It will be one of two things. MSPs will say that they are being capped because of a law passed in the old Westminster Parliament—the Bill. They will say, "Isn't that disgraceful? Our people in Edinburgh want us to spend the money, but the Chancellor of the Exchequer in London is preventing us from doing so." By definition, the cap will be busted.

Alternatively the people of Scotland will, reasonably, ask for more money to be spent on Scotland, 3p in the pound will not be nearly enough and more and more money will be spent, legitimately, on the people of Scotland. Ultimately, that will lead to independent taxation and finance and an independent Chancellor of the Exchequer for Scotland. Those are the two time bombs that are ticking away—the devolution drug and the taxation time bomb.

I do not intend to concentrate entirely on the effects on the people of North Wiltshire of the inevitability of independence for Scotland. Far more potent for those people are the conundrums laid down so well 30 years ago or more by the hon. Member for Linlithgow (Mr. Dalyell)—conundrums that lie on the table today as unanswered as they were then. If I may deviate for one second, Mr. Deputy Speaker, my ancestor the covenantor John Parker fought for his beliefs in Scotland, was captured at the battle of Rullion Green in 1666 and was condemned to hanging, drawing and quartering by the general who took part in the battle. I regret to say that that general was none other than Bloody Dalzell of the Binns, and I forgive his descendant for that ancient wrong. None the less, the questions that he laid down are as potent as ever.

Asymmetric devolution is a crafty little expression dreamt up by the Front-Bench spokesman. It is an obvious absurdity that Scottish Members of Parliament will have a say in education and health in North Wiltshire, but I may have no say in those matters as they affect Scotland. My constituents in Chippenham and elsewhere are already complaining about it. That absurdity would be even more magnified if there might have been a Conservative Government in England were it not for Labour Members of Parliament coming down from Scotland. Then we would have the absolute absurdity of health and education in Wiltshire being determined not by the Conservative majority in England, but by an overall majority in this House that was Labour because of representation from north of the border. That is a nonsense and it cannot be sustainable.

Incidentally, the over-representation question has not been addressed. I welcome the proposal in the Bill to reduce the—

Sir Robert Smith: How does the hon. Gentleman think the House should respond to the referendum result? What action would he propose in response to the wish expressed in that referendum?

Mr. Gray: The hon. Gentleman asks what I would do if I were talking about Scotland, but I think that I made it clear that I am talking about the effect of the proposals on my constituents in Wiltshire. I very much regret that the referendum took place and that the people of Scotland have chosen that route. I am speaking on behalf of the people of North Wiltshire and I do not intend to pontificate on what should happen to the people of Scotland, as the hon. Member for Perth asked me not to. I very much regret the fact that there is so little reference in the Bill to what will happen to my constituents.

Mrs. Laing: Does my hon. Friend agree that the referendum to which the hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith) referred would have had a lot more constitutional legitimacy had my hon. Friend's constituents in North Wiltshire and mine in Epping Forest been allowed to vote? The Bill affects the whole of the United Kingdom.

Mr. Gray: That is absolutely correct. I especially regret the fact that the Scottish soldiers based in my

constituency, who moved their votes to the south—which is perfectly reasonable if one is based there for some years—but who serve in tartan, are members of Scottish regiments and are more determinedly Scottish than most, were prevented from voting in the referendum.

Scotland has always been over-represented in Parliament and I welcome the fact that that representation is to be reduced, but I am deeply puzzled by this question: if 75 per cent. of matters affecting the people of Scotland are to be discussed in Edinburgh, why on earth should there still be 50 or 56—whatever the number will be—Scottish Members here? Surely the reduction should be to a small lump—a small group of Scottish Members of Parliament who will represent the interests of the Scottish people on issues such as foreign policy and defence. What on earth are those Scottish Members to do all day long, when they are no longer to deal with constituency matters?

The hon. Member for Gordon (Mr. Bruce) addressed that point a moment ago when he said that he intended to become an MSP and to remain a Member of Parliament.

Mr. Malcolm Bruce: What I said was that I do not accept the hon. Gentleman's argument that there is not a great deal of important work for Scottish Members of Parliament to do in Westminster. I intend to stay in Westminster and not to stand for the Scottish Parliament, much as I would like to.

Mr. Gray: I regret the fact that I misunderstood what the hon. Gentleman said. There are none the less quite a large number of Members of Parliament who intend to become MSPs and remain in the House. That must mean either that they are doing half a job now or that they will do half a job in Edinburgh; one cannot do two jobs then and claim that one is doing them as well as one is doing one job now. If the Bill becomes law, it will not be enough to reduce Scottish over-representation to the level that now exists in England. Scottish representation here must be reduced much further.

My constituents also resent greatly the fact that some Scottish Members will have ministerial roles in English Departments of State. That is an absurdity. Why on earth should a Scottish Member take an interest as a Minister in purely English matters? Surely ministerial jobs in English Departments should be restricted entirely to English Members.

The ultimate absurdity under the West Lothian question comes about when the Labour party is maintained in power in Westminster wholly as a result of its Scottish Members. It would be an absolute absurdity for my constituents to labour for years to come under a Labour Government not because the people of England had voted for them, but because the people of Scotland had voted for representatives in Westminster as well as for their own representatives in Edinburgh.

Those conundrums, first outlined by the hon. Member for Linlithgow, and which I have expressed so much less eloquently than he did, are unanswerable and will blast a hole through the centre of the Bill. We shall have to address them in detail in Committee, and the Government will have to come up with detailed answers to the real concerns of my constituents. If they do not, they will indeed have founded their Scottish Parliament on top of a ticking time bomb. It is not a Scottish but an English time bomb: the people of England will ask why on earth the Scots who have gone off to look after themselves and run their own Parliament should dominate us and take such a keen interest in our affairs in Chippenham.

Mr. McLeish: Give us the evidence.

Mr. Gray: I will indeed send the Minister all the letters that I have received from my constituents on the subject, and I shall expect a personal reply from him. I shall expect him to answer the points about the West Lothian question, and if he does so, he will be doing something that Ministers have signally failed to do in this debate; they will have to do a certain amount of thinking between now and when they reply.

My constituents in North Wiltshire look on the Bill as the beginning of the end of the Union as we know and love it. They foresee all manner of appalling catastrophes, and they do not accept that they should continue to be dominated by the Scottish Labour party. Anyone who cares about the future of the Union should join me in the Lobby tonight.

6.44 pm

Mr. Eric Clarke (Midlothian): I declare the fact that I was born in Edinburgh and my father was born in Edinburgh, but I am half Irish and half Scots. I would be very proud if I was half Ukrainian, half Polish or half Lithuanian; I represent people in Midlothian who happen to be miners and mining families. The difference between some Conservative Members and me is that I am a Scotsman representing a Scottish seat. I know that I have been closer to the Scottish people for many years than certain Conservative Members. I have not been in the House very long, but I have been around a long time, and I have worked with the people, not just listened to them.

I congratulate my right hon. Friend the Secretary of State and his colleagues and their staff on the timeous way in which they have introduced the Bill. It was done, as promised, within a year, as a priority for the people of Scotland. It is an historic event. Yes, it is emotional, but more than that, it is a fulfilment of the dream of many people in Scotland. It is as obvious as that. It is a strengthening of the Union and of democracy in Scotland. It is ridiculous that I have to say that, after all the debate over the years.

We still hear the same ridiculous arguments from a certain quarter that has no representatives in Scotland. Some of the Caledonian Society Scots on the Opposition Front Bench who dictate their opinions to us meet many workers on their estates and perhaps when they get their hair cut. I am proud to be of peasant stock, but I am not an inverted snob. I am a very good friend of some of my aristocratic colleagues. I am sitting here because I like to sit beside my hon. Friend the Member for Linlithgow (Mr. Dalyell). I do not agree with him one iota on this issue, as I have told him in the past, in the nicest possible way.

Mr. Dalyell: Nice? No. Let us say colourful.

Mr. Clarke: The difference between us and some other societies is that we can live together although we differ. We do not want to be dictated to from afar. There is a colonial mentality that says, "We know better than the

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natives. It may hurt you now, but you'll thank us in the future." How many times have we heard that? By the way, we do not need to go outside Scotland to find exploitation, because the Scottish coal owners were chromium-plated, de luxe models.

I must record for posterity the names of many of my colleagues, now departed, who kept the flame alive. I must mention Jim Boyack. We knew him because he kept alive the campaign for a Scottish assembly. I also want to mention many trade unionists and former colleagues, such as Alex Kitson; Johnnie Walker of the Associated Society of Locomotive Engineers and Firemen; and of course the great Jimmy Milne, who came from Aberdeen but was known as the general secretary of the Scottish Trades Union Congress.

The STUC started off the convention. I remember, because I was there. There was an unofficial convention; yes, the Scottish National party, the Confederation of British Industry and the Conservatives were represented in our first two meetings, but some of them drifted away, for some mysterious reason, after the convention became official.

A great role was played by the trade union movement in Scotland, especially the STUC under Campbell Christie and others, with the Transport and General Workers Union; ASLEF; the Fire Brigades Union; what is now known as the RMT; the General and Municipal; the Amalgamated Engineering and Electrical Union; and Unison. I must not forget my own union, the National Union of Mineworkers, Scottish area, and the role of Mick McGahey and other colleagues. They were the people who campaigned. *[Interruption.]* The hon. Member for Beaconsfield (Mr. Grieve) can cough and splutter. I hope that he chokes on it. I should not say that to an hon. Member, but if it makes him choke, there is something wrong with him. Go and see about it.

We have to have a meaningful Parliament. That was the slogan. We do not want a Convention of Scottish Local Authorities. We do not want some kind of administrative assembly thrown at us. It has to be a legislative assembly. What will it do? It will give us more detail and more time for consultation on Scottish affairs than we have ever had here, with due respect to this place. The priorities of elsewhere always took precedence over Scottish affairs in parliamentary business.

A Scottish Parliament will provide accountability and will be recognised by the Scottish people. It will not be able to hide behind civil servants of "Yes, Minister" calibre. A Minister for fisheries, a Minister for agriculture, a Minister for education, a Minister for health and for many other subjects will be identified, named and acknowledged by all. They will certainly have the power and the responsibility, but, more than that, they will have accountability for their work.

The most important aspect is accessibility. The people of Scotland and Scottish organisations will be able to go to the Scottish Parliament. I hope that caring people will be appointed to positions of power. More than anything else, it will be a Parliament of elected representatives, not a quango of persons appointed by the Secretary of State or someone else, people defeated in an election—or his or her spouse, by the way—put in to take responsibilities.

Much effort has been made to shackle democracy, and I make the threat that such a process will be met with anger and action by the Scottish public. The House must realise that delays or political stymieing by the other place, especially their honourable lordships, will not be tolerated. I am making a declaration. We have our mandate of a referendum of the people of Scotland, and that means that there will be a Bill and there will be a Parliament in Scotland. We must adhere to that. We have no alternative.

I am aware of people in this place who can split hairs with laser beam accuracy and create deep pools of red tape to catch the unwary. Yes, and they roll about like hippos in those pools of red tape. My right hon. and hon. Friends on the Government Front Bench should drain those pools so that the Bill can have a true and clear passage through this place.

I have listened to some of the statements made by Opposition Members. I wrote some comments on the back of my notes. I was a councillor for 16 years. I do not have to read about it; I was there. I take exception to people who say that my colleagues who are in office just now in Scotland, in the west and in the rest of the Scotland, are any less devoted to local government than me or anyone else in central Government. It is ridiculous and insulting to say that local government in Scotland is all wrong. If it is all wrong, the previous Government reformed it. They reformed it on the basis of political bias. They wanted to get rid of the regions, which were so effective in Scotland.

If local government is to be reformed, I am sure that the new set-up in Edinburgh will do it far more sympathetically, democratically and efficiently than the rest.

Mr. Ancram: It may take powers to itself.

Mr. Clarke: It will not take any powers away from local government. It will be there to make laws, just like other people.

My council was not capped. Who started the nonsense of capping? When councils had so-called independence, we stood by the rates that we set. I hope that we shall go back to that position and give back to the people the right to decide their future.

The financial argument is an absolute nonsense. I say just two words—poll tax. That is all that I need to say. Yes, we shall make mistakes, but, as someone once said, they will be correct mistakes. We want the same as anyone else. We want the same as people in former colonies who now have freedom. We will make our own mistakes. A lot of mistakes have been made in this place and they have cost us a lot of money.

Democracy is the most important aspect of the proposal. The separatist argument is a nonsense. People in Scotland are far more sensible than Opposition Members think. I do not know where people get their arguments from. The Bill is not perfect. Yes, it will be adjusted and extended. Yes, we shall learn from it. But it is a start. That is the most important facet to me. We are giving Scotland the opportunity that it deserves and wants. Anyone who dares to stand in its way will be walked over and forgotten for ever more, as happened to a certain party not far away from here.

6.56 pm

Mr. Richard Shepherd (Aldridge-Brownhills): I do not think that the hon. Member for Midlothian (Mr. Clarke) needs a laser beam to split a hair. His roar and sledgehammer do a pretty good demolition job as it is.

I want to make the observation that this is the end of the unitary state for Great Britain, for the British Isles, after 290 years. There can be no question but that the Bill will be carried by a large majority of the House formed by members of three parties across the House. That is the reality. It will happen whatever my regrets about it, whatever my nostalgic, romantic belief and my passion for the progress of this island Government as an island state, which has led us to freedom, liberty and democracy—a House which has been formed by the genius of its constituent parts. The central theme to that was our equality as citizens.

The most distressing aspect of the construction of the Bill is its almost wilful determination not to deal with the question of our equality as citizens within the government of this island. That the Government have decided to proceed with the measure and to reject that central principle of democracy is extraordinary to me. The history of the Labour party was to extend the franchise and ensure that, in the democratic age, the weight of our votes and the purpose of our votes was equal across the Union government.

We shall no longer have a unitary form of government. Some of the purposes and powers that were held in trust for us all, and which we decided together as a common British people through this Parliament, will no longer be the reserve of this Parliament. I do not make light of this monumental step, because it is important. It is not a matter which has been debated for just 18 or 20 years; it is a theme which has recurred since the 1890s. Sometimes one ponders the wisdom or foresight of Gladstone. Perhaps as I grow older, I am becoming more of a Gladstonian in the sense that I want to identify the principle that unites our democracy.

In all the arguments that I have tried to make in this House, whether on the rule of the European Union or the rule of Downing street, I have always tried to assert the essential quality of us as citizens and us as elected representatives, holding within our core all the powers of the state to ensure equality across this land.

When I listened to the Scottish nationalist representative for the fair city of Perth, I could only cry out in a backward-looking way, "Where is Sir Nicholas Fairbairn?" At least he was spirited, and stood for the Union.

Mr. McAllion: He is somewhere much hotter than here.

Mr. Shepherd: He was spirited, that is true. There would have been a bonny zest, not a dour bid to become the Minister of propaganda and to control the means of broadcast and freedom of expression, to try to interpret for the benefit of the Scottish National party something that many of us in the House hold in trust: freedom of expression in the press and the lack of central and political control over it. I commend the Government to the extent that such matters are protected and closely watched in the Bill.

I am trying to look at the matter from the point of view of the Union because that is what I was born in. It was a unitary state. As I see it, we are now confronted with a federal proposition. Scotland is to have devolved powers. In the construction of the Bill, that will cause great difficulty.

There are two great omissions. I accept the Claim of Right because I have always believed profoundly that sovereignty lies with the citizen—we, the people—and that the magnificence of this Parliament lies in its being the representative institution of us, the people. We are either one people or we are divided peoples. If this is a grope towards a federal system, then, for the powers that we call devolved, I want to maintain the central grasp on what is the purpose and expression of this Parliament.

Scotland's ambitions cannot be met even within the terms of the proposed legislation for devolution. It will need the means to fund itself. There cannot be a call on English constituencies to fund the ambitions—the particulars—in what I shall call the devolved areas, so that they are funded by others who have no part in them or a say in how the money raised across the Union should be spent. That will be a constant source of profound irritation.

My hon. Friend the Member for North Wiltshire (Mr. Gray) pointed out how that may happen. Why should the ambitions of Scotland depend on the transfer of funds from his constituency or, perhaps more relevantly, from those parts of northern England that, by any criteria, are depressed? In a unitary state, money would be transferred to them. At present, the balance of the argument, for historic reasons, lies with Scotland. Scotland is better off than Wales, yet, on a per capita distribution of central funds, Scotland receives more money than Wales. If that situation were to be equalised, it would be at the expense of Scotland.

Underlying much of the Government's argument in favour of the Bill is a perverse clinging to the Barnett formula that is unsustainable over the long term. The Parliament of the United Kingdom will not dispose of funds in that way for ever. No Government can maintain that that will be so. That is why it is essential for the well-being of the Scottish Parliament that it has the right to raise funds. I further suggest that if the Scottish Parliament raises the funds for the devolved matters, the other side of the mirror—perhaps I have not said this clearly enough—is that England is as ancient, proud and great a nation as Scotland. England will therefore want to exercise the mirror image of those powers.

Mr. Donald Gorrie (Edinburgh, West): It is about time that English Tory Members woke up.

Mr. Shepherd: I know the recently elected hon. Member for Edinburgh, West (Mr. Gorrie) well, because I hear in his voice that knowing Edinburgh accent that so irritates half the world. The extent of ignorance involved does not matter; it is said in such a knowing, profound and absolute way. We are trying to question and to work our way towards a proper balance in the Union. What will be appropriate for the future and what will make the arrangements sustainable?

Mr. Malcolm Bruce: I am listening carefully to the hon. Gentleman. Much of what he has said has been,

[Mr. Malcolm Bruce]

as always, interesting and thoughtful, but he is clearly leading up to a recognition that now that the unitary state is over, we must build a federal United Kingdom. For God's sake, can he persuade the leadership of his party to recognise that?

Mr. Shepherd: I respect the hon. Gentleman's contribution, but political life is a constant debate—the weighing and evaluation of issues. I often recall the past because I know that my journey has been long and has often taken different courses, as has the history of this island. My frustration is partly because it seems from the debate as if England is not an ancient and equal part of the Union. I understand that this is a Bill for Scotland, but how will it be sustainable if we do not do something about the English element? That is all that I am groping my way towards.

A weakness of the Government's construction is that they rightly assert that this is the determination of the Government, supported by large numbers of English Members who knew the programme. However, none of them are here to contribute. Do they have no view?

What about the electoral arrangements we are to have? Scottish Members of the Union Parliament will have no competence for matters such as social security and education, the bread and butter of our daily lives. In Edinburgh, for the same constituencies, there will be a Members of the Scottish Parliament who will be competent for those matters. I see only divisiveness there. Even if, as is likely on the basis of current constituencies, both Members come from the same party, where will it lead? The aspiration and ambition of constituency Members—don't I know it well—is to cry out for the alleviation of problems in their constituencies. If the funding is granted outside the Union Parliament, the representative of the Union Parliament, who would have no direct responsibility for education, health or whatever the issue may be, will always risk the charge that he or she has not secured a sufficient settlement for Scotland. I see only conflict in that.

That is why if we look forward, we are looking forward to a federal Parliament. My hon. Friend the Member for Beaconsfield (Mr. Grieve) said yesterday that that cannot work because of the size of England. I do not have that fear. I do not see why it should not work. The Union Parliament would be left all the reserved matters. That is the only basis for Union finance. I am not sure that those who believe in the Union would disagree with the reserved powers: overall responsibility for our constitution; our foreign policy; our defence and national security; the protection of borders. Those powers are fundamental to our island and to our island Government. There is also stability of the United Kingdom's fiscal, economic and monetary system, which must be right, and the common market for United Kingdom goods and services.

If my history is right, it was access to English markets which determined Scotland's accession to the Union, not the bribery and pots of gold of the family of my right hon. Friend the Member for Devizes (Mr. Ancram). It was the commercial classes of Glasgow and the lowlands, realising the importance of access to the English market.

Mrs. Ray Michie *rose—*

Mr. Shepherd: I do not mean to go on for much longer.

The English market was put at risk by the English Parliament as a coercive measure to intimidate—in the end, I think, rightly—and to bring Scotland into a Union with the English Parliament.

Mr. Grieve *rose—*

Mr. Shepherd: I am sorry, but I will not give way.

Those reserved powers also relate to employment legislation, social security policy and administration, regulation of certain professions, and transport safety and regulations. Those are the appropriate matters for what will be the Union Parliament. That is my basis for arguing that Union, national finances should be raised for that purpose. Therefore, the other, equal side of the coin is that a Scottish Parliament should be responsible, as an English Parliament should be responsible, for the raising of moneys to meet the devolved matters—health, education and training, local government, social work and housing.

The House is familiar with the list of devolved matters as they are called. The balance of those may not be right, but when one looks at the federal structures of the world, one must see that, in the end, accountability can exist only if one raises the money and then has to stand in front of an electorate to justify it.

The English are quiescent at the moment and, by and large, they are benignly disposed towards the Scottish Parliament. I do not believe that they realise the risk inherent in the scheme in front of the House. England awakes only when it is in disaster—that seems to be the lesson of history. The truth is that we do not have to look very far ahead to suppose that the Prime Minister wins the next election but his majority is formed only on the basis of Scotland. It is the killer question.

The hon. Member for Linlithgow (Mr. Dalyell), to whom my heart goes out in the pan sense of our Union, has patiently set out that argument over many years. That the Government and the Secretary of State for Scotland, no less, who has fought another argument for many years, refuse adamantly to recognise the weight of the argument put by the hon. Gentleman diminishes the House. There can be no future without addressing that argument candidly and honourably.

I wonder whether the Prime Minister even knows what is in the Bill. If the Secretary of State wants to assure us about that, I am happy to take his assurance. I am familiar with great pieces of legislation. The Maastricht legislation was one of them, but, during its consideration, I recognised that the Government were in grave ignorance of the weight of the arguments that they were putting forward, even though they put them forward with honourable intent. Their assurances about who would interpret certain matters did not amount to anything in the end. I say that because I have witnessed the burden of work on a ministerial team across the United Kingdom.

I did not mean to take up so much of the House's time. I believe that the Bill is flawed because it is myopic and looks at only one area of where we want to be or what

we are. It will not work in those terms, and the indignation of huge England—within it there are 48 million people—will ultimately turn and cause great trouble.

7.12 pm

Mr. Michael Connarty (Falkirk, East): At times during the past two days, I have been slightly depressed by the tone of the debate, but the contributions of the hon. Members for North Wiltshire (Mr. Gray) and for Aldridge-Brownhills (Mr. Shepherd), and those of my hon. Friends the Member for Ayr (Ms Osborne) and for Midlothian (Mr. Clarke) lifted my heart. They started to talk in the terms that people want to hear such a monumental proposal being discussed. Their contributions were made in the tone in which the Bill should be discussed, rather than that which has been adopted during much of the debate.

I will not be a member of any Committee that may sit elsewhere than on the Floor of the House, unless, of course, I get sacked as a parliamentary private secretary in the meantime. I will miss the joys—they can exist—of the detailed debate on such matters as broadcasting, which is obviously one of the major constitutional issues left for the Scottish National party.

Mr. Ancram: The Committee will be on the Floor of the House.

Mr. Connarty: We have still to find out whether that will be the case.

I was struck by the briefing I received on broadcasting from one organisation. It stated:

"Under Schedule 5 Head 10 Section 1 the Scotland Bill reserves the subject matter of the Broadcasting Act 1990 and the Broadcasting Act 1996 to the Parliament of Westminster. In addition under Schedule 5 Head 3 Section 9 the Bill reserves the subject matter of Part II of the 1949 Wireless Telegraphy Act to Westminster."

As I have said, I will not have the joy of debating that in tremendous detail. I was interested to note the time given to broadcasting by the SNP. In another foray, SNP Members mentioned the Hypnotism Act 1952, the terms of which are also reserved. I wonder whether that is part of a plot by the SNP to catch the voters' eye through the use of broadcasting in order to hypnotise them to vote for independence. After all, the SNP is not likely to get independence through the Bill. It has been presented to the House to secure the Union.

The blindness and the folly of the Conservative Government was to think that their centralist, rigid proposal for Unionism would in any way sustain them. They suffered at the ballot box, and we are now attempting to rescue the Conservative party as well as the Union from the political dustbin of history in Scotland.

On 11 September—my mother's birthday—the Scottish people voted for devolution. It was the greatest birthday present she has ever had. The Scottish people did not vote for independence, but every time members of the SNP speak they echo the argument for independence, not the argument for devolution.

I have been disappointed by the tone of the debate, starting with the contribution from the right hon. Member for Devizes (Mr. Ancram), the Conservative spokesman on Scotland. He should not be treated as a proper shadow Secretary of State for Scotland because he does not represent anywhere in Scotland. His loyalty is to the English Crown and he is supported by those who have fled Scotland; even today, we have heard contributions from them. They have not returned to Scotland and have sought a mandate from others, rather than from the Scottish people.

I felt that at times the right hon. Gentleman was whimpering like a beaten animal. He did not bare his fangs and fight with the vigour that we have seen from him in the past when he has fought for something in which he truly believed.

Some good, salient speeches have been made, which are relevant to the debate and which raised the discussion to the right level. I welcome the Bill, the terms of which are thorough and brave. I know that the Secretary of State fought very hard for its detail and that he is proud of the Bill. It is not the final word, however, on how a Scottish Parliament will run, but it is a bold statement of how it should start out.

After listening to the debate so far, my great worry is that the Scottish Parliament should ever become like this place. The Bill represents a big, grand idea which would be nibbled into tatters if the joint opposition had their way. It should be devoured like a feast. It is a feast of heart and mind—BSE-free heart and mind—for the Scottish and the British people. Perhaps the politicians do not have the stomach for it. It is a big idea, which should not be nibbled at as it has been by Conservative Members on the Opposition Front Bench and Back Benches.

The Bill will change the way in which British democracy has run for the past 300 years, but it is interesting to note that it is the small details on which people are picking. I wish that they would stand up and say with more heart that they genuinely want to make it work so that it can be used as a model to go forward. From the Opposition's contributions, however, everyone realises that, if they had the chance, they would nibble it to tatters. They would bring down that model rather than build it up.

There are some things about the Bill that worry me and other Scots, although they may not be the same as those outlined by the Opposition. I heard the Secretary of State say that the First Minister would be appointed by the Queen. I hope that the Bill also makes it clear that the First Minister will be elected by the Parliament. I am also worried that the Executive will operate another system of patronage like that which works in the British Parliament. That could become subject to the dictatorship of one Minister and I would not welcome that.

Mr. Grieve: I do not know whether the hon. Gentleman agrees with me, but, looking at what is said in the clauses, it is quite clear that, as in this place, the sovereign's rights and duties in respect of the appointment of the First Minister are inextricably mixed. Obviously, no First Minister can hold office without the Parliament approving that, so the hon. Gentleman should not worry.

I should be interested to hear the hon. Gentleman's comments about the mechanism according to which the presiding officer may appoint interim First Ministers if no one emerges out of the parliamentary morass of negotiation on proportional representation. That is extraordinary.

Mr. Connarty: Some strange things happen in our democracy. I was the leader of a council where the

[Mr. Connarty]

majority was not held by any party—it was balanced between two parties—and the majority was decided by cutting cards. I thought that was extremely quaint. I would certainly prefer an objective person to appoint an interim office holder who would chair the Executive under a system of proportional representation until the Parliament decided which of the people who had put themselves forward should be the First Minister. That is why it is important that the First Minister also takes into account the fact that, if we have a system of proportional representation without a simple majority, patronage must not result in dictatorship but must form part of the co-operative model that I hope will develop from the Scottish Parliament.

I do have concerns. Although they are estimable men, the idea that the Donald and Alec show will continue into the Scottish Parliament does not fill me with excitement; nor does the Donald and Alec and Jim show. My right hon. Friend the Secretary of State has grown in stature for his work over many years in the House and on the Bill before us—indeed, I heard that he was recently described as "saintly" in one of the popular prints in Scotland. That may be so, but—with all due respect—I do not think that those men are necessarily the charismatic leaders that reflect the aspirations of the Scottish people for the next millennium.

Although those men may do a good job in starting the process, there must be more, because the people of Scotland see this as a beginning. Although the process may be set off by the Bill and this Parliament, it must go somewhere this Parliament has not been for a long time—into giving people a feeling of democratic involvement in what happens in the chambers of government. That does not happen here. Events here are filtered, sometimes distorted and often trivialised by the media, so there is something wrong with the people's view of how we conduct government in the late part of the 20th century. I hope that the Scottish Parliament will give the Scottish people a new feeling of involvement; the English may want to look to the Scottish Parliament to see whether there are lessons on how to rearrange the workings of this Parliament. I have no fear of that; nor does any democrat in this nation or these islands.

I have a question for members of the Scottish National party: they say that they will stand for the Scottish Parliament, but will they stand for both the Scottish and Westminster Parliaments; or will they resign and stand for only one Chamber—the Scottish Parliament? I shall happily give way if any SNP Member would care to enlighten the Scottish people on this point. Will they stand only for the Scottish Parliament, or for both Parliaments? People are unclear about where the SNP's priorities lie. If SNP Members will not answer, the Scottish people may judge them as having some duplicity in mind.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Connarty: I will not give way at this moment—perhaps I shall do so in a few minutes, when the hon. Gentleman has been sitting down and listening to the debate for a bit longer.

Mr. Gray: I was sitting down.

Mr. Connarty: Perhaps the hon. Gentleman was outside my field of vision. I am sure that we shall discuss this issue at great length when we work on the armed forces scheme together next week. He may not have heard me, but I paid him a compliment during my remarks on the seriousness of the past three or four contributions to the debate.

The electoral system is of fundamental importance, and people have called into question the status of Members of the Scottish Parliament who are elected on lists, as opposed to those who are elected to represent constituencies. I do not see that as a problem. Those elected on a list will be part of political parties, which I presume will employ a form of discipline and a code of conduct, just as we have a protocol on how to behave towards members of our own or other parties. I hope that MSPs will have the temerity to change the way we relate to our constituents and share the functions between those who are elected on the list and those elected by a constituency and, in so doing, demonstrate how, as parties and as a Parliament, they want to serve the people of Scotland instead of fighting about who are class A or class B Members.

There are Tories in Scotland. That is the great thing about the proposals—the Labour Government are offering to give away power. I predict that we will be in government for the next 15 years—or possibly more if the Conservatives do not wake up and realise that they cannot represent the people with backward-looking principles—but we are willing to share our powers with the Conservatives in Scotland. Although there are few Scottish Conservatives willing to come out into the open, 500,000 people voted for the Conservative party in Scotland. Those people deserve a voice in the Scottish Parliament, and they will get it.

Labour would have been short of an overall majority in the Parliament on the 1997 results. That is a good thing, because it means that we will have to share power with others and work towards something that will be more useful to the public. We should not reduce the Parliament to deals done in smoke-filled rooms or in any other cabal between one major party and one minor or less-than-a-majority party. I hope that we will look at ways of involving as many people and as many parties as possible in the principle and the process of government.

Gender balance is important, despite its being chided and chastised by those who view it as mere political correctness. It is wrong to think that we can continue in the old ways. Conservative Members must recognise that they are now seen being deficient in not having enough Members of both genders. Women form the majority of our population, and many minority groups in our country deserve representation as well. I hope that that will be taken into account in the new Parliament.

The Scottish Parliament is a new vehicle of government, but I am concerned that people will see it as another series of conflicts—another level on which people can fight each other. That need not happen, just because this place has deteriorated to the sort of yah-boo politics that has made us the laughing stock of the people of Britain and reduced our status in their eyes. Why can we not co-operate? We do it away from the Floor of the House, in Select Committees, so why are we afraid to show people that we can co-operate here in the Chamber? The Scottish Parliament must show the way. Why should local government be in conflict with the national Parliament? Why should the national Parliament see itself as taking powers away? Why should it not be the bulwark

of the power of local government, giving local government the power it requires and working to ensure that government functions at all levels? In that way, people's admiration for the democracy that we shall build will increase.

Why should reserved areas be areas of conflict? Transport will be part of the UK remit because it is attached to an infrastructure that will extend into Scotland—although it currently does not appear to extend far north of Watford—but it should be a matter for co-operation between Ministries on both sides. Why is the prospect of the regions and the new regional development agencies talking face to face, developing new policies in co-operation with the Scottish development agency, so frightening that people want to raise it as a point of conflict? Labour will be in government here for 15 years or more. We can show how devolution can work and get the model running, so that it will not be easy for those who come after us to dismantle it and turn back to the old conflict method of government. The people have had enough—they have had a century of bad government based on conflict, rather than on trying to win consensus.

Why do people say that the Scottish business community and the Scottish economy have something to fear from devolution? I spoke to Standard Life before the referendum and it has changed its position entirely. I went around, working with the Labour Front-Bench spokesmen, talking to many companies that—albeit with some nervousness—looked forward to the Scottish Parliament as a partner they could talk to and develop with. If we create a new team within Scotland, it may be possible for us to set aside the them-and-us mentality that divides private sector and public sector. It is important that we take the chance to do that. The process is a dynamic one and it is possible that a new economic plan will emerge from Scotland to act as a model for other parts of the United Kingdom. The regional development agencies are already looking at what happens in respect of Scottish Enterprise.

Nationalists say that we can be a nation only if we have a structure of politics and administration that makes us a nation, but we already are a nation. The hon. and learned Member for Orkney and Shetland (Mr. Wallace) said that he liked reading the Bill and, although I know that he was being flippant, I know that he and his party will contribute the Committee stage so that we can perform our task well. I would rather read Kelman, McIlvanney, Janice Galloway or even Irvine Welsh, or the poems of Tom Leonard or Norman McCaig. I do not see our nationhood as lying only in the Bill: it is to be found in the development of Scottish opera, Scottish arts, Scottish culture, Scottish education and Scottish law, even without our having a Scottish Parliament. This is just a logical response to that cultural nationhood. It is not a deficient form of nationhood because it is not an independent Parliament.

The principles and practices of democratic government must move on, and I worry that many of the Opposition speeches have been ringing alarm bells rather than looking for ways to solve the problems. They have not seen the problems as gems and looked for solutions, as the private sector would, but as problems that they cannot overcome. This is not the end, but the beginning. No one should see this as the last statement about which powers will be reserved and which will be devolved. Other things will happen that will be natural and will follow from this.

My warning is as much to the Conservative party as to anyone else: no one should act as a brake on the process. If they do so, the Conservatives, who were rejected in 1997 because they tried to put a brake on the development of Scottish democracy through a Scottish Parliament, will be rejected for that Parliament and will appear only on lists.

The dynamic of social and economic development eventually leads to political empowerment—and this measure is part of that process. I wish the Bill well. It is an opening and an opportunity which I hope the next Parliament will seize. I use the words of Jim Morrison of The Doors, who said that we should go through the opening and

"break on through to the other side".

That is where there is a new democracy and a new future for the people of Scotland and Britain.

7.30 pm

Mr. Desmond Swayne (New Forest, West): I shall attempt to be extremely brief.

My constituents did not have the benefit of the referendum, although this measure affects the whole of the United Kingdom. We have no constitutional convention requiring constitutional matters to be subjected to a referendum, but we do have a constitutional convention that such matters should be taken on the Floor of the House. The fact that we are to take the Bill on the Floor of the House is very important, as it will give my constituents, who were denied their voice in the referendum on a matter affecting the whole of the United Kingdom, the right, through me, to express their reservations about the Bill's detail as it goes through the House.

The Bill contains financial uncertainties. The fact that the funding of the Scottish Parliament—the disbursement of its own funds—is not to be placed on a statutory basis gives rise to persistent uncertainty that will lead to argument year after year. Every time that Opposition Members have raised the problems associated with that subject, we have been told that there will be an abundance of good will, that this will be a new Parliament with new, consensual politics—a Parliament for the new Jerusalem. We have heard of children tripping about in the aisles, and of how Members will agree and always find a way forward.

An abundance of good will has been on display. Those of us more familiar with traditional politics were no doubt revolted by the community love fest displayed across the Floor of the House yesterday between the now-sainted Secretary of State and the hon. Member for Banff and Buchan (Mr. Salmond). The sainted Secretary of State told the hon. Member for Banff and Buchan that he could read his mind, and the hon. Gentleman agreed. I have known the hon. Member for Banff and Buchan for the past 20 years, and while there may be a great display of good will across the House, I know that one of the two parties to the love fest is being taken for a ride. I do not believe for one moment that it is the hon. Member for Banff and Buchan.

What Labour Members have failed to realise about the Bill's nature and its reliance on good will—there is even to be an electoral system maximising the requirement for good will—is that one of the parties to the arrangement is wholly opposed to the Bill as it stands. I agree that we

[Mr. Desmond Swayne]

have seen a healthy show of support for the Bill, but one of the parties wants something quite different in terms of the principle behind the Bill, and sees it as a mere stepping stone on the way.

That party has made it clear that every opportunity will be taken to push the new Parliament into becoming a beast that it was never designed to be. The hon. Member for Banff and Buchan is on record recently in *The Scotsman* as saying that it is work in progress, and that the Scottish National party will finish the job. Arrangements that rely on good will be put in great jeopardy.

Mr. Swinney: Will the hon. Gentleman tell me when my hon. Friend the Member for Banff and Buchan (Mr. Salmond) changed his story? I have heard him on many occasions both before and after the referendum on 11 September telling people that that was exactly what he wanted to do, but the people of Scotland still voted for the package of reforms on 11 September.

Mr. Swayne: I accept entirely that the people of Scotland have voted for a Parliament as outlined in the White Paper. What I wish to see, and will certainly argue for in Committee, is certainty in the arrangements, so that they rely less on good will and more on detailed prescriptions laid out in the legislation. The arrangements as described will maximise the opportunities for the hon. Member for Banff and Buchan and his friends to create something quite different, for which the people of Scotland did not vote. If the people of Scotland choose independence, that is their right, but I should hate them to arrive there by mistake.

Last night, the hon. Member for Glasgow, Pollok (Mr. Davidson) raised some pertinent points relating to the electoral arrangements to be put in place by the Bill, only to be challenged by the hon. Member for Edinburgh, West (Mr. Gorrie), who said that it was precisely because the people of Glasgow will continually vote Labour that arrangements had to be set up to gerrymander the system to overcome that. That sums up the nonsense of the electoral system that is being set up for the purpose of the Scottish Parliament.

The 20 Members who will be elected as part of the regional list will represent the most pernicious form of democracy—indeed, it is not democracy. Those people will owe more to their selection by party managers than to votes cast by voters. They will inevitably become preoccupied with the priorities of the party managers rather than those of the voters.

Anyone who has seen the system in operation in Europe will have been able to see the results clearly. If someone goes to Germany, he will be amazed by the number of people—ordinary people on the street or business men—who express deep anxiety about, if not open hostility to, economic and monetary union. But if he speaks to any member of the political cast—any elected politician—he will find that that feeling is absent; they have no such reservations.

How has that division arisen between the voters and those whom they have elected? It has arisen precisely because of the electoral system of the closed party list—the system that the Bill wishes to put in place. Those elected owe their election to party managers, not voters.

Mr. Davidson: I am grateful to the hon. Gentleman for giving way and for repeating many of the points that I raised last night. Given that the Conservative party is unlikely to win any seats at the Scottish elections under the first-past-the-post system, will he tell us what thought the Conservative party has given to the way in which the difficulties could be overcome?

Mr. Swayne: As I have always understood it, the Conservative party lives and dies by the first-past-the-post system. There has been no carping among Conservative Members about the number of seats that we failed to win in Scotland. We have accepted the judgment of the voters, and we are quite prepared to live by it. It is a matter of principle rather than party advantage.

We have heard much nonsense spoken about how Members of the Scottish Parliament will be all the better for not having constituency preoccupations, and will be freer to take a fairer-minded, objective view on many issues. By their very nature, the people elected as a result of having served the party will be the worst form of toadies.

Mr. Salmond: Speaking of that, I believe that I have the solution to the hon. Gentleman's problems. The Scottish National party, the Liberals and the Labour party believe in proportional representation, and the Conservative party believes in first-past-the-post. If the Scottish Conservatives stand only for the first-past-the-post component of the new electoral system, we can all have what we want. Just do not put up members for the party list; you can stand for the first-past-the-post component, and we shall stand for the PR component.

Mr. Swayne: The difficulty arises from the arrangements. If the electoral system is arranged in that way, we have no alternative but to play by the rules that have been instituted. I am arguing that such an arrangement should not be allowed, because of its consequences. We wish to avoid in our political culture following the example of Germany, where representatives have no care for the preoccupation of the voters who elected them. The Scottish Parliament is in great danger of beginning its life with a huge democratic deficit.

7.40 pm

Mr. Malcolm Savidge (Aberdeen, North): Thank you for calling me, Mr. Deputy Speaker. You took me by surprise; I did not expect to be called this time.

As my hon. Friend the Member for Ayr (Ms Osborne) said, we are in danger of repeating arguments that have been used before. I would go a stage further: given that we have already had the debate on the Referendums (Scotland and Wales) Bill and the debate on the White Paper, there is a danger that each of us individually might end up using arguments that we ourselves have used before.

I pay special tribute to the right hon. Member for Devizes (Mr. Ancram). He reminded me of Christmas television. I started getting a feeling of familiarity, then a

sense of déjà vu. Then I noticed some things getting outdated, and suddenly I realised that this was a programme that I had watched before, and that it was being repeated in its entirety. To be fair, all participants in the debate are in danger of repetition, but that should not lead us to become blasé about the momentous significance of what we are discussing.

If—as I believe will be the case—history books regard 1997 as a watershed, one of the supreme reasons will be because it will be seen as the start of a major process of constitutional change. The Scottish Parliament will be regarded as being at the forefront: a trail-blazer, a pace-setter for a system of constitutional change.

That system will include the national assembly for Wales and the arrangements that we shall make for London. It may include a process of devolution to English regions or, as some people suggest, perhaps a move towards a federalised system. It will include the alterations to the other place, which one is so pleased to see getting started today. Above all, I believe that everyone in the House hopes that constitutional arrangements will be made in Northern Ireland that can at last bring settled peace to that part of Britain.

The building in which we are meeting, in its history, its structure and its art, enshrines a steady progress of devolution of power, initially from an elite—from the monarch to the Lords, then from the monarch and Lords to the Commons, and then from a Commons that largely represented a fairly small oligarchy to a Commons that represents the whole population. I believe that the Scottish Parliament will have a proper place in that progress of devolution of power to the people.

I have said previously in the House that there is a proper place in politics for confrontation and a proper place for working together and for consensus. I believe that, above all, when we consider constitutional matters, we should seek to work with a consensus. I therefore welcome, in so far as we have seen it occur, movement by the Conservative party to recognise the result of the referendum.

I say "in so far as we have seen it occur": when one reads the motion on the Order Paper today, which effectively says that the Conservatives recognise the result of the referendum, but therefore they will vote against it, one might be tempted to accuse them of schizophrenia, if that did not imply that the Conservative party had a collective mind, which I doubt.

However, I believe that the movements that the Conservatives have made, in so far as they have made them, have been forced by the fact that they see that the result is very decisive. Seventy-five per cent. of the Scottish population voted in favour of a Scottish Parliament.

Indeed, I gained an impression from the Aberdeen results that that figure probably underestimates the strength of support. In Aberdeen, we noticed that, in the areas with the strongest no votes, there were high votes, and in the areas with a very high percentage of yes votes, there were low votes. I therefore believe that there was some complacency among some supporters of devolution. Probably, real support runs higher than 75 per cent. In any event, it is overwhelming.

I strongly hope that the Conservative party in this place, and especially in the other place, will recognise that it would be monstrous for it to try to obstruct the Bill's progress. I am glad that the hon. Member for Woodspring (Dr. Fox) recognised that negotiations through the usual channels had meant that the Government had agreed to take this matter on the Floor of the House. I recognise that that involved the co-operation of the Conservatives, and I welcome that fact. I welcome every sign that they are moving towards trying to make constructive proposals, not destructive ones.

At the weekend, I was disappointed to hear the trivial comments of Mr. Raymond Robertson on the costs of the Parliament. Of course we want the Parliament to be cost-effective, but the important thing is that it should be effective, so the money should be spent to make it effective.

The Parliament's first major challenge will be to make itself effective. To meet that challenge, it will be important for us to seek good examples from Parliaments in Westminster and elsewhere internationally, but we should also be innovative. I hope that we shall not just follow but will set examples.

As my hon. Friend the Member for Aberdeen, South (Miss Begg) said, there will be proportional representation and a more consensual style of politics. There are lessons there that could be learned in this place. I think especially of sometimes working on consensus, not simply on conflict.

There is also the question whether proportional representation is desirable. I am not persuaded that it should be used in this Chamber, although that will be a matter to be debated, and one to be put to a referendum later in this Parliament. I would support the replacement of the other place with an assembly elected by proportional representation.

Mr. Grieve: Does the hon. Gentleman agree that, if it proves difficult to achieve consensus in the Parliament under a proportional representation system, resulting in constantly shifting coalitions and an inability to produce a First Minister—the subject of one of the central clauses in the Bill—the Scots electorate will enjoy the luxury of politics while depending ultimately for continuity in government on what goes on in this House under the first-past-the-post system? It will be weak government unless that consensus can be achieved.

Mr. Savidge: Certain proportional representation systems can produce weak government. The excessively proportional system in Israel, with a great multiplicity of parties, has that effect. The system that we are adopting, which combines two systems, has shown itself far more stable in countries where it has been used.

I should like the Scottish Parliament to set an example to this Parliament by being representative in the sense of containing balanced numbers of women and men. That issue was mentioned by the hon. and learned Member for Orkney and Shetland (Mr. Wallace) and by my hon. Friend the Member for Ayr. That issue must be tackled, either by the legislation itself or by each of our parties doing all that it can to ensure proper representation.

I think that all-women short lists are an imperfect system, but I have stood at two general elections and one by-election and found, not short lists, but all-men long lists on each occasion. What is more, every candidate for the other parties was also a man. I am certain that that is wrong. It is extraordinary that the media speak so often

[Mr. Savidge]

of how many women there are in the House; instead, they should be reminding people that there are only one third as many women in the House as there should be truly to reflect the make-up of the population. I certainly hope that there will be a proper balance in the Scottish Parliament, and that that will spread to Westminster as well.

Scotland can set an example in other areas, too—modernisation, for one, as my hon. Friend the Member for Aberdeen, South pointed out. Fixed-term Parliaments for this House as well as for Scotland should also be considered.

I also hope that Scotland can set an example to the rest of the UK in another respect. Not much reference has been made to the second question in the referendum, but I for one was pleased by the strong vote for tax-varying powers. I hope that electorates can come to believe again that there is a place for progressive direct taxation in building a civilised, humane society.

There is, however, one consequence of the setting up of the Scottish Parliament that I do not want to occur in this place. It has been referred to by the right hon. Member for Devizes, by the hon. Member for Stone (Mr. Cash) and various other Conservative Members, and by my hon. Friend the Member for Linlithgow (Mr. Dalyell).

I do not want a reduction in the powers of Scottish Members who remain in this House, although I completely accept that their numbers should be reduced. I have four things to say about the West Lothian question. First, the West Lothian answer is the fact that 79.6 per cent. of people voted in favour of a Scottish Parliament. I sometimes think that my hon. Friend the Member for Linlithgow should pay more attention to that fact.

Secondly, there is what we in Scotland sometimes call the Westminster question. The West Lothian question which has caused such terrible consternation on the Conservative Benches states that Scottish Members might have a peripheral influence on some issues relating only to England. For 18 years in Scotland, however, every single issue was controlled by a party that was rejected by the people of Scotland. In the end, the Conservatives in Scotland had no MEPs and were wiped off the electoral map in the councils which they themselves had gerrymandered. Furthermore, they ended up with no Members of Parliament—

Mr. Grieve: I understand the hon. Gentleman's strength of feeling, but does he not understand that the principle of government introduced by the Union of 1707 meant that I, as Member of Parliament for Beaconsfield, have as much interest in Caithness as the Member of Parliament for Caithness has in Beaconsfield? It is the hon. Gentleman's party which has decided to break that arrangement by setting up a separate Scottish Parliament. As I know from my own constituency, that will lead to grave objections to Scottish Members of Parliament interfering in matters of purely English concern.

Mr. Savidge: Does not the hon. Gentleman realise what we have been saying? Our affairs were not being interfered in: they were being totally controlled.

Mr. Swinney: Does the hon. Gentleman recall, as I do, that the poll tax was introduced in Scotland a year before it was introduced in England, primarily by English Members of the UK Parliament voting to impose it on Scotland against the votes of Scottish Members? When it was implemented a year later in England, there was an enormous explosion of anger; and English Members of Parliament, who were supposedly so concerned for Caithness and other parts of Scotland, suddenly realised the enormity of the poll tax, and decided that they did not want it in Beaconsfield or other parts of England.

Mr. Savidge: I find the idea of English Conservative Members being so concerned about Scotland about as credible as the story we heard earlier about how the people of North Wiltshire crowd their MP's surgeries to ask about Scottish education and Scottish health.

My next point concerns the former suggestion that there would always be a Tory majority in England, so that my party could govern only by the Scots delivering Labour a majority in the British Parliament. That problem has been resolved, and I pay credit to the Conservatives for the major part that they have played in that resolution by rendering themselves a minority party in England. Indeed, they have done much to keep things that way over the past seven months.

My last point about the West Lothian question is that there is always the solution of English devolution. If there is a strong desire for it, it can be met either in the form of an English Parliament—for those who want a federal solution—or, as my party would favour, in the form of devolution to the English regions.

I have been gratified by the swift and total fulfilment of John Smith's unfinished business. This Labour Government have kept their promises. I pay tribute to the Scottish Office, to Ministers and to staff for that. Most of all, I pay tribute to the Secretary of State for Scotland. I can do so without being accused of sycophancy, now that he has said that he is to go to the Scottish Parliament and I have made it clear to my constituents that I intend to stay at Westminster.

Contrary to what the right hon. Member for Devizes said, that does not show a lack of commitment to the Scottish Parliament. I will stay here because I said when I was selected that there was such a wealth of talent among those wanting to go to the Scottish Parliament that I should stay in this Parliament.

There may be Conservative Members who find the idea of a wealth of talent among their candidates rather unlikely. Indeed, I understand that you have appointed a talent spotter in Scotland to look for people of youth and intellectual vigour to stand for the Scottish Parliament. You have appointed Mr. Bill Walker to be your talent spotter—

Mr. Deputy Speaker (Mr. Michael Lord): Order. Several times this evening, hon. Members have used the words "you" and "your". I do not want to interrupt each time to bring them to order, but I should be grateful if Members remembered to use proper parliamentary language.

Mr. Savidge: I sincerely apologise, Mr. Deputy Speaker.

I was paying tribute to the Secretary of State for Scotland, although perhaps in less flamboyant terms than those used by my hon. Friend the Member for Glasgow,

Pollok (Mr. Davidson). I have admired my right hon. Friend for more than 30 years, ever since I first saw him debating at Aberdeen university as a young MP. His achievements during the past year have earned him the vast respect of Members throughout the House. If, as I believe it will, the Scottish Parliament finds a place in history, that will be part of the place in history that my right hon. Friend himself deserves.

I remember a summer of discontent in 1996, when there was some confusion over the referendum and other aspects of policy. Our opponents accused us of conspiracies and worse, and our friends felt a sense of distrust. In the light of some of the problems that we have faced up to in the past few weeks, I hope that it will be recognised that we have answered all those fears. I trust that our opponents—at least, our sensible opponents—will recognise that in Scotland the Government have proved that they can be trusted, and that they keep their promises.

7.59 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): My colleagues on the Liberal Democrat Benches and I, together with many other right hon. and hon. Members, welcome the provisions of the Bill, principally because it will improve the quality of democracy that we enjoy in Scotland, it will make decision making more accountable to Scottish people, and it will ensure that decision making takes place at the appropriate level.

As my hon. and learned Friend the Member for Orkney and Shetland (Mr. Wallace) said yesterday,

"Home rule allows us an opportunity to right the wrongs of Scottish misgovernment and to renew and replenish Scottish democracy."—[*Official Report*, 12 January 1998; Vol. 304, c. 49.]

For those of us from north of the border, this is the starting point, but the effects run wider. As the Secretary of State put it yesterday,

"The Bill will be welcomed by democrats everywhere. It is not simply about Scotland."—[*Official Report*, 12 January 1998; Vol. 304, c. 19.]

As a federalist—someone committed to the United Kingdom—I hope that this is the first of many Bills that will be welcomed by democrats everywhere, and renew and replenish democracy everywhere.

Like the hon. Member for Aberdeen, North (Mr. Savidge), I believe that it is appropriate to pay tribute, without turning it into some Tom Ferrie Radio Scotland dedication, to the many people who, over the years, have contributed to the Bill. The Government should be commended for the quality of the Bill that they have produced. We should pay tribute to the participants in the referendum campaign and to the Scottish people—not least to those who endorsed the yes, yes outcome, but also to the many thousands involved in the convention before that and to the members of many other groups who have agitated for change over many years.

Despite all the conclusive evidence of the Bill's fulfilling the settled will of the Scottish people, there are still hon. Members who are determined to argue against it. We hear strange noises from the Conservative Benches, as Opposition Members have been outed as closet devolutionists. We heard the right hon. Member for Devizes (Mr. Ancram) say that the Conservatives

"do not seek to oppose the principle of the proposals"—[*Official Report*, 12 January 1998; Vol. 304, c. 35.]

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said:

"I have never been opposed to the principle of devolution."—[*Official Report*, 12 January 1998; Vol. 304, c. 76.]

The hon. Member for Spelthorne (Mr. Wilshire) stated:

"I am not against Scottish devolution in principle if that is what the Scottish people want and the recent referendum certainly suggests that they do."—[*Official Report*, 12 January 1998; Vol. 304, c. 89.]

Finally, we heard the hon. Member for South-East Cambridgeshire (Mr. Paice) say:

"I wish to make it clear . . . that I do not oppose the principle of devolution."—[*Official Report*, 12 January 1998; Vol. 304, c. 96.]

Onlookers might think that here we have a rare outbreak of unanimity, and that across the Chamber there will be agreement about the Bill, but, despite the mood music, there has been a grinding and gnashing of teeth. Many of the attacks yesterday and today were as relevant to modern Scotland as the Bay City Rollers and their tartan flares. In particular, there have been several mentions of the West Lothian question. Constitutional theology is taken to extremes by many hon. Members.

Far more important, as the hon. Member for Aberdeen, North said, is the Westminster question. Research shows, as anybody can quickly find out, that the times when Scottish Members of Parliament have made the difference and influenced the outcome of English measures has been limited to a few months in the past 50 years in this place, whereas the many occasions when English Members of Parliament have influenced the outcome of Scottish measures are sadly forgotten.

Mr. Dalyell: That is factually wrong with regard to the periods 1974–79 and 1964–66.

Mr. Moore: I thank the hon. Gentleman for his comment, although I do not agree with it. If he looks at the voting during those periods and at the research, he will see that the times when the votes of Scottish Members have counted are limited to a number of months.

Mr. Dalyell: Whose research?

Mr. Moore: Mine and that of others outside the House, which I will be happy to discuss with the hon. Gentleman in due course.

Conservative Members say that the Bill is misunderstood by their constituents. What are they doing to overcome that? If we are to believe that all Conservative Members are now devolutionists, we should challenge them to go out and explain their new confidence in devolution and argue positively for change in England to create a modern, dynamic United Kingdom.

We hear much discussion about funding, the Barnett formula and the complaints that constituents in England bring about the proposal. Those arguments will continue, whatever the structures of government across the United Kingdom. English Members, especially Conservatives, should be explaining and debating with their constituents the differences within England, as much as the differences between Scotland and England.

We hear, too, about the role of Members of Parliament. The decision not to stand for the Scottish Parliament is criticised. I do not accept that. The proposals in the Bill

[Mr. Moore]

make the prospect of being a Member of the Scottish Parliament a very attractive option, but an on-going presence in the United Kingdom Parliament is still extremely important. Surely the most important aspect of the new politics and the new way of governing ourselves in Scotland is that as many people as possible should be drawn into the process.

My constituency has recently closed the long list for applicants for the nomination to be the Scottish Liberal Democrat candidate. More than a dozen people have applied for that nomination. They include business men and women, industrialists, health service workers, various voluntary sector workers—a broad section of Scottish society. Women represent more than a third of those who applied for selection. There are no Members of Parliament, past or present, on the list. Canon Wright, who chaired the convention, expressed his view that there should be a trickle of Scottish Members going to the Scottish Parliament, not a torrent. I heartily endorse that sentiment.

There are some strange factors in the Bill, with which we should deal. It seems crazy that the dual mandate is still tolerated and is not explicitly ruled out. Anybody seeking representation in the Scottish Parliament or at Westminster could not reasonably expect a Member of Parliament also to be a Member of the Scottish Parliament.

Why is there no provision in the Bill to ensure that the Sex Discrimination Act 1975 does not apply to the provisions and to the procedures of parties selecting their candidates? The position of the Equal Opportunities Commission is a further anomaly. Although it is primarily responsible for employment matters, which are reserved, it also has interests in education, which are devolved. We must hope that the Government will clarify the position as the Bill progresses. Clearly, women and other groups must be attracted to the Parliament, and no obstacle put in their way.

I am particularly pleased that since the referendum result, people in business are waking up to the possibilities of the Scottish Parliament and realising the important contribution that they must make. I speak as a Scottish chartered accountant and someone who benefited from the fact that my employers before the election, Coopers and Lybrand, gave me substantial support and understanding when I stood for the Westminster Parliament.

I welcome the fact that those great friends of devolution, Standard Life and the Bank of Scotland, have recently announced that they, too, will allow their employees to stand. The Bank of Scotland's press release of 9 January states:

> "Aspiring politicians within Bank of Scotland will now be able to take a career break to stand for election following the introduction of the Bank's Parliamentary Leave Scheme."

From Standard Life we hear that

> "Standard Life believes that the quality of the members of the Scottish Parliament will be crucial to the success of that Parliament. As a practical example of its commitment to Devolution, Standard Life will now offer career breaks to any employees who wish to stand for the new Parliament."

Those two financial institutions are not the be-all and end-all of Scottish business; nor should they be the only ones that have representatives in the Scottish Parliament. Nevertheless, I welcome that change. If the Conservative party needs a benchmark of how out of touch it has become since the election and especially since the referendum, it should speak to some of its former soulmates in the business community.

Times have indeed moved on. Key evidence of that comes from my own area in the borders. In the referendum, people backed the White Paper proposals on both counts, which was a major change from the provisions of 1979. I feel that there were two main reasons for that. First, there was the effect of 18 years of Conservative Government. Secondly, there was proportional representation. No matter what system we have, small rural areas will never be able completely to overcome the effect of urban weight. With PR, however, the effects of central belt domination are hugely and even completely reduced. Indeed, I believe that PR and the tax-varying powers of the Bill are two of its key features and provisions that make it commendable and acceptable to my constituents.

All Scotland has been crying out for change over many years. It is important that the House does not delay further that call for change. The Bill is a huge step forward towards delivering it and I hope that it will be successful.

8.10 pm

Mr. Desmond Browne (Kilmarnock and Loudoun): Thank you, Mr. Deputy Speaker, for enabling me to make a short contribution to the debate. I support the Bill on behalf of my constituents, who, as is consistent with their long-held aspirations, voted overwhelmingly for constitutional change at the general election on 1 May 1997. In so doing, they contributed to the election of a Labour Government, who enjoy an unprecedented majority and who were elected partly on a platform of constitutional change. Devolution for Scotland, Wales and the English regions is but part of that manifesto.

It is worth while taking a moment or two to reflect on why the people of Kilmarnock and Loudoun and the rest of the United Kingdom endorsed constitutional change at the general election. Yesterday, my right hon. Friend the Secretary of State for Scotland reminded us that at the heart of the devolution argument lay a history of political decision making that was in the hands of politicians who commanded no support from Scotland. That has been a theme that has run through the contributions of all but Conservative Members during the debate. What my right hon. Friend said is true, but I suspect that the Scots could have lived with the democratic anomaly that I have described. That product of the asymmetrical constitution of the United Kingdom was an anomaly which gave a majority of English Members the power to make decisions that affected only distinctly Scottish interests. Yet neither they nor their electorates had to live with those decisions. If they had not imposed on Scotland time after time, especially in terms of health, education and local government, measures that were wasteful of our scarce resources and which were directly at odds with the hopes and aspirations of the Scottish people, things might have been different.

It was the failure of the constitutional status quo in the hands of certain people to deliver good government which offended the Scottish peoples, not the constitutional status quo itself. While that history created in Scotland a longing for constitutional change

to ensure that the experiences of the past 18 years would never be repeated, for other, but related, reasons the electorate of the United Kingdom were becoming more and more disaffected with politics and politicians.

It is the common desire of the United Kingdom electorate that there should be greater openness, greater representativeness and greater accountability from its democratic institutions. Indeed, that is what the electorate voted for on 1 May. They wanted a package of constitutional reforms to modernise and improve the government of the United Kingdom, to make it more responsive to the people and so to create institutions that would be close to their needs and concerns while recognising the diversity of the communities that make up this great Union.

In my opinion, the people knew what they were voting for on 1 May. They knew also that they would have to live with new anomalies while the process of constitutional reform was worked through, and perhaps thereafter. After all, the electorate are no strangers to constitutional anomalies or asymmetry. They have lived with them for generations. Like the Scots, they will live with them if they enjoy good government, and they expect their politicians to do likewise. That, in my submission, is the answer to what is called the West Lothian question.

The people of the United Kingdom wanted a Government with the courage to tackle the problems that were being generated by the constitutional situation, and they secured one who are doing just that. Part of the Government's clear mandate was to consult the Scottish and Welsh people by referendums on their desire for devolution and, for the Scots, to deliver them a Parliament with both legislative and tax-varying powers if that was their desire. That part of the process is almost complete and the other parts of a comprehensive process of constitutional reform are under way.

When what was begun is complete, the task of constitutional evolution will be far from over. The Labour Government's mandate for constitutional change is a continuing one and will end only when we have in place a modern Government who provide greater democracy for all the people of the United Kingdom.

I shall turn for a few minutes to the central point of the debate. In my view, democracy, accountability and accessibility are the underlying principles of the Bill. It is a complex and innovative piece of legislation that follows on from a White Paper that was remarkable in its clarity.

Yesterday the right hon. Member for Devizes (Mr. Ancram) described the Bill as

"so badly drafted . . . that it is for us as Conservatives—the one party that stood against devolution—to try . . . for the sake of the United Kingdom, to make the proposals work."—[*Official Report*, 12 January 1998; Vol. 304, c. 35.]

That comment generated much mirth in the House. The right hon. Gentleman is not in his place, but, lest he be in any doubt, I should explain that the House was not laughing with him on that occasion.

Having heard that trailer, and shared the view of the hon. and learned Member for Orkney and Shetland (Mr. Wallace) about the draftsmanship of the Bill, I waited for the development of the theme that had been introduced. What were the areas of ambiguity? What proposed measures had particular "draconian" and "frightening" consequences "on individual rights"? What proposed measures in the Bill are "incomprehensible"? No development of the right hon. Gentleman's theme has been forthcoming.

It seems that the right hon. Gentleman, newly emboldened since he and the Conservative party no longer fear reform of the constitution, and newly, if somewhat belatedly, listening in responsive mood—as he and his party are not now seeking to delay or destroy the Bill—was unable entirely to disengage himself from his Cassandra-like past. He could not and cannot support his extravagant claims with any hard evidence.

Thinking that the right hon. Gentleman may have had a point or points that he was holding up his sleeve for consideration of the Bill in Committee, and knowing from some of his hon. Friends' contributions to the debate how heavily they had relied on the briefing from the Law Society of Scotland. I sought a copy of that document to ascertain whether there was a catalogue of criticism of drafting or good examples of ambiguity or incomprehensibility therein. No such luck, unfortunately, for the right hon. Gentleman.

In the second paragraph of the letter that we have all received, the author, a much respected and experienced lobbyist, representing the views of the Law Society of Scotland, stated:

"The Society commends the Government for producing a Bill which is, by and large comprehensive, well structured and clear in its terms."

Thereafter the society lists a modest number of questions and observations, mostly requiring clarification of the most technical parts of the Bill. Contrast that with the society's trenchant and comprehensive criticism of the 1970s Bill, which it attacked root and branch, and the House has some appropriate measure of the achievement of my right hon. Friend the Secretary of State and his team in producing the Bill.

I had intended to develop some themes relating to the potential of this Parliament, but I must forgo the opportunity given that many hon. Members wish to contribute to the debate. However, there are one or two things that I wish to say before concluding. I wish to return to my exchange with the hon. Member for Perth (Ms Cunningham), during which the hon. Lady referred to clauses 83 to 85, which she criticised for their failure to further the undertaking in paragraph 2.11 of the White Paper. I suggested that she was barking up the wrong clauses and suggested that she would find the answer in clause 23. I was wrong because clause 23 does not provide the answer. I am slightly embarrassed because both of us are members of the Scottish Bar and we were both wrong. Clauses 83 to 85 are totally irrelevant to the issue that she was addressing in relation to paragraph 2.11.2. The difference is between the power of the Parliament to require people to attend before it, and the intention in the White Paper that the Parliament would have the power to invite people to attend before it. That is the distinction. I misled myself slightly after reading the notes in the margin on clause 23. I returned to that merely to clarify and to say that I was wrong.

[Mr. Desmond Browne]

I welcome the Bill and the Parliament that will come from it because of the opportunity that it will generate to reform the Scottish legal system. During her short speech yesterday, the hon. Member for Epping Forest (Mrs. Laing) said:

"I am also concerned about the protection of the Scottish legal system."—[*Official Report*, 12 January 1998; Vol. 304, c. 109.]

Like the right hon. Member for Devizes, she failed to develop that theme and say why she has such concern for the Scottish legal system. Since devolution became a probability with the election of a Labour Government, she is the only Scottish lawyer whom I have met who is not looking forward to an enhanced income from the introduction of a Scottish Parliament. I look forward to a Scottish Parliament because of the opportunity that it will generate to develop Scots law—I am no longer a practising member of the Scottish Bar—particularly in areas where it is much needed.

After the Orkney inquiry, I was involved in an advisory capacity with the Scottish Office, in relation to amending child law. After our work had been done, we came together, with a representative of the Scottish Law Commission. We were all in agreement—civil servants, advisers, those who were being consulted in the Scottish Law Commission—that we needed far more time and a far more comprehensive Children Act to address the needs of Scottish children. However, there just was not enough parliamentary time. If parliamentary time could not be found from that available to Scotland to address the needs of the most vulnerable people in our society—our children—there is something fundamentally wrong with the system of legislation in Scotland.

I commend the Bill to the House.

8.21 pm

Mr. John Swinney (North Tayside): I am grateful for the opportunity to speak in the debate and to follow the hon. Member for Kilmarnock and Loudoun (Mr. Browne).

I think it was the hon. Member for Midlothian (Mr. Clarke) who spoke earlier about the ability of hon. Members to split hairs. When I listened to the hon. Member for Kilmarnock and Loudoun developing the reasons why he and my hon. Friend the Member for Perth (Ms Cunningham) were wrong in their exchanges about broadcasting, I felt that he had something to learn from the hon. Member for Midlothian. I am sure that that issue will be talked about when we read the *Official Report* tomorrow.

Much of this debate and the debate on the referendum, and much of what the Secretary of State said yesterday, has been about trusting the people. The greatest fault line lies between the Conservatives and everybody else in the House who is quite prepared to allow the people to decide. We in the SNP are perfectly happy to allow the people of Scotland to decide their constitutional future. We have no wish to force our constitutional options down the throats of the Scottish people. We only want them to vote for them at the available opportunities. It will be up to the people of Scotland to decide exactly how much or how little constitutional change they undertake. That is welcome.

The hon. Member for Woodspring (Dr. Fox) said earlier that the SNP came to the debate interested only in making the Parliament fail. I could not disagree more, because any analysis of Scottish history will show that when Scotland becomes steeped in failure it tends not to move ahead terribly far; that we can look among ourselves for the reasons of failure; and that we do not take on the outward dynamics of the development of a community.

I want to ensure that the devolved Parliament is successful, because out of that success and the strengthening of that Parliament will come a greater self-confidence in Scotland. I certainly hope that there will be a mood in Scotland that independence is the way forward for Scotland as a result of this package of devolution. The SNP has every interest in making devolution work in the best interests of the people of Scotland.

I wish to make two substantive points in relation to fiscal powers and the concordats, which were talked about yesterday, but I shall concentrate first on funding the Scottish Parliament, because the supposed haemorrhage of resources that will come from the Treasury to the Scottish Parliament once the English backlash takes full effect has been a recurring issue. I have paraphrased many long arguments. The Treasury Select Committee had a go at this subject before the turn of the year. It tried to blow away some of the cobwebs of the debate on the Barnett formula.

As the hon. Member for Gordon (Mr. Bruce) said earlier, when the Select Committee started to talk about the issue, it wanted to discuss something else—the needs of Scotland rather than the formula that guarantees our funding. It is essential that we ensure that we are talking about the right subject when engaged in these discussions, because the Select Committee went on to produce a half-baked analysis based on no evidence. I was pleased to see the hon. Member for Gordon dissociate himself from it on 22 December 1997.

Many points are raised by the Treasury analysis, but I draw one quote to the attention of the House. It comes from Professor Heald of the university of Aberdeen, who gave evidence to the Treasury Select Committee on 13 November. He talked about the quest to get information about public expenditure in England, and comparative figures and information about Scotland. He said that the Committee was keen to get

"regional data for English regions—particularly for the north. We have largely failed in that quest. If you look at the numbers in the statistical supplement, what you will see are numbers for English regions, a huge blob of the unallocated expenditure. One of the problems is people sometimes compare the north with Scotland and Wales without adding anything from the unallocated blob, but also we have no idea where that goes."

That is a central point on which many people have to reflect when they allege that Scotland benefits from disproportionate public expenditure. Huge unidentified sums of public money are spent by the Kingdom Government, which do not go to many parts of the United Kingdom other than the south-east of England. The analysis that is done of public expenditure is far from transparent, so some of the comments made yesterday by the right hon. Member for Haltemprice and Howden (Mr. Davis) about disproportionate spending are way off the mark. When one looks at the Government's analysis of Government expenditure and revenue in Scotland for 1995-96, the last year for which information was published, and takes into account issues such as Scotland's share of the public sector deficit, and takes true account of oil revenues and privatisation proceeds for Scotland, precious little of a deficit is left.

I made a point yesterday, during an intervention, that Her Majesty's Treasury has told us since 1979 that Scotland contributed £27 billion more to the United Kingdom than we received in services. In the time since the election, no Minister has disproved those Treasury answers. That information is based on Government assumptions and assessment. Those are important points on which to reflect in the debate.

I now move on to fiscal autonomy, a subject to which we shall return in Committee. I make a positive suggestion about how the debate about financing the Scottish Parliament can be strengthened. I propose that the Scottish consolidated fund benefits from all the revenue that is raised in Scotland and from Scotland's share of the revenue generated by the Scottish continental shelf, and that the Scottish Executive makes a payment to Westminster in respect of the reserved powers for which the Scottish people benefit in terms of the support that is offered. That will allow us to guarantee and secure much greater transparency in public finances in Scotland and the rest of the United Kingdom. It will also apply much greater rigour and responsibility to the Scottish Parliament in accounting for public funds. Under the proposed arrangements, the Scottish Parliament will have much less discretion over fiscal matters than any Scottish local authority. The Bill must be strengthened in that respect to assist accountability and responsibility.

I should like to raise one other issue, but I also want to ensure that some Labour Members who have waited a long time to contribute—they are already asking me to sit down—have a chance to speak. I ask them to let me make my final point—they will enjoy it. The hon. Member for New Forest, West (Mr. Swayne) made an interesting contribution, suggesting that there was a great deal of detail behind the Bill that we were not hearing about. To an extent, I have some sympathy with him.

Mr. Salmond: He has just arrived.

Mr. Swinney: Right on cue. I am glad that he is here to hear this. I received a copy of a Scottish Office document that purports to be a concordat between the Scottish Executive and the Ministry of Agriculture to guide relations after the establishment of the Scottish Parliament. My hon. Friend the Member for Banff and Buchan (Mr. Salmond) referred to it yesterday. My best lines are always stolen by my hon. Friend the Member for Banff and Buchan. He sought reassurance from the Under-Secretary of State for Scotland, the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) about the status of the concordat. The Minister responded:

"The hon. Member for Banff and Buchan asked whether concordats could be agreed before the setting up of the Scottish Parliament. The answer is no. Preparations can be made, but they can be signed only between the Scottish Parliament and Ministers here. I hope that that reassures the hon. Gentleman."—[*Official Report*, 12 January 1998; Vol. 304, c. 116.]

I went home last night feeling comfortable about that. This morning, I re-read the document that I had received. It says:

"it is clear that concordats will not come fully into operation until the devolved administration is up and running. However, we see considerable advantage in getting the groundwork established well before then and, indeed, operating a period of shadow-running in order to iron out any kinks."

We are left somewhat bewildered by the details of the note and the Minister's comments last night. I hope that the Minister who replies tonight will take the opportunity to clarify the status of the concordats and whether there will be any shadow running to iron out the kinks. We also need to know how many concordats are in existence, how many more we can expect to read about—

Mrs. Margaret Ewing (Moray): What about the kinks?

Mr. Swinney: And how many kinks are left? If the hon. Member for Falkirk, East (Mr. Connarty) can quote from The Doors, I can quote from The Kinks. *[Interruption.]* I assure the hon. Member for Dundee, East (Mr. McAllion) that I shall sit down shortly.

We have given the details of some of our concerns about the Bill. When we come to vote on the details, particularly in relation to the concordats, we need to know what other information and details lurk behind the Bill. Those are important issues. I hope that the Minister will respond to them.

8.32 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): I must take issue with those in the media who have said that Members of Parliament who wish to stay here rather than go to the Scottish Parliament want to do so because of the comfort of the green Benches. I have been sitting here since 3.30. They should try it.

Some Conservative Members have made the extraordinary claim that Scottish Members who remain at Westminster, if their voters allow them to do so, will have almost nothing to do. I invite them to attend my surgery any day. I frequently have housing cases, although that is really a matter for the local authority. I am sure that when we have a Scottish Parliament, people will still come to my surgery and to the surgery of the Member of the Scottish Parliament.

Mr. McAllion: And the European one.

Mrs. Fyfe: And the European one.

Schools are an issue in Glasgow at the moment, but they are not usually, because people are broadly satisfied with how schools are run. There will still be immigration and nationality and social security issues—the Child Support Agency alone could keep me going—as well as foreign affairs and international development. As far as I can see, foxes will be a matter for the Scottish Parliament. That may be a relief to some.

I was interested to see an exclusive in *The Herald* today saying that Scottish political history would soon be made, with all four major parties forming a committee together for the first time to co-operate on drafting rules for the workings of the Scottish Parliament. I welcome that, but I am concerned about one or two aspects. No one on the list provided by the journalist, Mr. Murray Ritchie, has had any deep involvement in parliamentary procedures, although of course my hon. Friend the Minister for Home Affairs and Devolution, who will chair the committee, the hon. Member for Banff and Buchan and the hon. and learned Member for Orkney and Shetland (Mr. Wallace), as Members of Parliament, have a working knowledge of what is allowed and what is not allowed here. However, there is no one who has been deeply involved in creating procedure. I make that point not because I want the Scottish Parliament to copy procedures

[Mrs. Fyfe]

here—emphatically not—but because I want the committee to be aware of the pitfalls, so that we have a properly working democratic Parliament.

Although no women are listed in Mr. Ritchie's article among the prominent citizens to take part in the committee, I am glad to welcome a number of outstanding women who will be involved, including Esther Roberton, Joyce McMillan and Alice Brown, who can contribute a great deal. I welcome them not just because they are talented women who can contribute to the committee. Long after the committee has done its work and passed into history, the rules will be in place for the workings of the Scottish Parliament. Now I can be sure that women's voices will be heard on that vital subject before the rules are set in tablets of stone.

I want to ensure that heed is paid to the work done by one of the committees of the Scottish Constitutional Convention many years ago, which decided that the Scottish Parliament must work to normal daytime hours, must have a normal working year that fits in with Scottish school holidays, must have fixed dates for parliamentary Sessions so that families can be free from the uncertainty that besets us here and must conduct itself in a manner that allows the Members of the Scottish Parliament to be more in touch with their families, their communities and the wider world.

I am concerned that some of the members of the committee might be so busy with their many other commitments that they will not have the time to devote to the detail of the committee's workings. I should like reassurance from the Minister on that.

However, my main reason for speaking is to welcome the Bill with a glad heart. I have supported Scottish devolution nearly all my adult life. Today, I have the immense privilege of being here to vote the measure through Parliament after so many fruitless years when I could have wept at the endless frustration of the democratic will of the people of Scotland. I was somewhat bitterly amused yesterday to hear Tory Members claim that, as a matter of course, they were willing to accept the verdict of the people. If they had listened during the years when they inflicted the poll tax and other ills on us, despite our clearly expressed will to the contrary, the fight for devolution would not have built up such a head of steam. If ever there was a case of chickens coming home to roost, this is it.

In the age of the soundbite, one in particular sticks in my memory from Canon Kenyon Wright at the opening of the first meeting in Edinburgh of the Scottish Constitutional Convention. He said:

"What if that voice in the south says no?"

At that time he was referring to Mrs. Thatcher. His reply was:

"Well we are the people and we say yes."

The point of devolution is to do things our way within the wide-ranging law-making and tax-varying powers that the Bill will deliver. The new Scottish Parliament will last a long time if it wins the people's respect. Let no one imagine that our people will put up with policies designed for other parts of the United Kingdom or with anyone's desire for neatness or tendencies towards centralisation.

The Welsh Assembly may have different ideas, priorities and ways of doing business, but that is for it to decide—as it would be following after any developments in Northern Ireland and the regions of England. I say to any centralisers among us now and in future that we did not struggle for devolution for all these years to end up with de jure difference but de facto sameness.

That is not a nationalist point. I make it because we have the recent memory of Mrs. Thatcher to allow us to recall just how authoritarian and domineering a Prime Minister can be. I do not offer the warning lightly. That is why I very much welcome the Secretary of State's statement yesterday that British public life has been scarred by cynicism, which has sometimes amounted to contempt in public places for parliamentary democracy. That is a dangerous state of affairs. We have seen in other parts of the world what happens when there is contempt for parliamentary democracy.

My right hon. Friend is right when he says that he hopes that the new Parliament can earn the trust of Scotland's people. It will not come automatically; it will have to be earned. The Scottish Parliament starts its days with such long-felt commitment behind it that anyone who ever lets it down will get short shrift. The quiet determination, the very lack of razzmatazz in the expression of the people's will for a Scottish Parliament, spoke volumes that no one dare ignore.

Yesterday, the Secretary of State rose to the occasion. He was absolutely correct to say that the Bill's arrival on the Floor of the House is a milestone and that the sweep of legislative powers that are to be transferred is difficult to overestimate. We are all taking pretty calmly the final end to Scottish provisions being tacked on, apologetically or otherwise, to basically English legislation. No longer will Scottish health, housing and education have to wait for a place in the Westminster queue. We had to wait almost three decades—from 1968—for parliamentary time for legislation on children in Scotland. So, let us have no more of that.

It was sad to see the right hon. Member for Devizes (Mr. Ancram) failing to rise to the occasion and being unable to do more than make the preposterous claim that the Bill is so ill-drafted that it needs his scrutiny for it to come to any good. That, coming from Mr. Poll Tax himself, gave Labour Members much innocent amusement.

It would be uncharacteristic of me to speak in such a debate without mentioning equal representation of the sexes. I therefore welcome the reiteration yesterday by the hon. and learned Member for Orkney and Shetland of his party's commitment to gender balance in the Scottish Parliament. I welcome the fact that the Liberal Democrats have devised a means by which they can deliver a 50:50 membership ratio. Of course, I also commend my own party's commitment, which has been held for a good number of years. It is fervently to be hoped that such efforts will not be challenged in the courts. That is why I am interested in the proposal made yesterday by my hon. Friend the Member for Edinburgh, North and Leith (Mr. Chisholm). I hope that the Secretary of State for Scotland and his colleagues will consider such a possibility. I want the Scottish Parliament to be different from other Parliaments: to start its days with equal representation of our people, not to have to slog wearily for years to overcome imbalance.

I think that I am running out of time. I wish that I could say more on the subject. Just before Hogmanay, I was clearing out a load of old rubbish from my house.

I was glad to include among it all the articles that I had found on how Labour would not deliver and how there would not be a Scottish Parliament, or that, if there were, it would only be a souped-up regional council. It all went into the bin, where it belongs. I look forward to the future of our Scottish Parliament.

8.42 pm

Mr. Dominic Grieve (Beaconsfield): It has been a pleasure to listen to the debate. Such debates are always educational. Indeed, that is their purpose. Having sat through two days of the debate, I certainly feel wiser after listening to many of the comments, particularly many of those of Labour Members.

Opposition and Labour Members certainly start from two different philosophical bases. Labour Members say that we do not trust the people, that we simply do not see the demand for the Parliament and that it is being met by the Bill. I fully appreciate the strength of feeling. There is undoubtedly a tide of feeling—and has been—for a change in the Union created in the 18th century. I do not want to go into historical anecdotes, but it is amusing to listen to many of the arguments on the complaints about the way in which Scotland has been governed under the Union. Many of them arise directly from the ring-fencing of Scottish law, which resulted in different statutes having to be produced and the Scots complaining that they were at the end of the queue. That is an interesting reflection on complaints about the way in which the Union works. It is also said of Conservatives that we have changed our tune.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Does the hon. Gentleman accept that the problem is not so much the ring-fencing of Scots law but that Scots law is based on an entirely different system and therefore needs separate legislation?

Mr. Grieve: I fully appreciate that Scots law is different. One of the great merits of the Union is that it preserves the differences. Indeed, how well those differences have been preserved is a tribute to the way in which the Union works. Nevertheless, it is an interesting irony that one of the complaints—it resulted directly in the desire for a Parliament—has been that two different systems are in operation.

The question that we must answer is how we can make the new system work—even if I, as a Conservative, would have preferred the old system to continue. Labour Members did not listen to what we said during the referendum campaign. If they had, they would have heard clearly that, whatever views we held on the dangers of the course on which they were embarking, we have always accepted that we must try to make the new system work. I certainly pledge myself to do that throughout the process and in Committee.

Nevertheless, we are entitled to, and must, point out the risks and oddities. The Bill represents a major constitutional proposal, yet I have noticed over the past 48 hours that hardly any Labour Members who represent an English constituency have spoken. I find that extraordinary. If the measure is to work, it must be a United Kingdom measure. The Conservative party may not have any Scots Members of Parliament, but that is the electorate's fault. *[Interruption.]* Or, it could be our own fault. None the less, plenty of Labour Members who represent English constituencies might have explained how they see the system working. They have not done so, and that bodes ill.

We shall look at the detail of the Bill in Committee, but even a moment's scrutiny enlightens us about some of the oddities that it will produce. Let us take clause 23, to which reference has been made. It appears—I hesitate to say it to some Labour Members—that even the finest brains of the Scots Bar may have admitted the clause's limitations. There is no doubt that, under clause 23, the power of the Scottish Parliament to scrutinise and call to account those who may be operating in Scotland will be far more limited than that in Westminster. I hope that we can consider that in Committee.

It is regrettable that a Scottish Parliament will be able to scrutinise vast areas of activity in Scotland, but not to summon certain persons before it, when a Committee in Westminster will be able to do so. It is a deficiency which stems directly from the parochialisation of politics, which arises when areas start to split themselves from others and decide that they want to run their own affairs. The question is how we can make adjustments for that, which will still allow maximum scrutiny.

There are fascinating provisions concerning the Scottish Administration, which we shall go into in greater detail later. Such provisions will produce a weak administrative system. I do not know whether the wonderful consensus that is talked about so glowingly will be achieved in Edinburgh. It would fill me with delight if it were. People complain about adversarial politics, but we do co-operate and get on well in many forums. We also have serious differences. Those differences are expressed in the Chamber. I doubt very much whether in the system as it will exist, even with proportional representation, those differences will disappear. There is no doubt that if the result is weak government and a difficulty in achieving consensus, the system that is to be put in place will produce a Parliament in Edinburgh, and an Administration, that is unstable.

The most regrettable aspect is that, as has been pointed out by Scottish nationalist Members, there is a host of areas in which there will at that stage be potential for friction concerning the reserved powers that remain at Westminster.

I pointed out yesterday, and I repeat now, that clause 54 allows for the most bizarre interference by the Foreign Secretary in the workings of a Scottish Parliament. It says not only that he can effectively revoke legislation—that I can understand—but that he can coerce a reluctant Parliament into introducing a Bill. That sounds to me like cloud cuckoo land.

I do not see why the Scottish Parliament should pass the Bill. Instead, the legislation would have to be dealt with in this House, and if that were the case, it would be a major source of friction. The minimisation of friction must be the central hallmark if we are to maintain the Union and allow it to develop.

There are many other things that I wish to say about the Bill, and I will say them at a later stage. But for now I shall finish by returning to the English dimension. Let us forget for a moment about the West Lothian question; the real question centres round the fact that a new United Kingdom is being created, yet there has been no consultation with the people of England.

[Mr. Grieve]

It is said that the Labour party commands a majority in England and can therefore do as it pleases, that it has a mandate. I accept that—but it is curious that under a Government who have been so careful to seek approval for their constitutional proposals by means of a referendum, such a consultation process has not taken place. Instead we are offered vague ideas about constitutional reform in England, no test of whose acceptability has ever been seriously put forward or even canvassed.

If the whole thing works and the constitutional proposals go through, we shall have a radically and totally new country. However, if it does not work, because the people of England are broadly satisfied—my own soundings lead me to believe that, although they may not be satisfied with individual Governments, they are broadly satisfied with the parliamentary system under which they are governed—a central plank of the great edifice put forward by the Labour Government will not be there.

How will that be compatible with the maintenance of the Union in the way that has been described? I am a believer in strong government, but if we do not have strong government, people should have clear choices. If they do not, difficult decisions are not taken.

I am also a believer in trying to achieve consensus as far as possible, but if the people of England have not been invited into the consensus, enormous pressures will be generated as it becomes apparent to what extent Scotland is being accorded certain rights that, as my hon. Friend the Member for Aldridge–Brownhills (Mr. Shepherd) said, are not mirrored in equity or echoed in any way in England.

We have to address that problem, and for that reason there must be substantial reform of Scottish representation at Westminster, unless some wholly new federal construct is introduced. Because of the disparity in size of the two halves of the United Kingdom—England and Scotland—I see no prospect of a federal construct's working, although I should be happy if somebody could persuade me otherwise. Unless we address that problem, we shall not produce a good and sound Union for the future.

I make a commitment to work hard during the passage of the Bill to see how it may be improved, so that the Union can work. However, I would not be doing justice to my own conscience or to the views of my electorate, which I have taken some trouble to sound out, if I did not put forward a note of caution about whether the proposals will work in practice.

8.53 pm

Mr. John McAllion (Dundee, East): One of the striking characteristics of this two-day debate has been the reception given to the speeches of Tory Front-Bench spokespersons and, with one or two honourable exceptions, to those of most Tory Back Benchers. That reception has been universally hostile, not only from the Government Benches but from the Opposition Benches below the Gangway, where the Liberal Democrats and the nationalists sit.

I had always thought that the Tories were hated because they had been in government for the past 18 years; now I understand that they are hated just because they are the Tories. May I therefore begin by offering my congratulations to my hon. Friend the Minister on having the great good fortune to be in government when the official party of opposition is so hated and reviled by the country as a whole, as the debate has shown to be the case?

I am also grateful to have the opportunity to take part in the debate myself, because there was a time when I thought that I might not make it—especially during the Christmas recess, when I received a letter from the Labour Whips telling me that I had been awarded a constituency week this week and did not need to attend Parliament.

I am sure that there was no malice in that letter, and that it was a pure coincidence. No doubt it had escaped the Whips' notice that this was the week of the Scotland Bill, and that this was therefore my chance to take part in the debate and vote on the Bill. I am delighted that at least they have not physically tried to stop me doing that. It will be nice to go through the Lobby willingly with my party.

I thank the hon. Member for Woodspring (Dr. Fox) for his warning about the dangers of party lists. He warned that some Labour Members might not make it on to those lists—and I took it personally, because as he delivered his warning, he was looking directly at me.

That reminded me of a song by Dundee's great songwriter, the late great Mary Brooksbank:

"No longer from industry's son
Does Labour seek improvement,
The Cambridge and the Oxford don
Have pinched the Labour movement".

That was written a long time ago, which shows us that the problem that the hon. Gentleman identified is not new, but one that we in the Labour movement have been coping with for some time.

I hope that the day will never dawn when to be working class, to be a trade unionist, to be a socialist or to be independent-minded will be seen as a disqualification from being a Labour party candidate. In fact, I am sure that that day will never arise—that is just a wee bid to make sure that I get on the panel.

During the debate, it has struck me that almost since the time of the Act of Union itself, there has been pressure on Scottish Members of Parliament to withdraw from Westminster. I think that it was Lockhart of Carnworth, in the 18th century, who first put that proposal forward, and it was suggested again at the beginning of this century by the nationalist journal, the *Scottish Review*. Near the end of this century it was suggested again by Willie McIlvanney, who, as many of us will remember, in the aftermath of the 1992 general election when the Tories had got in for a fourth successive term, called upon Scottish Members of this House to withdraw and return to Scotland.

Until now, that pressure has been firmly resisted by Members of this Parliament, so we should not be all that surprised that that continues to be the case, except there is now a difference—now there will be a Parliament in Scotland. In the past, Scottish Members of this House refused to withdraw because they recognised that power lay in this House and, like any politician, they wanted to be close to the source of power. That will no longer be the case after the Bill is passed and a Parliament is established in Scotland.

I accept that there are many legitimate reasons why Scottish Members of this House should choose not to return to the Scottish Parliament and to remain and represent their constituencies here; not least because they will have a guaranteed seat in the House of Commons for another four years at least, and a Westminster seat in the hand may be worth two Scottish Parliament seats in the bush. I recognise also that some hon. Members have legitimate concerns with foreign affairs, defence, macro-economics and any of the other matters contained in the 18 pages of reserved powers in the Bill, and they will wish to spend their time dealing with those issues. That is entirely legitimate.

It would not be legitimate for any hon. Member to decide that he did not want to join the Scottish Parliament because he perceived it to be in some sense a second-rate or subsidiary Parliament. My hon. Friend the Member for Linlithgow (Mr. Dalyell) came close to making that argument yesterday when he spoke about the Scottish Parliament being a lower form of Parliament. If that perception—that the Parliament was not a powerhouse in charge of Scotland's affairs, but was some kind of puppet Parliament placed in Edinburgh to carry out the bidding of this Parliament—was ever understood in Scotland, the great optimism that was released by the result on 11 September and by the publication of the White Paper and the Bill would evaporate in Scotland. Hon. Members who want to break up the Union should allow that notion to go forward in Scotland, because that would be the death knell for the Union between Scotland and England.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. McAllion: I am not giving way. I do not have time and other hon. Members want to speak.

We must take seriously some of the criticisms that have been made during the debate. There are 18 pages of reserved powers, and we shall have an opportunity in Committee to debate why there are so many. However, few in Scotland will disagree with some of them. For example, very few people in Scotland will deny to Westminster the right to keep control over the Crown, the succession to the Crown and the functions of the Lord Lyon King of Arms, as we do not have a great deal of concern with them anyway.

There are other reserved powers about which most Scots will not be too bothered, including the Hypnotism Act 1952. I am not sure what that Act does, but I am sure that the Scottish Parliament will get along fine without the considerable powers that it gives. I wonder whether my hon. Friend the Minister will give us an idea of what that Act does when he winds up. For example, if it makes it illegal to brainwash politicians by making them endlessly repeat stupid soundbites until they believe them, perhaps it would be more appropriate to leave the Act in the control of this House than pass it to the Scottish Parliament.

Some reserved powers cause concern. Many hon. Members have touched on the powers relating to broadcasting. The exact powers to be reserved by Westminster are those set down in the Broadcasting Acts of 1990 and 1996. Those are considerable and wide-ranging powers. Originally, our party, through the constitutional convention, was committed to devolving them to Scotland. In the White Paper, that commitment was watered down, but it was still there in a form. It has disappeared from the Bill, and an important debate will be held on that issue in Committee. I am not taking sides with the Scottish National party against my own party, but if we are changing our mind on broadcasting, we cannot do so without explaining why or justifying why broadcasting is not to be devolved, as was originally intended, to the Scottish Parliament.

We can easily dismiss some other concerns—for example, the West Lothian question. My hon. Friend the Member for Linlithgow said that he could not understand how any Scottish Member of this House after 1999 could in all conscience vote on purely English matters. If I have the great misfortune still to be here after 1999, I shall find it very easy to vote on purely English matters. I shall have no problem whatever with that in any sense at all. This is a United Kingdom Parliament, and any Member of this Parliament has exactly the same rights as every other Member.

If English people make the choice that their domestic legislation should be considered by the United Kingdom Parliament, they must accept the consequences of that decision. If they do not like it, they can go down the devolutionary road and set up an English constitutional convention. If they are looking for a consultant, I shall be happy to take on that role for them.

My hon. Friend the Member for Linlithgow said that the settlement in the Bill is not stable. My answer to that is, "So what?" I have spent all my political life trying to destabilise the settlement in this Parliament, and I can tell Opposition Members that it is great fun and that it is even better fun when one gets one's way and destabilises the constitutional status quo, as that is good not only for the rest of Britain, but for England—if it ever learns the lesson.

Last weekend, one Scottish Sunday newspaper described the battle lines of the new Scotland as being drawn on either side of a divide, and asked whether the new Parliament would be a driving force for separation and independence or a stabilising force to save the existing Union. I am not on either side of that divide. I want the Parliament as set out in the Bill, because it will be good for the government of Scotland. It is up to the people of Scotland what happens to that Parliament and what we make of it. They will decide what sort of Parliament it will be. If it leads to a separate Scotland, it will be their decision; if it leads to a devolved Scotland, it will be their decision; and if it leads to a socialist Scotland, I shall be over the moon. On that basis, I am happy to support the Bill.

9.4 pm

Mr. Laurence Robertson (Tewkesbury): I am pleased to follow the hon. Member for Dundee, East (Mr. McAllion), because when I made my maiden speech on the Referendums (Scotland and Wales) Bill, he followed me and was extremely kind.

I wanted to speak in the debate because I care very much what happens to Scotland. I have visited and stayed in Scotland many times and spent a great deal of time working there. Indeed, I honeymooned on the Isle of Arran, so I am well aware of the wonderful backdrop that Scotland provides to some delightful activities.

I realise that a number of hon. Members who represent Scottish seats feel that those who represent English seats should have no say in the issue. As I have said before in

[Mr. Laurence Robertson]

the House, Scottish devolution is a matter not merely for Scotland but for the whole of the United Kingdom of which we are all citizens. Therefore, Scottish devolution is not merely the preserve of hon. Members representing Scottish seats; it is of fundamental and constitutional interest to all of us.

English Members have not only a right but a duty to speak out on the issue. In fact, it is incumbent on us to do so, not only to preserve the Union, but to preserve the United Kingdom's position as an independent, self-governing nation state. There cannot be any doubt what is in the Government's mind. It is the breaking up of the United Kingdom and, bad though that is in itself, it is only part of a strategy that involves submerging this country in a federal Europe. We have Scottish devolution and Welsh devolution, we do not yet know what is coming for Northern Ireland, an assembly has been proposed for London and regional government for England. That all seems to be part of a plan to break the United Kingdom down into regions, with the intention of submerging each of those into a federal Europe.

European federalism and the breaking up of the United Kingdom are the reverse of what people in this country want. Not many people mentioned Scottish devolution to me during the general election campaign, but since the referendum many constituents have done so, both on the doorstep and through the post. People in England are concerned about devolution because they see, as I do, that it could well usher in the break-up of the United Kingdom. Many of us would agree with that analysis.

Curiously, although Scottish Office Ministers say that devolution will hold the United Kingdom together in some way, the Scottish National party claims the opposite—that it is the first step towards full independence for Scotland. Both views cannot be right and, having read the Bill carefully, I tend to agree with the Scottish National party's opinion, which is also held by many of my constituents, who realise that full independence for Scotland will be the natural consequence of the Bill and of devolution. That may well please the SNP, but it is anathema to so many people who believe in the integrity of the United Kingdom.

I unashamedly stand by the Union because I want Scotland to be part of the kingdom in which I live, not because I want to impose some supposed English power on the people of Scotland, but because I have a genuine affection for Scotland. I hope that the Scottish nationalists will take that as it is intended, which is sincerely.

I should have preferred the Scottish people to be asked to vote on such a constitutional matter part way through a Parliament, when the popularity of the Government and the result of the recent general election were not telling factors—I accept the popularity of the Labour Government—because it is an issue which is important enough to be discussed independently over a period of time.

Mr. Alasdair Morgan: Does not the hon. Gentleman recognise that the people of Scotland, at least, have been debating this subject for the past 18 years, if not longer?

Mr. Robertson: The people in Scotland debated it in 1979 and came up with a different verdict.

The Government were successful in the referendum in September. As my Front-Bench colleagues have said, however much we dislike that decision and may fear its consequences and feel that the Scottish people were persuasively manipulated, we have to accept the result of a democratic referendum; but that does not mean that we should not point out the flaws, weaknesses and inherent dangers that we perceive in the Bill.

As well as introducing a second Parliament in one nation, which is likely in itself to give rise to conflict, the Bill introduces a voting system that is completely peculiar in Britain. Not only will Members be elected to the Scottish Parliament by proportional representation, which is in itself a totally flawed and undemocratic system, but there will be two systems in operation at the same time, and two tiers of elected representatives: those with constituencies and those without; those who serve their constituents and those who serve those who compile the PR lists; those who will receive letters from their constituents on important matters and those who will not; those who will be replaced by electoral means if they choose to leave the Parliament early and those who will simply be replaced.

At the moment, it may be especially important to my party to have such a system, because, as has been said, we may win seats that we would not otherwise have won; but that is far too weak and unconstitutional an argument to persuade me to support the proposals. On the contrary, we in the Conservative party are concerned about creating correct, lasting constitutional arrangements to serve everyone in the United Kingdom equally and fairly.

I should love to say much more, but we are constrained by time. Time, I am afraid, will deny the House the wisdom of what else I had to say. My concern and my priority is to ensure the survival of the Union of the United Kingdom and the continuation of the United Kingdom as an independent nation state.

9.12 pm

Mr. David Stewart (Inverness, East, Nairn and Lochaber): Thank you, Mr. Deputy Speaker, for allowing me to speak in this historic debate. I add my contribution to the congratulations given to my right hon. Friend the Secretary of State for his part in getting the Bill to the stage that it has reached. I know that, with his characteristic modesty, he may not want to acknowledge his place in history, but hon. Members of all parties may want to acknowledge it for him.

I want to concentrate on two main subjects: the role that the Parliament will play in rural areas, especially with respect to land use, and the issue of who will be eligible to stand for the Parliament in the 1999 elections. As the Member for the geographically largest Labour constituency in the United Kingdom—it stretches from the Atlantic to the North sea—I am extremely conscious of the real role that land has played in the history of the highlands.

In the emotive highland clearances, sheep were deemed to be more important than ordinary working-class men or women. More than 100 years ago, many ordinary men and women, six of whom were indeed elected, stood for Parliament under the banner of the Highland Land League and contributed to forcing through the Crofters' Holdings (Scotland) Act 1886, which still gives security of tenure to crofters.

In 1947, a Nazi sympathiser in the Knoydart estate in my constituency refused his tenants any development capability. That led to the seven men of Knoydart laying claim to crofts to give them some rights over land use. In current times, we have some excellent examples of community land use, such as the Stornoway trust and the Assynt crofters; and in my constituency we have the islanders of Eigg who, through a consortium, managed to get control over their land when absentee landlords refused them permission to be involved in the running of day-to-day land use.

I welcome the setting up of the land reform policy group by my right hon. Friend the Secretary of State. It is an excellent step in analysing the use of land. We have to set land use in its proper context as part of a comprehensive, integrated and sustainable rural policy. I am convinced that the Bill is radical. I am convinced that the Parliament will be radical. My plea today is that we take a radical view of land use in the highlands.

In 1964, Harold Wilson set up the Highlands and Islands development board, a body which stopped the depopulation of the highlands and islands. It had the power to intervene in land use and to acquire land where it was under-used and underexploited.

I suggest that we need to consider four points in land use. First, we have to eliminate feudalism in land use—for example, the use of feudal superiors and vassals, which puts an historic slant on land use. It is outdated and needs to be changed. Secondly, we need to create new crofting land, which is not covered by existing legislation. Thirdly, we must provide farming tenants, who have security of tenure under the Agricultural Holdings Act 1986, with the entitlement to buy the land. Fourthly, where there is to be large-scale purchase of land, especially in the highlands and islands, there should be conditional and legally enforceable land-use codes.

I also wish to touch on eligibility to stand for the new Scottish Parliament. Most of us agree that the new Parliament will provide an opportunity for new blood to be elected; for more young people and more women to be elected. I note from clause 15 that the Bill allows peers, ministers of religion and ordained persons to stand for election to the Scottish Parliament. However, thousands of local government employees who are politically restricted at present will not have the opportunity to stand. In Gandhi's terms, they are becoming political untouchables. They hold politically sensitive posts. They include middle managers, lawyers, architects and engineers—people who could contribute to the Parliament in terms of the quality of their abilities.

I understand that my right hon. Friend the Deputy Prime Minister is reviewing the Local Government and Housing Act 1989. My plea today is that Ministers examine clause 15.

Mr. Wallace: The hon. Gentleman makes an important point about local government employees' eligibility to stand for election. Where in the Bill is there a disqualification for local government employees to stand for election to the Scottish Parliament?

Mr. Stewart: Under the 1989 Act, staff who earn more than £25,000 are politically sensitive and cannot stand for election to the Westminster Parliament, the European Parliament or the Scottish Parliament. There is an anomaly. That is why I referred to the review of the Local Government and Housing Act. There is an opportunity to make a change. If we deprive the Scottish Parliament of its lifeblood—as many able people as possible—we shall make a mistake.

I am an enthusiastic supporter of the Bill. We have had some reference to the musical taste of some hon. Members. The hon. Member for North Tayside (Mr. Swinney) mentioned his interest in The Kinks and the hon. Member for Falkirk, East (Mr. Connarty) mentioned his interest in a variety of bands including The Doors. If I may lower the tone of the debate and mention the Spice Girls, what I want, what I really, really want is the people's Government made for the people, by the people and answerable to the Scottish people. That is our manifesto commitment and our historic decision. It is an opportunity to resolve the land issue, which has stymied highland land development for generations.

9.18 pm

Mr. Bernard Jenkin (North Essex): I am slightly perplexed in following the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart). He and other Labour Members talked about land use in Scotland, and the Secretary of State mentioned feudal tenure. It is ironic that one of the first acts of the Scottish Parliament will be to bring land use and tenure in Scotland into line with practice in England. That will just have to be one of those things.

I shall not consider at length the electoral system, although I pay tribute to the speeches of my hon. Friends the Members for New Forest, West (Mr. Swayne) and for Tewkesbury (Mr. Robertson). I shall briefly reflect on the fact that many of the contributions of Conservative Members were not blanket criticism of the scheme or, rather, the proposals in the Bill. Perhaps I should not use the word "scheme" in a debate about Scotland. Those speeches were the beginnings of our party's response to how the English question should be addressed.

I understand that my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), who made an impassioned speech, which I regret missing, and the speeches of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and of my hon. Friend the Member for Spelthorne (Mr. Wilshire) addressed the possibility of moving towards a federal system in the United Kingdom, which is one way of tackling the West Lothian question. All hon. Members should consider how we English Members of Parliament should respond to the devolution agenda.

In many respects, the Scots, having spoken, have put the ball in the English court. That is their right and privilege; it is our job to respond. My hon. Friend the Member for Beaconsfield (Mr. Grieve) spoke at length on the same theme. The hon. Member for Gordon (Mr. Bruce) is not in his place, but I say to him that we should engage in that debate. I invite him to join me and other hon. Members on Friday in discussing the Referendum (English Parliament) Bill. That reflects the fact that we accept that there will be a different constitutional landscape at the end of this Parliament.

The Secretary of State described the Bill's arrival on the Floor of the House as a milestone, but, as he also said, there is a strong sense of anti-climax in the debate. The long campaign for a Scottish Parliament,

[Mr. Bernard Jenkin]

the overwhelming dominance of pro-devolution parties in Scotland, Labour's dramatic general election victory in May last year and the decisive result of the September referendum all contribute to the perception that tonight's vote is not an historic decision. The moment of destiny has already passed. The Bill is about putting into effect choices that have already been made.

When the Secretary of State first sat down at his desk in St. Andrew's house after the general election, he will have found that the Scottish people enjoy high levels of employment; that unemployment is below the European Union average and falling; that there is record inward investment; strong and sustained growth; and that public services, though one would never believe it from Labour rhetoric, are better funded than ever before.

Scotland still has its problems, but it has undergone an unprecedented transformation over the past 18 years—like that of the rest of United Kingdom, but, in many ways, more dramatic—from a backward-looking, strike-torn failure into a modern, vibrant and confident nation. Long may that positive outlook continue. That is not only the legacy of the successful record of the previous Conservative Government but Scotland's latest dividend from the Union of the United Kingdom.

The Union is not a dogma or a blind faith but a constitutional settlement which has secured the interests of all the nations in it for nearly 300 years. It is difficult to grasp the enormity of the consequences of this measure, which is no less than the recasting of that constitutional settlement. The Secretary of State described the Bill as a catalyst for change. There has been plenty of change for the better over the past decade or so, much of which the other parties did their best to resist. It is our responsibility to ensure that, as far as possible, the new constitutional arrangements do not disrupt or set back that change. That is the objective of Conservative policy on the Bill.

The Conservatives campaigned long and hard against devolution because we fear the risk of breakdown in the relations between a Scottish Parliament and Westminster. That risk remains, as my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) has described. The debate has centred extensively on that danger, because therein lies the slippery slope towards total isolation for Scotland. My hon. Friend the Member for North Wiltshire (Mr. Gray) painted a graphic picture of how that could occur.

That is why—I am grateful to the Secretary of State for quoting my Edinburgh speech so extensively—Conservatives are now determined to engage in the process of that major change to our constitution. That is why our candidates will fight the forthcoming elections in order to win and participate. It is vital that all responsible and reasonable voices are heard. That is the only way in which the new Parliament will become a stable and secure part of a new United Kingdom constitutional settlement, for it is the Union which has served Scotland so well in the past and is Scotland's lifeline to the future.

The new Parliament must acknowledge and recognise the advantages of the Union. It must exercise restraint and finesse in all things, but, above all, in its relations with Westminster and Whitehall. The reason we still fear for Scotland's future is that the parties that have hitherto dominated Scotland have advanced their case for the Parliament on the false premise that Scotland has done badly from the Union. Nothing could be further from the truth, but those parties have revived old suspicions and hatreds that are ultimately destructive.

When in opposition, Labour and the Liberal Democrats spared no opportunity to whip up nationalist sentiments against the English where there was political advantage in doing so. It is to be expected that the nationalists should be past masters of that technique, but it was deeply disturbing to see serious political parties ride on the nationalists' coat tails.

Our concern now is that the Edinburgh Parliament might be dominated by the same left-liberal alliance, spiced by the poison of nationalism, which foolishly, or cynically, has so far succeeded in persuading so many Scots that Scotland has had a bad deal from the Union. If that is what is meant by "new politics" north of the border, we are happy not to be part of it.

Now is the time for all Unionists to make common cause. In making common cause with Unionists from other parties, I will repay the Secretary of State the compliment of quoting him, when he pointed out in yesterday's debate that the Edinburgh Parliament as proposed is not the reincarnation of the pre-1707 Parliament. He reiterated:

"it is unashamedly a settlement within the United Kingdom".—[*Official Report*, 12 January 1998; Vol. 304, c. 34.]

We have never doubted the commitment of the Scottish people to the United Kingdom, but when the Secretary of State signed the Claim of Right it was fair to doubt his because there is nothing in the Scottish Constitutional Convention's Claim of Right—*[Interruption.]* I am glad to note that I have irritated the right hon. Gentleman because what I am saying is obviously true. There is nothing in that Claim of Right or in any of the convention's recommendations that recognises the ultimate sovereignty of this Parliament. By contrast, clause 27(7) implicitly acknowledges that—grudgingly perhaps, but, none the less, it is in the Bill, and we welcome that as progress. To acknowledge the sovereignty of Parliament is to acknowledge what it is to be part of the United Kingdom.

Mr. Wallace: The hon. Gentleman has raised an important point because although the sovereignty of Parliament is quite clearly a concept of English constitutional law, if he reads the dicta of Lord President Cooper in McCormick *v.* the Lord Advocate, he will discover that that concept was never part of Scottish constitutional law. The Scottish Parliament did not have the same sovereignty as the English Parliament claimed, so there is no reason why the United Kingdom Parliament should have adopted exclusively English constitutional practice.

Mr. Jenkin: That was the case in a previous period of Scottish history, but the referendum result confirms that the sovereignty of the Scottish people is vested in this Parliament. That is what the White Paper said and what is expressed in the Bill. Sadly, it is no surprise that this is a matter of dispute among pro-devolution parties. The hon. Member for Gordon has said that the days of parliamentary sovereignty are at an end. I sought to intervene on the hon. Member for Dundee, East (Mr. McAllion) to ask him whether he would support

explicitly clause 27(7), but I doubt whether that is the case. The Minister of State did nothing to resolve that ambiguity. The consensus in Scotland Forward was a false consensus.

Mr. Salmond: I do not know whether the hon. Gentleman fully picked up on the point made by the hon. and learned Member for Orkney and Shetland (Mr. Wallace), so I shall give him another opportunity. The quotation from Lord Cooper is:

"The principle of the unlimited sovereignty of Parliament is a distinctly English principle which has no counterpart in Scottish constitutional law."

That was the opinion of the First Division of the Court of Session in Scotland. Does the hon. Member for North Essex (Mr. Jenkin) disagree with it?

Mr. Jenkin: The reality of the British constitution is that to be part of the United Kingdom is to accept that the sovereignty of the people is vested in Parliament. It does not surprise me that the nationalists should take an opposite view, but it does surprise me that Members from other, supposedly Unionist, parties should do so.

The fundamental question is whether the new Parliament will respect the limits set on it by the Bill. That ultimately depends on how the Parliament behaves and how it is perceived, rather than on how its powers are defined in law. Will it be no more than a parish council, to which the Prime Minister once rather unwisely compared it; or, if it chafes against policies such as welfare reform or student fees, will it claim a mandate at least equal to that of Westminster to assert the sovereign will of the Scottish people? That is clearly the expectation of the hon. Member for Falkirk, West (Mr. Canavan).

For that reason, it is vital that the sovereignty of this Parliament should be reaffirmed. We shall table an amendment that should offend none but those who have an implicitly nationalist agenda. Although such an amendment is, of course, superfluous from a legal point of view, its purpose is not legal, but political—it is designed to reinforce the bonds that hold the Union together, at a time when they are likely to be tested. The Secretary of State will have a chance to show that he is not the Dr. Faustus of Scottish politics, who has sold his Unionist soul to the nationalist devil for the temporal glory of holding office.

Mr. Canavan: To portray my right hon. Friend the Secretary of State as some threat to the Union is patently ridiculous. The biggest threat to the Union over the past 20 years was Lady Thatcher's stubborn refusal to respond to the legitimate aspirations of the people of Scotland to have a Scottish Parliament.

Mr. Jenkin: I seem to remember that the trade unions in Dundee, East cost the people of Dundee an electronics plant. That is what Mrs. Thatcher fought in Scotland, and the people of Scotland should be grateful that she succeeded.

There are bound to be serious disagreements between the two Governments. The White Paper assumes that the new Scottish Executive—effectively the Government of Scotland—will work harmoniously and in mutual co-operation with Whitehall. Any observer of relations between Whitehall and local government, or between national Governments in the European Union, will testify to the likely difficulties ahead.

This afternoon, the Minister made much of the German, Italian and Spanish models of devolved government. If we were independent states drawing under a single Government within the framework of a carefully balanced constitution, the German experience would be instructive, but that is clearly not the case in the United Kingdom. In Italy, regional government has made public finances all but impossible to control; and Spain should be a cautionary tale to reckless British regionalisers. The lesson of Spain is perfectly clear: a rolling programme of devolution generates a process of inter-regional competition, leading to precisely the sort of instability that we should all fear. Spain's politics have become bogged down, and its economy is sclerotic with unemployment rampant. It is hardly an advertisement for the success of such a devolution policy.

Here, there will be the same delay and confusion as disputes are resolved—delay and confusion that could threaten inward investment and hurt business confidence. At worst, such conflict will be deliberately used to fan the flames of nationalism, both Scottish and English, in the way described by my hon. Friend the Member for Rochford and Southend, East. An Edinburgh Parliament, dominated by the nationalists and the left—who have spent the past 20 years denigrating the constitutional settlement under which Scottish culture and enterprise have flourished—will inevitably demand more powers for itself and greater independence for Scotland. That is why we have always said that the Government's plan could destroy the United Kingdom. Unionists must join forces to ensure that that does not happen.

Scotland's profile is not the same as Scotland's influence. The danger is that Scotland and its interests are being removed from the real spheres of influence upon which jobs and prosperity depend.

My hon. Friend the Member for Woodspring (Dr. Fox) talked of Scotland's potential isolation in Europe. Scottish Ministers will no longer participate in collective decision making at Westminster to help to construct the UK's negotiating position, except with the permission of the Westminster Government. All that the Executive will have is the right to be consulted. Instead of having a genuine involvement as equals, Scottish Ministers would have to take it or leave it.

What would happen if Edinburgh campaigned openly against a UK position at a crucial point in negotiations on an issue such as fish or agricultural prices, or some competition issue? What would happen if Edinburgh refused to implement a European Community decision to cut fish quotas? What sort of influence would Scotland have then, except to be subject to a concordat?

Scotland is reducing its voice in Whitehall just when it most needs it. With the reduction in the number of Scottish Members of Parliament at Westminster and the office of Secretary of State stripped of all its powers, Scotland will lose its influence in Whitehall and Westminster, where the crucial decisions affecting Scotland will continue to be made. The prospect is that Scotland will have its existing share of public spending eroded. Maintaining that share is the greatest challenge facing the new Parliament.

[Mr. Jenkin]

Money is likely to be at the heart of most of the conflict between Westminster and Edinburgh. The present system has served Scotland remarkably well. The most recent figures show that public spending per head of population was 24 per cent. higher than in England.

The Government's White Paper says that the Scottish Parliament's budget will be broadly comparable to the present budget of the Scottish Office and also includes a commitment to the Barnett formula. But those promises are not enshrined in the Bill—quite the opposite. Clause 61(2) simply says:

"The Secretary of State shall from time to time make payments into the Fund out of money provided by Parliament of such amounts as he may determine."

It will be up to the Secretary of State to determine how much money Scotland will receive, but the Secretary of State is answerable to Parliament here at Westminster, not Edinburgh, thus providing an annual flashpoint between the Scottish and UK Governments.

Under the present system, the Secretary of State is able to fight for Scotland's interests within the Cabinet, which has direct responsibility for government north of the border and hence every interest in securing a good deal for Scotland. That will no longer be the case after devolution, when the Secretary of State will have little clout in Whitehall. Suggestions that he could combine the job with that of First Minister are improbable in view of the responsibilities given to each party in the Bill as drafted.

I repeat that the Conservatives stand by the spending settlement that we gave Scotland in the previous Parliament. It reflects Scotland's needs, but it will take some explaining in future as the figures fall under scrutiny in the new political climate surrounding devolution, and Scotland starts to deploy its own tax-raising powers.

Devolution has led to widespread questioning of the Barnett formula, with many complaints about it from the Government's own Benches, including complaints from Lord Barnett himself. The insidious and insistent questioning of the existing public expenditure settlement between Scotland and England is likely to be a permanent feature of the new post-devolution politics. Its effects are bound to be felt by Scottish public services and taxpayers in the years ahead. There may never be a dramatic reckoning, but Scotland should prepare for the likelihood that billions of pounds will be whittled away from the Scottish block grant in the next few years unless the Scottish Parliament can play as canny a game with Westminster as successive Secretaries of State for Scotland have played in Cabinet.

What an irony it would be if the very devolution of which Scottish socialists have dreamed for so long and which was so dreaded by the Conservatives should result in exactly the same sort of paring down of the public sector in Scotland that all Scotland's political parties dread. Nothing would return Scotland's politics so rapidly to reality than the unravelling of the generous public spending settlement that Labour inherited from the Conservatives; nothing will create as much uncertainty, tension and turmoil.

The Opposition do not invite the House to decline to give the Bill a Second Reading tonight, but nor does our reasoned amendment accept the Bill as it stands.

We do not have a rose-tinted view of how the Parliament will work. The new arrangements are not a settlement but a series of unanswered questions. The political context of the Bill leaves huge scope for dashed expectations for the Scottish people, and misunderstanding and dispute between Edinburgh and Westminster.

Scotland is set to be sidelined in Europe and UK politics, and it is far from clear how Scotland will continue to secure its interests or public funding without raising domestic and business rates alongside the tartan tax. That threatens the Scottish prosperity that Labour inherited from the Conservatives.

History will judge whether Labour has led the Scots responsibly, but we shall make our case in Committee on all these points. We are grateful to the Secretary of State for the spirit of co-operation across the Floor on this matter.

We hold our faith with the Union—it is unimpeachable—but, as the Conservative and Unionist party, we also hold our faith with the clear decision of the Scottish people.

For 300 years, the Union has survived the challenges of famine, revolt, depression and the threat of invasion. Devolution represents a new challenge which, as a party and as a nation, we must take in our stride. I urge the House to support our reasoned amendment.

9.40 pm

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): This is truly an historic and momentous day for Scotland and for the United Kingdom. I am confident that, in a few minutes, the House will approve in principle the Government's plans to establish a Scottish Parliament.

On 11 September 1997, it was yes, and I have no doubt that tonight it will also be yes. We shall thus pave the way for one of the most significant shifts in the British constitution in decades. We shall advance the aspirations of the Scottish people, and we shall be one step closer to delivering on the promise that we made to the people of the United Kingdom on 1 May 1997.

Of course there is a sense of history; we have been discussing this matter for more than 100 years, as the aspiration for home rule has ebbed and flowed. Of course there is a sense of anticipation; for the past 20 years, there has been disappointment and frustration. Now, however, there is a sense of achievement, because real progress has been made in the past eight months, under a Labour Government.

We can now look 16 months ahead and see the election of 129 members to a new Parliament in Edinburgh—the first sign that we can deliver on the promise we have made. That will be the new dawn. I believe that all Labour Members, and many Opposition Members, look forward to that day.

The Bill is a genuinely historical document. The whole of Scotland can take pride in its achievements. It is a more radical piece of legislation than anyone could have imagined more than a year ago. The Bill enshrines a far-reaching settlement, and provides the basis for the new politics in Scotland. That concept has been much abused, but it ill behoves the Conservatives, who after 18 years in government have got themselves into a sorry mess, not to

want to support some idea of a new politics in which participation and inclusivity can again become the hallmarks of the British political system.

The White Paper is all there in the Bill: there has been no cutting of corners or back-sliding. The Bill will deliver a Scottish Parliament with wide-ranging law-making powers, and, of course, tax-varying powers. It is a key part of the Government's programme of reform and modernisation of the UK constitution and Government. For the UK, we have delivered a new constitutional foundation, building Scotland firmly into the UK, and giving her the opportunity to take responsibility for her own affairs.

Again, the Opposition from a sedentary position throw up smears when concepts are talked about, but the importance of devolution is simply the fact that we are now marching forward to a new constitutional settlement for the United Kingdom. That is vital. It is high time that Conservative Members woke up to that new reality.

The agenda is imaginative and exciting. On it are measures regarding Scotland, Wales, a voice for London, regional development agencies, House of Lords reform, the incorporation of the European convention on human rights into UK law, and freedom of information. In the past few days, there has appeared on the agenda the possible step forward in Ireland of a settlement that looks at the constitution and looks at government.

The Government have moved swiftly since 1 May 1997. We have had an election, a White Paper, a referendum, a Bill, a site, and a Second Reading; and next week, with the involvement of the Conservative party, we shall set up a consultative steering group to look at the working practices of the Parliament and its Standing Orders.

Change is vital. This is not a debate about some abstract political theory. The Bill will strengthen the economy of Scotland and of the United Kingdom, just as it will contribute to social cohesion. It will reinforce national identity, which is so vital to our pluralist society. It will nurture cultural diversity, and ultimately it will enhance personal freedom. Is that not something worth fighting for—something worth debating in the House?

This is not just a settlement for Scotland. The Opposition should appreciate that it concerns the whole United Kingdom. We hear stories of an English backlash, but the most hurtful aspect for the constitution of the UK is that the Opposition fail to distinguish between practical reality and political prejudice. English people should not hear it suggested of them that they are anti-Scottish or involved in a backlash of some kind. That does nothing for the credibility of this House.

Mr. Rowe: I agree with the hon. Gentleman that the Scottish people have every right to expect to determine their future in their own way; but is there not something improper about the proposition that Scottish Members of Parliament should be able to determine the future of my constituents when my constituents have absolutely no right to determine the future of the people of Scotland? If, as the Minister rightly says, the Bill affects the entire United Kingdom, is he not anxious lest he sow the seeds of future disaffection?

Mr. McLeish: I apologise to the House for giving way to the hon. Gentleman. Had he been here, he would have heard that matter raised, and answered, several times today.

What has happened since 1 May means that we shall have new structures and institutions in United Kingdom politics, and a new relationship between people, politics and Parliament.

I want to analyse a little more closely the Opposition contribution to today's and yesterday's debates. The Conservatives seem to have adopted several positions. First, there was the realism that is evident to some extent in the reasoned amendment and in some of the remarks by the right hon. Member for Devizes (Mr. Ancram); but most evident in the attitude of the Scottish Tories. They recognise that the Scottish Parliament is the future, because it is what the people of Scotland want. They also recognise that the electoral system that we have proposed gives them an opportunity for some representation and rehabilitation in Scotland. Most importantly, I hope that Conservatives recognise that the establishment of a Scottish Parliament will bring significant benefits to the people of Scotland.

Other remarks from Opposition Front Benchers, however, show that they remain sceptical—some would say cynical. They clearly find it hard to believe that the UK Government and the Scottish Administration can co-exist peacefully and sensibly in the interests of the whole United Kingdom. They are hung up on worst case scenarios, and seem to believe that we should legislate for every conceivable eventuality likely to arise from devolution if an Administration in London or Edinburgh deliberately set out to be destructive or obstinate.

If, for example, an English nationalist Conservative Government decided to cut the block grant to the Scottish Parliament, or to deny Scottish Ministers access to European discussions, no amount of legislation could prevent wrecking action of that type.

I refer in passing to the other positions adopted by Opposition Members. The English nationalist spectre was raised several times, but I wonder whether that was a product of fevered imaginations at Westminster, rather than based on real feeling in the country at large.

After all, devolution was a central plank of the Labour party's manifesto at the last election, which found favour throughout the UK. I am not aware of a groundswell of resentment in England since the Scottish and Welsh referendums, or of any genuine, widely supported calls for an English Parliament. The Government are, however, committed to a genuine rolling programme of devolution to the English regions that will further strengthen the Union.

The other position adopted by Opposition Members was almost fundamentalist—a defence of the status quo. There seems to be a fear in some quarters that the sky will fall in if there is any constitutional change whatever. Hon. Members outwith the Conservative Benches will confirm that that will not happen.

I shall deal with some of the major points raised by the Opposition over the two days. One of the key themes in a number of speeches was Europe. We heard much from hon. Members about the alleged lack of influence within the Councils of the European Union, but before I respond to that, I shall remind the House what the Bill provides.

The Bill gives the Scottish Parliament and Executive all the powers they need to play a full role in European matters, as promised in the White Paper. The Parliament and Executive will be responsible for observing and implementing Community law in the devolved areas.

[Mr. McLeish]

The Parliament will be able to scrutinise relevant EU proposals to ensure that Scotland's interests are properly reflected, and feed its views into the UK scrutiny process. The Parliament will be able to legislate to give effect to Community law for Scotland; similarly, Scottish Ministers will be able to make regulations or otherwise take any necessary action to give effect to Community obligations.

Scottish Ministers will be able, by virtue of schedule 5, to take part in negotiations with the UK's European partners and otherwise assist UK Ministers to work constructively for the common interests of Scotland and the UK in Europe. *[Interruption.]* It is interesting, when standing at the Dispatch Box, to listen to the sneers, hisses and largely unintelligent remarks coming from the Opposition Front Bench. It is useful to remind Opposition Members on the Front Bench that humility is easy to say, but difficult to practise. Unless the Conservative Opposition start to recognise reality, they will continue to be marginalised.

Mr. Ancram: I am grateful to the Minister for giving way, as I know that he is one of the epitomes of humility in the House, and we always like to take lessons in humility from him.

I am sure that the Minister did not intend to mislead the House. He referred to schedule 5, paragraph 6(2)(b), and suggested that that allowed Ministers of the Scottish Parliament to take part in negotiations. He used the word "assist", but can he tell me where in that passage there is any reference to taking part in negotiations?

Mr. McLeish: The point has been raised repeatedly. The existing situation works perfectly well. Are the Conservatives making a veiled threat about the future, and implying that they will overturn, undermine or reject what works satisfactorily now?

The right hon. Member for Devizes asked how a Scottish Minister who led a UK delegation would answer to the House for the leadership he gave. I am glad that the right hon. Gentleman raised the matter, as it is an important issue, and illustrates the point that we are trying to make. It would be for the UK Minister who would be participating in the delegation to answer to the House for what had been said and done by the delegation. It is the UK Minister who will be accountable to Westminster. In the same way, the Scottish Minister will answer to the Scottish Parliament for what the delegation has done. That shows that we are talking about a joint UK delegation.

I was grateful for the contribution from the right hon. Member for Haltemprice and Howden (Mr. Davis). He raised several important points, and I assure him and the House that we take them seriously. We are determined that the Scottish Executive will be properly held to account. The argument, if there is one, is not about the underlying principles, but about the means of achieving agreed goals.

The right hon. Gentleman suggested that those goals can be achieved only through detailed scrutiny and control by the House—detailed scrutiny and control that the House does not seek to exercise in relation to local authorities; nor did it do so in relation to devolved administration in Northern Ireland. However, we must ensure that there is proper scrutiny, and we want to develop that in discussion with the Opposition in Committee.

Many matters that have been raised by Opposition Members require a sensible and constructive response. That would be extraordinarily difficult in the time available. However, the question of finance raised by the Chairman of the Public Accounts Committee is one that right hon. and hon. Members on both sides of the House will take seriously. I hope that we shall be able to show that the proposed Parliament will have substantial legislative powers and new, more effective and modern ways of ensuring that public funds are spent properly, and that we obtain genuine value for money.

I turn briefly to the reasoned amendment, which betrays some of the schizophrenia from which the official Opposition continue to suffer. The amendment complains that the Bill

"fails to create a constitutional settlement which is stable and enduring".

My first reaction is to suggest that the position which we, the Government, inherited in May, with its obvious and massive democratic deficit north of the border, was hardly a recipe for stability. The Government's response has been to create a settlement which can endure precisely because it has secured overwhelming support among the people of Scotland.

There is little point in the Opposition's continuing to take at face value the votes of 1.7 million who said yes but then turning quickly away, and pretending that that did not happen. To cement relationships between people, Parliament and politics, we must be crystal clear that, when the public or the people speak, this House and any House must listen.

Mr. Jenkin: During the past two days, we have heard one supporter of devolution after another suggesting their own changes and amendments, and suggesting that what is before us is not a stable settlement. That is because they imagine more and more power being transferred to the new Parliament. How can the Minister say that we have a stable settlement when the nationalists, who were supporters of his proposals, are saying that they see the Bill as the start of a journey towards an independent Scotland?

Mr. McLeish: The hon. Gentleman is in danger of digging a deep, deep hole. During the debate, there have been only two signs of potential trouble ahead. Those have come from Conservative nationalists in England, with the possibility of potential trouble from the nationalists in Scotland. What we are proposing will embed us within the Union. It will give considerable devolved power to Scotland to enable it to involve itself in markets that affect Scotland. I suggest that that is a sensible and stable way forward. Of course, the enduring settlement is embraced within the Bill.

I firmly believe that the settlement that we are proposing will be stable and enduring. I believe also, contrary to the second complaint in the Opposition's reasoned amendment, that it will enhance Scotland's position within the United Kingdom and in Europe, and indeed within the wider world. The Bill provides for a powerful Parliament and a powerful Executive at the heart of the Scottish Administration. They will have full powers

to observe and implement European law within the devolved areas, and they will be able to play a role in negotiations with European partners.

The Opposition's amendment argues that the Bill's lack of

"clarity on taxes and resources threatens the interests of Scottish business, Scottish people and Scottish jobs".

Nothing could be further from the truth. In Scotland, the business community is being far more progressive under Conservative Opposition. A new reality is dawning, which it wants to participate in and promote. The business community wants to see Scotland as a showcase for internationalism, technology, and investment in industry, as well as wealth creation and jobs.

I started by saying that this was an historic day for the people of the United Kingdom, including the people of Scotland. I urge right hon. and hon. Members to vote against the Opposition's reasoned amendment, but I welcome its opening words. They accept and respect

"the clear decision of the Scottish people in favour of a devolved Scottish Parliament with limited income tax-varying powers".

I recognise that the Bill is a significant step forward, and it is high time that the Opposition also appreciated that it is a step forward for them. Constitutional change requires all political parties to sign up for the project. There is still a hesitating and grudging acceptance that that is where the Conservatives might want to be.

Elections will be fought in Scotland, and there will be Conservative candidates. I think that some Conservative Members might be considerate of that, because anything that is said here will become part of the debate north of the border.

I welcome the part that all Opposition parties played in drawing up the programme motion for the remaining stages of the Bill's passage through the House. I am obviously delighted that they have agreed to scrutinise the Bill in a spirit of partnership rather than antagonism. That is good news for the people of Scotland. I am very pleased that all the political parties have accepted an invitation to join the consultative steering group.

The Scotland Bill is the start of a new chapter in the history of Scotland, but it is only a start. It is up to us as politicians, to the people of Scotland and to the rest of the United Kingdom, to make devolution work. I am confident that we shall do so, and that we will all reap the benefit.

With some humility, and tremendous pride, I commend the Bill to the House.

Question put, That the amendment be made:—

The House divided: Ayes 148, Noes 411.

Division No. 126] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Nigel Waterson and Sir David Madel.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Austin, John
Baker, Norman
Ballard, Mrs Jackie

Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Berrningham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Byers, Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Graham, Thomas
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick

Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Jane Kennedy and
Mr. Jon Owen Jones.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading), and agreed to.

Bill accordingly read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 63 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mr. Robert Ainsworth.]*

Question agreed to.

Committee tomorrow.

SCOTLAND BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Scotland Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenditure incurred by a Minister of the Crown by virtue of the Act,

(b) any increase attributable to the Act in the sums payable out of money so provided under any other enactment,

(2) the payment out of money provided by Parliament or the Consolidated Fund of sums so payable by virtue of subordinate legislation under the Act, and

(3) the payment out of the National Loans Fund of any sums required by a Minister of the Crown for making loans to the Scottish Ministers in pursuance of the Act.—*[Mr. Robert Ainsworth.]*

Question agreed to.

SCOTLAND BILL [*WAYS AND MEANS*]

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That, for the purposes of any Act resulting from the Scotland Bill, it is expedient to authorise—

(1) the imposition by virtue of a tax-varying resolution of the Scottish Parliament of charges to income tax in relation to the income of Scottish taxpayers, and

(2) the payment of sums into the Consolidated Fund or the National Loans Fund.

In this Resolution, 'tax-varying resolution' means a resolution providing for the percentage determined to be the basic rate for any year of assessment to be increased or reduced for Scottish taxpayers by a number specified in the resolution which does not exceed three and is either a whole number or half a whole number.—*[Mr. Robert Ainsworth.]*

Question agreed to.

SCOTLAND BILL (PROGRAMME)

Ordered,

That the following provisions shall apply to the Scotland Bill:—

1. Proceedings in Committee of the whole House shall be completed in eight allotted days and shall, if not previously concluded, be brought to a conclusion at Ten o'clock on the eighth day.

2. Proceedings on consideration and Third Reading shall be completed in three allotted days and shall, if not previously concluded, be brought to a conclusion at Ten o'clock on the third day.

3. (1) Standing Order No. 82 (Business Committee) shall apply to proceedings on the Bill;

(2) Resolutions of the Business Committee may include alterations in the order in which proceedings on the Bill may be taken;

(3) The Business Committee shall report to the House a Resolution as to proceedings in Committee not later than 22nd January 1998; and

(4) Any resolution of the Business Committee may be varied by a further Report of the Committee under the Standing Order (whether before or after the date on which the Committee is to report under this paragraph and whether or not that Resolution has been agreed to by the House).

4. For the purpose of concluding any proceedings which are to be brought to a conclusion at a time appointed by or under this Order,

(1) The Chairman or Speaker shall put forthwith the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including in the case of a new Clause or Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question on any amendment moved or Motion made by a Minister of the Crown; and

(d) any other Question necessary for the disposal of the business to be concluded.

(2) Proceedings under sub-paragraph (1) shall not be interrupted under any Standing Order relating to sittings of the House and may be decided, though opposed, at any hour.

(3) If, apart from this sub-paragraph, two or more Questions would fall to be put by the Chairman under sub-paragraph (1)(d) in relation to a series of clauses or schedules to which no notice of amendment has been given by a Minister of the Crown, the Chairman shall instead put a single question in relation to those clauses and schedules.

(4) On a Motion made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

5. In this Order "allotted day" means a day on which the Bill is put down on the main business as first Government Order of the Day.

6. If any Motion is made by a Minister of the Crown to amend this Order so as to provide a greater amount of time for proceedings on the Bill under paragraph 1 or 2 of this Order, the Question thereon shall be put forthwith and may be decided, though opposed, at any hour.

7. If any Motion is made by a Minister of the Crown to supplement the provisions of this Order in respect of proceedings on any Lords Amendments or any subsequent message from the Lords relating to the Bill, such Motion may be proceeded with, though opposed, at any hour and the proceedings, if not previously concluded, shall be brought to a conclusion three-quarters of an hour after they have been commenced.—[*Mr. Dewar.*]

PETITION

Maternity Unit (Maldon)

10.17 pm

Mr. John Whittingdale (Maldon and East Chelmsford) *rose—[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Will the hon. Gentleman resume his seat for a moment? Will hon. Members please leave as quickly and quietly as possible? *[Interruption.]* Will hon. Members please leave quietly?

Mr. Whittingdale: Thank you, Mr. Deputy Speaker. I wish to present a petition on behalf of my constituents in Maldon, who are campaigning for the maternity unit at St. Peter's hospital to remain open. The Maldon district covers a large area with many scattered communities, and if the maternity unit closes, expectant mothers will have to travel a considerable distance if they wish to have their babies in hospital.

The petition has been raised by a local group called MOMMS, which stands for Mothers Opposed to Maldon Maternity Shutdown, and carries 7,914 signatures. It says:

The Petitioners therefore request that the House of Commons urge the Secretary of State for Health to intervene and ask North Essex Health Authority to remove its proposal to close St. Peter's Maternity Unit and to instead encourage and promote the use of the Unit thus increasing its cost-effectiveness.

To lie upon the Table.

Agro-chemical Incidents

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

10.19 pm

Dr. Peter Brand (Isle of Wight): I welcome the opportunity to discuss the introduction of regulations requiring the notification of agro-chemical incidents. The debate is particularly timely given the support that the early-day motion on the subject has gained from hon. Members of all parties.

In introducing a debate on this subject, I hope to draw attention to the problems experienced by those who believe that they have been harmed by exposure to agro-chemicals but have difficulty in finding evidence on one side or the other. Currently, very little is known about the effect of agro-chemicals on human health—especially the long-term, more chronic effects. People who have been exposed to such chemicals have no way of knowing whether their subsequent illness is a definite result of that exposure.

I see many who believe that they suffer from myalgic encephalomyelitis or another chronic debilitating illness and who date it back to some incident involving agro-chemicals. I call on the Government to make exposure to agro-chemicals resulting in a visit to a doctor or hospital a notifiable event. That would mean that people exposed to agro-chemicals would in future have their cases documented and recorded so that a database for such exposures and their effects could be built up. It would also allow for earlier investigation and greater awareness on the part of doctors and hospitals.

Statistics provided by the Health and Safety Executive demonstrate a clear need for such a move. The HSE's pesticides incident appraisal panel considers cases investigated by the HSE in which pesticides have been alleged to have caused ill health. The panel considered just 81 cases in 1996–97. In only one of those cases could a link between pesticides and illness be proven, and that was the case of a man employed to use pesticides constantly. In 26 more cases, there was too little information for the matter to be proved one way or the other, although 11 of them were thought to point to a likely link. These cases mostly involve members of the public.

Those cases and countless others like them—involving people who believe they have been infected—ought to be investigated more promptly. I have details of six cases of agro-chemicals being associated with illness on the Isle of Wight alone. That is just one constituency, and yet it could account for 13.5 per cent. of all cases considered by the panel.

If the Government acted following this debate, one of my constituents, Mr. Alex McBain, would have the small compensation of knowing that, in future, people will be able to prove that their illness has been caused by exposure to agro-chemicals. Mr. McBain went out into his garden one day and was caught, he alleges, by a blast of fungicide from a tractor spray. He shouted a warning to the tractor driver, but he carried on as normal.

The following day Mr. McBain experienced severe muscle fatigue and felt very unwell. By 16 June, some seven days after the event, he had become so unwell that he could not walk unsupported. He went to his local

GP and blood tests were taken. The results of those tests took a long time and the wrong tests were done. No link could be established, but, unfortunately, Mr. McBain deteriorated significantly and had to be admitted to hospital where he rested for some weeks.

What concerns me most about the incident is that it was Mrs. McBain who had to seek advice from the HSE. The hospital and the local doctor were completely remiss in not trying to establish a link between the history that Mr. McBain had given and the illness that occurred subsequently. It is totally unacceptable that relatives of the sufferer have to become experts in the disease to seek advice.

The HSE acted promptly by sending a man over within days of Mrs. McBain's getting in touch, but unfortunately the investigation was somewhat perfunctory as far as the victim was concerned. The investigator was at the house for only 20 minutes and tried to find all sorts of reasons why Mr. McBain's illness might not have been due to spraying and why, if it had been the spray, it could not have affected the garden. I could give all sorts of details, but I do not think that I need to detain the House at this late hour.

The result is that an active 75-year-old man who used to swim every day and to walk his six dogs is now semi-paralysed and crippled. If we had been aware of what was going on, his condition might have been ameliorated and he might have been treated. Certainly, he would now have had a stronger case for finding out whether a link could have been proven between the incident that he described and his subsequent illness.

The other feature of the event was the amount of off-the-record information that Mr. McBain was given. He was told, "Yes, that was the most likely cause, but we can't prove it, so we can't put it in an official report." Again, that must be unsatisfactory.

I hope that the Minister will be able to look into the circumstances surrounding the case and plan some Government action. First, incidents of exposure ought to be notifiable, so that doctors and hospitals become more aware of the potential risk. Secondly, we should have a system for looking into the post-marketing effects of agro-chemicals in the same way that we have for pharmaceutical medicines. Often, drugs are extensively tested before marketing, but subsequent use shows that side effects that were not theoretically anticipated occur. Some notable drugs have had to be withdrawn from the market and the same must apply in the case of some agro-chemicals.

I did not seek this debate because I am prejudging the safety of existing sprays; nor am I implying that we have irresponsible farmers, especially on the Isle of Wight. I am trying to illustrate the inadequacy of the present system. I urge the Government to consider the effectiveness of the Health and Safety Executive and the current state of notification.

10.26 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): First, I congratulate the hon. Member for Isle of Wight (Dr. Brand) on this debate and thank him for bringing an important subject to the attention of the House. I must pass on my concern and sympathy for the illness suffered by his constituent. He will know that I am aware of the incident involving Mr. McBain. I have written to the hon. Gentleman and to his constituent about the case.

The incident in question was investigated fully. Inspectors visited the site and interviewed Mr. McBain and the farm foreman and spray operator. They concluded that there had been no irregularities or breaches of any legislation. However, I accept that there is clearly some dispute about the quality of the investigation and will be happy to write to the hon. Member again, if that would be helpful, to clarify any further points.

Pesticides are inherently toxic and so I understand the hon. Member's concerns and those of his constituents. It is precisely because pesticides are so effective against pests and diseases that they pose a potential risk to people, wildlife and the environment. When one considers that any agricultural worker—there are about half a million of them—might be exposed to such chemicals, as might members of the public, there is a clear need to ensure that they can be and are used safely. That is why we have in place an extensive range of legislative and administrative controls, designed to ensure that all pesticides and veterinary medicines are safe to those who use them and to bystanders, wildlife and the environment.

The sale, supply, storage and use of the products, with the advertisement of pesticides and the marketing of veterinary medicines, are subject to ministerial approval. Ministers are advised on the matter by independent experts: the Advisory Committee on Pesticides and the Veterinary Products Committee. As part of the approval process, applicants are required to submit a great deal of toxicological data, covering both acute and chronic effects. That is then linked by those evaluating the product with extensive exposure data. Contrary to what the hon. Member for Isle of Wight said, we know a great deal about the effects of agro-chemicals on human health.

Dr. Brand: I respect the expertise of the people on those advisory panels, but in exactly the same way as pharmaceutical companies seek expert advice and get it wrong, it would be surprising if that did not happen with agro-chemicals. The fact that only 81 cases of possible deleterious effects on human health were investigated in the past 12 months shows that we do not have a handle on the problem.

Angela Eagle: I will deal with the figures that the hon. Gentleman has cited in a subsequent part of my speech. I said that there were expert panels, but I did not say that they were infallible. Clearly, we have to try to establish a procedure that gives us the maximum chance of detecting whether any unpredicted effects manifest themselves when the substances are used.

The Government have recently considered the need for further controls across a wide range of products. We recently revised a code of practice on precautions taken to protect non-target species in the environment and on the use of chemicals in the water supply. It is also an offence under the Water Resources Act 1991 to discharge polluting matter to surface or ground waters unless those discharges are under or in accordance with a consent issued by the Environment Agency.

The new regulations and further controls to protect ground water have been put together in a consultation paper on proposed revised regulations that was placed in

[Angela Eagle]

the Library yesterday. The use of pesticides and veterinary medicines at work is subject to health and safety legislation that requires that risk is assessed in each and every case, that employees are adequately trained and instructed and competent to do the job, and that others, such as members of the public, are not put at risk.

Mr. Paul Tyler (North Cornwall): As the Minister may know, I chair an all-party group concerned with organophosphate pesticides. I do not think that there is any doubt in anyone's mind, inside the House or out, that the Government are trying their very best to improve the standards and quality of the control mechanisms, but the concern, as my hon. Friend the Member for Isle of Wight rightly says, is whether the information is being projected sufficiently far down the chain to those who use the products or are responsible for following up when there is an incident.

In particular, there is concern about the resources available to the Health and Safety Executive and the extent to which it is on top of the job. There have been too many examples in which information has been available to the HSE that has not been disseminated to those who should be concerned: to farm workers, in this case, or their general practitioners.

The case that my hon. Friend outlined so eloquently is being replicated throughout the country, because the HSE has simply not had the resources or the methods to be able to respond sufficiently quickly to an incident.

Angela Eagle: I would refute some of what the hon. Gentleman said about the HSE's response rate. It responded very quickly in this case when it was told that there had been an incident.

I want to move on to the way in which the structures operate both in the workplace and in the more difficult cases in which members of public may have been affected and there is no obvious structure within which to ensure that there is reporting.

If anyone believes that pesticides or veterinary medicine have caused harm, they should report the incident immediately. A guidance leaflet is being issued to enable the public to know how and in what circumstances they should report, and copies are available.

The Health and Safety Executive treats reports of ill health extremely seriously. Its inspectors are instructed to investigate those associated with pesticides or sheep dipping, and they take enforcement action when it is called for. In the four years between 1992 and 1996, about 110 prosecutions were taken under the Control of Pesticides Regulations 1986. The HSE's pesticides incidents appraisal panel will be informed if the product involved is found to be a pesticide and will then consider the likelihood that the reported ill health was caused by a pesticide.

Where appropriate and where permission is given, the panel receives the result of any examination or investigation carried out by the national health service and others involved in the care of individuals. The panel's conclusions are contained in a pesticide incident report, which is published annually and from which the hon. Member for Isle of Wight quoted. From what the hon. Gentleman has said, it might be helpful if I spend a moment clarifying the role of the panel.

The function of the panel is simply to judge the likelihood of an ill-health incident being related to pesticide use and identify trends so that regulators can, if necessary, take the kind of action that I described earlier. Decisions on whether there has been any breach of the law are taken by those investigating the incident. It is not the role of the panel to give a definitive verdict in the way in which a court of law would. Thus, for regulators, "likely" verdicts are every bit as valuable as "confirmed" ones. The panel's classification scheme is designed to support the function of reporting back to those authorities that issue licences. The figures quoted by the hon. Member for Isle of Wight are a sign, not of inadequacy but of proper conclusions carefully reached on the basis of available evidence. The fact that some of the 1996–97 cases are still pending indicates not tardiness but the thoroughness with which the investigation is carried out.

Dr. Brand: Will the Minister give way?

Angela Eagle: I am anxious to make some detailed points on some of the issues that the hon. Gentleman raised and this is a time-limited debate, but if he is bursting to intervene again, I will allow him to do so.

Dr. Brand: I am very grateful to the Minister. I am afraid that we have drifted off the point. My point is that 81 investigations, no matter how thorough, are not statistically adequate to draw conclusions on trend. I am looking for investigation and reporting of people before they become grievously ill so that we can have a much wider debate on safety, not necessarily the harm that some of these things do.

Angela Eagle: We have to establish that an incident has occurred. That is the first thing to say. If I may deal with what happens in a workplace—this involves agricultural activities as well as factories—employers and the self-employed are legally required to report to the HSE certain injuries, diseases and conditions and dangerous occurrences which arise from work activities. Pesticide approval holders are required to tell the regulator if any relevant information on product safety comes to light such as reports of adverse reactions or results of new research. It is important to know that employees and the public are able to report incidents direct to the HSE, which stands ready to respond. In essence, it has to wait for reports to be made to it. Members of the public can report directly to the HSE. The bulk of complaints currently received originate from that source.

We do not in this instance believe that new legislation which creates further notification requirements is the right way to encourage reports. Duties would need to be placed on either the public or health professionals to report. As such, it would be very difficult to enforce. Employers and those who operate in workplaces already have a duty to notify.

The hon. Member for Isle of Wight mentioned the yellow card scheme and suggested that it would be a good method to follow for notification. However, the yellow

card scheme for medicines is not a good parallel. The doctor in this case is the person who administers the drug and the only direct observer of its unforeseen effects. In the case of an alleged exposure to a pesticide, the doctor will rarely be in a position to assess the circumstances of use or exposure or, in many cases, the identity of the chemical that is possibly involved. It is not the only or even a principal way of investigating a case.

The hon. Gentleman's scheme, similar to the yellow card scheme, which I believe he advocates, was tried. It was called the green card scheme and it was used in the early 1990s for a fixed-term trial to study pesticide-related illnesses. Unfortunately, after a trial run, we found that it did not generate additional data of a quality that would justify introducing it on a permanent basis.

In any event, a work-related incident that has resulted in a person being admitted to hospital is already reportable under the Reporting of injuries, diseases and dangerous Occurrences Regulations 1985. We can also obtain some information on cases brought to the attention of hospitals and doctors through the Department of Health's hospital episodes statistics and the national poisons information service. Thus, the information available is not limited to that obtained through the pesticide incident appraisal panel.

Nevertheless, I recognise and share the hon. Gentleman's concerns about under-reporting. There can be little doubt that however good a scheme is, it is impotent if it is not being used and things are not being reported. Efforts are therefore being made to ensure that information about the schemes is available to members of the public and others, and that awareness is high. At the centre of that activity will be a revision of the leaflet that I mentioned earlier. The Health and Safety Executive has that work under way and proposes to consult interested parties very early in the process so that the leaflet meets the needs of its target audience and of those who need to report incidents. There will be also wide-ranging consultation on how it might be most effectively distributed to, among others, the public and the medical profession.

I cannot stress too strongly the important role that the public can play, but it is essential that they report incidents quickly and provide as much information as possible, ideally including—I realise that the world is not always ideal—the product's approval number. To delay or provide partial information seriously hinders the ability of the regulatory authorities to act.

People who make reports must be prepared to accept that their ill-health may not be attributable to a pesticide or veterinary medicine as they believe. To accept that a pesticide or veterinary medicine was responsible without some form of assessments would not help the regulators or the individual concerned, the cause of whose ill-health would continue to be unknown.

I hope that I can reassure the hon. Gentleman that we are sympathetic to his arguments by informing him that we have set up an interdepartmental group to consider existing schemes for monitoring pesticide-related ill-health with the aim of ensuring that they are being used by the regulatory authorities to their maximum effect. I accept that many points of contact and different levels of statistics exist at present. A representative of the group is proposing shortly to meet interested parties from outside Government to seek their views about the existing network of monitoring schemes.

Despite what I said earlier about the so-called green card system, I have considerable sympathy with the notion that something like the yellow card system might, if properly designed, be a useful addition to the monitoring schemes already in place. I shall therefore write to the group suggesting that it once more goes over this ground and consider whether that possibility is worth examining again.

Question put and agreed to.

Adjourned accordingly at nineteen minutes to Eleven o'clock.

House of Commons

Wednesday 14 January 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Agriculture (Wales)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

9.34 am

Mr. Dafydd Wigley (Caernarfon): May I wish you a happy new year, Madam Speaker. This is my first opportunity to do so. I thank you for this opportunity to discuss agriculture in Wales so soon after the Christmas break. It was soon after coming back in the autumn that we felt it necessary to raise the subject in the House, and you were kind enough then to accord a debate to my hon. Friend the Member for Ceredigion (Mr. Dafis). It is a reflection of the continuing crisis in Welsh agriculture that we once again have to return to the subject.

We departed for the Christmas break to the sound of the ministerial statement on Monday 22 December. We return with its echoes still ringing. The concern of farmers in Wales remains equally acute. I represent a largely rural constituency, where the traditional family farm is the backbone not only of the agricultural industry but of rural life in general. The collapse of the family farm would lead to a collapse of the fabric of rural Wales and cause not only economic problems but environmental and social problems.

The industry in my constituency is mainly livestock. Much of it is on hill or marginal land. Much is subsistence farming with relatively low incomes. It has been said that 40 per cent. of eligible families in agriculture receive family credit in my constituency. That is a reflection of the level of income of farmers and their families. I can personally testify that the present crisis is the worst in agriculture in my 24 years in the House. It is the worst in living memory for many people. The figures for 1997 that have been estimated by the National Farmers Union show that there has been a 47 per cent. reduction in farm incomes in 1997 in real terms. That reflects the size of the problem.

The crisis is all the more acute because so many sectors seem to have been hit simultaneously. In previous difficult periods, some farmers were able to move from one sector to another—perhaps dairy to beef, or beef to sheep. Today, there is no scope for such action. All the sectors are in acute depression. To make things even worse, several factors have come into play together, as if conspiring to hit farmers when they are down. They include the direct and knock-on effects of the BSE crisis, the continuing ban on beef exports and the grossly over-valued pound, which brings in cheaper imports, makes it more difficult to export and adversely affects the parity of the pound against the green pound. The price of milk to farmers has fallen by more than 20 per cent. in the past year, and the loss of compensatory and support measures has also hit farmers. There have been increases in several, if not all, input costs, and costs have been imposed by the Government on farmers and continue to escalate. On top of all that, this Christmas, many farmers, especially in my constituency—this is especially true of dairy farmers—have been hit by electricity failures which prevented them from operating milking machines and keeping milk at the required low temperatures. I shall refer to each of those areas of difficulty in turn.

The beef export ban must be lifted. Welsh beef is as safe as any produced anywhere in Europe. It is safer than much that is imported from other countries. Cattle prices in Wales in November 1997 were down 27 per cent. compared to November 1995. I have a graphic example from a farmer in my constituency, Mr. Harri Parry of Glanllynnau, Chwilog near Pwllheli, who came to see me in my surgery last Wednesday. I have his permission to quote his case. He farms 182 acres of lowland just outside Pwllheli and is mainly involved in finishing cattle; he has some sheep as well. He has given me examples of the prices that he has paid and what he has received for his finished product. For example, a steer bought in November 1996 for £245—after the BSE crisis had started—was sold in December 1997 for £304. During that period, Mr. Parry had to meet the cost of feedstuffs at £80, transport costs of £18 and interest on the capital cost of the animal at £25. In other words, if one takes all those costs into account, he made a loss of £64 on that animal. That loss was made even before he had paid anything towards the rent on his farm or towards his labour.

That example is a reflection of the problems that face many farmers. My constituent told me that, two years ago, he just about broke even. Last year, he made a net loss of £15,000, and this year he expects things to be as bad, if not worse. He survives because his wife is a teacher and they take in some visitors during the summer. His case reflects the size of the problem that faces farmers, and quite frankly the Government's package of aid announced in December will not help that farmer by one penny.

The BSE crisis has been a major shadow behind the difficulties encountered by farmers in the past 21 months. I should be grateful if the Minister could tell us about the progress that has been made so far in Brussels, and possibly the progress that may be made today to lift the ban on beef exports from Northern Ireland. I should be grateful to know the possible effects that that may have on progress towards lifting the ban in Wales and elsewhere.

It is also important to consider the impact of beef imports from the European Union. Between January and August 1997, they increased by 63 per cent. compared with the same period in 1996. Resentment is felt in the agricultural fraternity and elsewhere that imports of beef of doubtful quality are coming to this country from other parts of the world. It is also important to consider the policy that is followed by public sector purchasers of meat in Wales, such as schools and hospitals. I urge them to purchase home-produced products rather than imports.

Mr. David Hanson (Delyn): I am sure that the right hon. Gentleman will welcome the news that I have received today that the Glan Clwyd hospital trust,

[Mr. David Hanson]

which serves my constituency, has announced that it will buy only British beef this year. It is trying to secure such products in future years.

Mr. Wigley: I welcome that statement from the trust. I heard a similar statement from Ysbyty Gwynedd acute hospital trust when I visited it last week. We need to exert pressure on public service purchasers to buy British beef.

It is outrageous that the Ministry of Defence, which plays its war games over the land of the Welsh farmers, should buy its meat from overseas. That matter caused controversy just yesterday, and I know that it has resulted in incidents in the constituency of my hon. Friend the Member for Ceredigion.

There is a strong feeling that the pound is over-valued and that has had a hard-hitting effect on other sectors as well as agriculture. I believe that over-valuation is a direct result of interest rates that are set too high. Again, that hits farmers with capital borrowings. Farmers are suffering in all directions not only because of what they have to pay for their loans to facilitate their work, but because the high value of the pound also hits exports and encourages imports. The Government should change their economic policy to reduce the parity of the pound, which would help the manufacturers of food products to export as well as improve the position of the green pound parity.

In the meantime, we must try to obtain the maximum benefit possible from the compensation available from the European Union. There is a fund of £980 million of aid on offer over a three-year period; half of that money is payable from the EU whether or not the United Kingdom contribution has been paid.

Mr. Richard Livsey (Brecon and Radnorshire): Does the right hon. Gentleman agree that it is also ironic that British taxpayers have paid out for some of that compensation in their contributions to other countries in the EU? Does he agree that meat exports from the EU are having a hard-hitting effect on Welsh farmers because British taxpayers are subsidising European producers to undercut our domestic market?

Mr. Wigley: Yes, that is absolutely incredible. All other eligible EU member states have taken advantage of that benefit package, which, as the hon. Gentleman has rightly said, is partly funded by United Kingdom taxpayers. The message from Welsh farmers to the Government about that EU fund is, "Go for it." That possibility should have been stressed far more strongly in the measures announced in the December package.

The dairy sector is also facing a crisis as a result of the reduction of about 5p per litre in the price paid to many dairy farmers compared with the price paid in the best time last year. No other industry could absorb a cut of such magnitude. The price of some animal feed may have dropped by between 1 and 2 per cent., but other component costs such as transport have increased.

Farmers will be driven from milk production unless there is some change in policy. Young people are just not prepared to enter an industry where long hours, sometimes anti-social ones, are required if the rewards are not guaranteed. They would have to be on the farm constantly, day-in, day-out, week-in, week-out because of their obligations towards their dairy herds. They are not willing to enter such an industry when the rewards are so low—they may just break even.

Mr. Lembit Öpik (Montgomeryshire): Does the right hon. Gentleman agree that it is a source of great concern that the dairy industry, which should be the natural point of entry into farming, is now becoming difficult to join? That is putting off potential young farmers who are failing to come into agriculture. That is causing a crisis because of the aging farming population and the lack of entrants to it.

Mr. Wigley: Yes. It means a loss of continuity on family farms. The lack of young farmers also poses an implicit threat to manufacturing organisations that depend on the products of our dairy farms. The manufacturer of cheese in my constituency depends on the milk produced by the local dairy sector. If that sector is undermined there will be a knock-on effect on the manufacturing sector.

The benefits provided by the aid schemes designed to help beef farmers have been drastically reduced. That is partly due to the six revaluations of the green pound in the past 18 months. The benefits of the over-30-months scheme have also been severely eroded by the Government's decision to place a 560 kg weight limit for compensation. Those two factors have reduced the compensation available on an average animal of 600 kg from £513 in June 1996 to just £311 in November 1997—a loss of more than £200 per animal. Again, that has hit the farming community hard.

Let us consider the additional burdens that the Government have specifically and deliberately placed on our farmers. The subsidy on rendering will be phased out and will end on 1 February. That will place an additional £47 million cost on cattle farmers and an additional £25 million cost on sheep farmers. The Government are also placing a duty on the farming industry to absorb the costs of the Meat Hygiene Service with regard to specified risk materials. That will be equivalent to an additional cost burden of £16 million on the cattle sector and £24 million on the sheep sector. In addition, the charges incurred under the cattle movement service—the passport scheme—will place an additional £20 million cost on the cattle sector. The double tagging regulations will place a £3 million burden on the cattle sector. Taken together, those costs account for additional annual costs of £86 million on the cattle sector, which is equivalent to £38 per head of cattle, and £50 million on the sheep sector, which is equivalent to £3 per head of sheep.

In other words, the entirety of the £85 million help for farming announced by the Minister of Agriculture, Fisheries and Food on 22 December has been more than recouped by the Government through higher charges. What a vicious, cynical and double-dealing betrayal of the farmers of Wales—the Government are getting back every penny that they said they were giving to help farmers. No wonder our farmers are angry and no wonder we heard last night of demands at Cross Hands for a change in Government policy. Farmers have every right to be angry: they were landed in a predicament by the failures of the previous Government, and they have had their plight first ignored and then appallingly treated by the present Government. Later today, farmers will be watching closely to see who will bear the costs of the new

food safety scheme. Certainly, the general costs should be borne by the general taxpayer, instead of additional costs landing on the beleaguered farmers.

The sheep sector has been hit by the high pound. The exporting of lamb has been one of the big success stories of the Welsh economy in recent years, but that is now jeopardised. Any failure of the export markets leads to a flooding of animals on to the home markets, which drives prices down. This month, lambs are selling at 94p per kilogram, compared to 132p per kilogram 12 months ago. Only yesterday, our former colleague in the House, Lord Geraint, who has great personal detailed knowledge of these matters, told me that, very recently, he bought hoggets for £9.14 each—half the price he would have paid 12 months ago. As a man from Ceredigion, no doubt he saw a bargain when one was put before him, but his experience reflects the problems facing those who are selling and the difficulties in the sheep sector. Those issues must be given attention.

In summary, we want to secure the immediate lifting of the beef export ban and we want an end to the weight limits in the over-30-months scheme. We want the Government to absorb the costs of passport charges and of the Meat and Hygiene Service, which is in the interests of both the general public and farmers. We want the Government to give more aid by bidding for the entirety of the £980 million available from Europe to compensate for the green pound. We want more details to be made available about the December package, so that we know exactly how it is to work.

We want lower interest rates, which will bring down the parity of the pound. We want the Government to bear the costs of the traceability scheme in Wales, as they do in Northern Ireland. We want the Government to give adequate funding for an all-Wales agri-environmental scheme and avoid unnecessary bureaucracy in such schemes.

We also want the Welsh Office to speed up payments for which farmers are eligible—there have been quite inexcusable delays in making payments in recent months, which is adding to the cash flow problems facing many farmers. We want the Government to encourage supermarkets to label clearly the countries of origin of the meat products they sell and to support home-grown food. In any reform of the common agricultural policy, we want to ensure that small family farms are safeguarded through having an upper limit on subsidies—in other words, we want modulation policies to be introduced.

The crisis is of direct concern to me, to my colleagues and to my constituents. Had my grandfather, an upland hill farmer in Montgomeryshire, not died when my father was only five years old, I—or a version of me—might well have been one of the beleaguered farmers in Wales today. I know from family, friends and constituents that unless the crisis is sorted out fast, the whole fabric of rural Wales will be destroyed. The clock is ticking and we are at the eleventh hour. The Minister and his colleagues must respond more positively, more generously and more urgently. I hope that today he can give some hopeful news to the farmers of Wales and that the rural parts of Wales will be able to look forward to better prospects than they have faced recently.

9.53 am

Mr. Huw Edwards (Monmouth): I thank you, Madam Speaker, for granting this Adjournment debate. I congratulate the right hon. Member for Caernarfon (Mr. Wigley) on his well-crafted speech. I shall, first, outline the situation in Welsh agriculture as it affects farmers in Monmouthshire; secondly, consider the short-term measures that were recently announced; and, thirdly, examine the need for long-term strategic measures to ensure a more successful future for agriculture in Monmouthshire and the rest of Wales.

In recent weeks, we have seen peaceful demonstrations by farmers in Abergavenny and Monmouth. I support my constituents in undertaking those demonstrations, as I have supported demonstrations by those concerned about the crisis in education, the national health service and the mining community. We also saw a mass lobby of the House by farmers from Wales and I was pleased to be able to share a platform with the right hon. Member for Caernarfon and the hon. Members for Brecon and Radnorshire (Mr. Livsey), for Ynys Môn (Mr. Jones) and for Ribble Valley (Mr. Evans)—

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) *indicated assent.*

Mr. Öpik *indicated assent.*

Mr. Edwards: and, of course, with the hon. Members for Meirionnydd Nant Conwy (Mr. Llwyd) and for Montgomeryshire (Mr. Öpik) and all other hon. Members who contributed to that event. That shows that, when there is a national crisis, it is important that we do not indulge in futile political point scoring.

I also pay tribute to the representatives of the main farming unions in Wales for the way in which they have briefed Members of Parliament, for their determined campaign on behalf of their members and for the evidence they submitted to the Select Committee on Welsh Affairs, whose brief inquiry into the crisis in Welsh agriculture is still going on. Like other hon. Members here today, I am honoured to be a member of that Select Committee.

The thousands of Welsh farmers who lobbied Parliament demonstrated their concern about the serious crisis in Welsh agriculture, which will have an impact on the Welsh economy in general and in my constituency. More recently, I addressed a mass meeting in Abergavenny of more than 300 farmers, who asked a wide range of questions, which I have sent to my hon. Friend the Minister. They ask whether consideration could be given again to supporting farmers for the end product, although I doubt whether that is likely to happen; and they want further assurances about the labelling of meat.

As the right hon. Member for Caernarfon said, there is considerable concern about payments overdue from September, October and November, and concern that equivalent payments from the Ministry of Agriculture, Fisheries and Food in England have been made, whereas those from the agriculture division of the Welsh Office have not.

Mr. Livsey: I addressed a meeting in Brecon of about 350 farmers. We took a poll of the number of people who had not received suckler cow payments and found that 54 farmers at that meeting had not been paid.

Mr. Edwards: I am grateful for that comment. I asked that question of the 300 farmers I met, and a high

[Mr. Edwards]

proportion had not received payments due from last September. That is a matter to which my hon. Friend the Minister should give his attention.

It is important to recognise that although the beef sector has been especially hard hit by the crisis, other sectors of agriculture, including the sheep, dairy and arable sectors, are also affected. I have had meetings in my constituency with the National Farmers Union and the Farmers Union of Wales and with large groups of farmers. I have encouraged farmers to write letters and I am grateful for the briefing material I have received. The evidence is clear and has already been outlined by the right hon. Member for Caernarfon: farm incomes have declined by 47 per cent., and the NFU estimates that they are set to fall by a further 45 per cent. this year compared with 1996.

Many farmers have written to me setting out the facts. According to one farmer, cattle that he offered for sale in Monmouth were priced at £350—a deficit of £170 per beast compared to pre-March 1996 prices. Another farmer from Croesyceiliog sums up the situation, saying:

"This industry is in dire straits. Countless farmers will be bankrupt—the knock on effect to the industry and the rural community is awesome. Please do something before it is too late."

It is my duty to convey that message on behalf of my constituents. At the Abergavenny meeting, one farmer comically announced that, paradoxically, his herd would be worth far more if it had BSE than it is currently worth BSE free. That is a perverse situation and we must seriously address those problems.

The key issues involved in the crisis have already been highlighted: the effect of the high pound making beef imported from European Union and non-EU countries cheaper; the substandard quality of some imported beef, especially beef over 30 months and cow beef; and higher standards being employed in Britain than in other countries. It is amazing that, although countries such as Botswana, Mauritius, Namibia, Paraguay, Poland, South Africa, Swaziland, Uruguay and Zimbabwe may operate far less stringent controls, their meat is imported into this country, while beef produced to high standards here cannot be exported.

If British consumers knew that beef over 30 months old was being imported from those countries they would rightly be outraged. Farmers are right to point out that while the highest standards apply in Britain to eliminate BSE, there is no assurance that countries such as Namibia, Swaziland and Botswana are free of BSE. The matter needs urgent consideration.

How can consumers know what they are buying when there is such inadequate labelling? Surely it is time for the country of origin to be advertised so that the consumer can make an informed choice. As I said to my right hon. Friend the Minister of Agriculture, Fisheries and Food recently, if it is possible for the consumer to know the country of origin of every bottle of wine that they buy, why can they not know the country of origin of every joint of meat that they buy?

I should like to highlight a local supermarket in my constituency, Waitrose in Monmouth, which clearly states that all its fresh beef is British. Unfortunately, the same cannot be said about its lamb, which seems to come predominantly from New Zealand. There is concern among farmers in my area that, apparently, lamb over the age of six months is now regarded as mutton, which affects the purchasing policy of supermarkets such as Waitrose. I should like more clarification on the matter and I hope that we shall seek it from the supermarkets.

I commend some of the statements that my right hon. Friend the Minister of Agriculture, Fisheries and Food has made recently. I commend his unilateral decision on certain beef imports that are not up to British standards. I also commend the £12 million package for Welsh farmers which he announced in his statement in December. That was rather more than I had feared it might be, but not as much as I had hoped for. I welcome the support for the suckler cow sector, which will benefit farmers in my constituency. I also welcome the hill livestock compensatory allowance payments, although they will have less effect in my constituency which is largely lowland. To its credit, Monmouthshire county council has announced that only British beef will be used in its schools and other establishments. It has provided a standard which other public bodies should at least follow.

There is a need for both a short-term and a long-term strategy to restore confidence in the beef market. I hope that Ministers will re-examine the further availability of agri-monetary compensation from the EU. Other countries draw on that fund and it will be important that British farmers are also able to claim their entitlement. We have been asked whether Ministers can review the over-30-months scheme and the weight limit which has been imposed. We have also urged Ministers to look seriously at the issue of labelling.

In addition to a short-term strategy, there must be a long-term strategy, which the industry has lacked. The Government are undertaking a strategic defence review; surely it would be possible to have a strategic agricultural review. It is vital that agriculture has a long-term business plan with a clear role for the Government. There must be clear, long-term agricultural objectives for the Government and the Welsh Office. Clearly, the Welsh Assembly will have implications for the future planning of agriculture.

We need clear, reliable data for long-term planning. We need reform of the common agricultural policy so that it distributes resources more equitably and supports the vital environmental role provided by farmers. I commend the agri-environmental scheme that we have in Wales. It will have to be developed further, and I hope that farmers in Monmouthshire will be able to take advantage of it and see that, in future, that is how they will play their vital role in maintaining the outstanding environment in Monmouthshire and Wales.

We need to consider the assessment of the impact of the negotiations on the general agreement on tariffs and trade. There should also be an assessment of EU developments on the single currency and its impact on farming.

I was impressed by a statement from the president of the National Farmers Union, Sir David Naish, which set out long-term objectives for the industry. Those objectives include producing the bulk of Britain's food supplies and creating an internationally competitive industry in Europe and the world that contributes to the maintenance of the countryside and landscape, plays a full part in Britain's rural economy and provides safe food through responsible and sustainable methods. I understand that my right hon. Friend the Minister is making a statement this

afternoon announcing the establishment of a Food Standards Agency. The measure is long overdue and I am sure that it will be commended. I look forward to hearing that statement.

Farmers devote a lifetime to producing food for our people. They deserve a secure future, but can have one only if there is a clear, long-term strategy for the industry. I have focused on the crisis facing agriculture in Monmouthshire, but it is a matter of concern, not just to the farmers but to all those involved with the rural economy.

The decline in incomes in farming will have a multiplier effect which will have a serious impact on a wide range of farming-related industries, including feed suppliers, farm machinery suppliers, rural retailers and the banks. I shall be meeting ancillary farm workers on Saturday to discuss the concerns that they have as a result of the crisis.

The loss of those industries and skills would have a catastrophic effect in my constituency and throughout Wales. I urge the Government to respond effectively and immediately to the crisis facing agriculture. If they do not, the impact on agriculture, the rural economy and the environment will be devastating.

10.5 am

Mr. Lembit Öpik (Montgomeryshire): If I were a farmer now, I would be asking, "What have I had done to deserve this?" What crime has agriculture committed that has caused it to be punished so intensely and persistently as to drive individuals out of the business? What other industry would be expected to deal with such deflation in its income at a time when the certainty of its products being sold within the domestic market cannot be assured?

The beef crisis is not of the industry's own making. Government policy led to BSE, yet farmers are increasingly expected to pick up the tab. The export problems are exacerbated by the amazing and depressing fact that while, in the past, sheep prices often compensated for a decline in beef prices, at present, both prices are depressed in an unrealistic and unsustainable way.

We have already heard talk about the overdue payments. It is simply not acceptable at a time when all farmers are expected to bear the burden of the increasing costs to expect them to wait for what meagre subsidy they have been promised. For example, the persistent expectation that meat hygiene costs must be borne by the producers puts an unacceptable burden on producers who have tried hard to protect their industry.

Mr. Livsey: Will my hon. Friend also note the impact of charges on butchers who have abattoirs on their premises? There are two in my constituency, Mr. Eddie Thomas and Mr. Brian George, who are being charged £98 per day and £15.74 per hour. They are paying inspectors £200 a day when the farmers themselves are earning only £10,000 a year, if that—owing to the current prices, they are now on much lower incomes. Does my hon. Friend agree that something has to be done or those small butchers will go out of business?

Mr. Öpik: My hon. Friend makes a good point and it serves to highlight the fact that we are discussing not simply the depression of incomes but the survival of those small butchers and small abattoirs. Mr. Hamer, an abattoir owner in my constituency, told me:

> "Due to the strength of the pound we cannot export effectively . . . Therefore the only way this charge . . . can go is back down the line to the producer. Now given that the producer's returns are so very low, this further £3.50 is going to cause considerable damage to the rural economy and obviously to this industry".

With such onslaughts, it is amazing that the rural economies of Britain—in England, Scotland and Wales—can survive.

In addition, there is uncertainty, with no clear guidance as to the extent and nature of the common agricultural policy reforms. Perhaps most depressing, as the right hon. Member for Caernarfon (Mr. Wigley) said, is the amount of foreign imports that are coming into this country and undermining the one market—the domestic market—on which British producers should be able to depend.

Before Christmas, I visited a hospital where the staff were upset by the fact that they were obliged to serve Argentine beef, New Zealand lamb, French chicken and Danish pork to their patients. It is ironic that, although we can now safely claim that British produce is the safest in the world, our hospital patients and the customers of other public outlets are served imports of more dubious quality.

The consequences, in addition to the general decline of UK agriculture, are obvious: the disintegration of the smallholding structure that serves to prop up rural life in mid-Wales as we know it; the stress on family farms; and the fact that many children on family farms are seriously considering leaving the agricultural world altogether to find a safer and more profitable existence in some other walk of life.

The Government may have forgotten that farmers are not simply breadwinners but guardians of the countryside. The countryside that so many city folk love to visit is protected and nurtured by people who are trying hard to make a living in the process of looking after that countryside.

One consequence that has not been mentioned is rural stress. Rural stress and stress-related illness are at record highs in the countryside; suicides among farmers are at an alarming level. Some statistics suggest that farmers are more at risk for suicide than any other professional group in the United Kingdom.

It is fairly obvious what action we must take. First, it would greatly reassure farmers if they received from the Government not just words of sympathy but real financial support. It is merely a tactical excuse to say that BSE has cost too much. The farmers know that it is expensive, but they depend on the Government to provide serious economic support to ensure that we weather this crisis without the wholesale collapse of the networks that provide for rural life in mid-Wales and throughout the UK.

Secondly, as the right hon. Member for Caernarfon said, we need to be told clearly when we may expect a comprehensive lifting of the export ban. I agree that Northern Ireland is in an excellent position to act as a precedent for a phased lifting of the ban. There is no logical reason why Ulster beef should not be allowed into the European market, and there is no logical reason why that lifting should not form part of a phased lifting of the ban throughout the UK.

[Mr. Öpik]

Thirdly, as the hon. Member for Monmouth (Mr. Edwards) lucidly argued, we must end the nonsense of unclear labelling. When a consumer picks up a package of meat, he or she must be able to tell from the label exactly where the beef, lamb or whatever was reared as well as packaged.

Fourthly, we must provide hope to family farms and smallholdings. That requires financial expenditure, but—equally important—it requires a clear strategic statement by the Government so that people on those farms, many of whom are being snowed under by bills that they cannot afford to pay, have some understanding of where the Government intend to lead them.

Mr. Hanson: The hon. Gentleman twice mentioned financial support. How much financial support, on both counts, would he provide if he were the Government today?

Mr. Öpik: I believe that the points on financial support have been clearly made by the right hon. Member for Caernarfon, but I emphasise that the important point is a strategic commitment to support the countryside. I shall not start throwing statistics around in a cat and mouse game, because I believe—and I hope that the hon. Gentleman will agree—that this issue transcends party politics. We must provide the people of the countryside with the assurance that we really have a Government who want to create one nation of the countryside and the cities, rather than two nations where the interests of the countryside play second fiddle to those of the city.

I make a heartfelt request that the Government really listen to the advice of those who live and work in the countryside when they represent our interests in Europe. In fairness, there is evidence that the Minister of Agriculture, Fisheries and Food is fighting his corner in trying to lift the export ban, but—as many of us have said and will continue to say—money is available that has not been accessed to try to support economically those who have suffered so much as a result of BSE and the strong pound.

The crisis in agriculture is not the farmers' doing. It is a crisis of the countryside, caused simply by the failure of Governments. I do not specifically blame the current Government, but I would point the finger at the previous Government, who failed to act in a way that preserved the economic sustainability of many farms on which we depend for our rural prosperity.

All farmers ask for is a level playing field. All they want is the knowledge that the Government will back them in their efforts to preserve the country life that has been so important for very many generations.

As a final plea, I ask the Minister for reassurance that there is an opportunity for open dialogue between the Farmers Union of Wales, the National Farmers Union in Wales and the Government, and that the Government are willing to listen to creative solutions and creative ideas from those who have made it their life's business to look after the countryside. With such dialogue, there may be a glimmer of hope that we can make genuine progress in a partnership that will secure the interests of those farmers in dire financial crisis in the short term, and the interests of the countryside that we all love in the long term, in Wales and throughout the United Kingdom.

10.16 am

Mr. Chris Ruane (Vale of Clwyd): I congratulate the right hon. Member for Caernarfon (Mr. Wigley) on securing this important debate, on a subject which will affect thousands of people in Wales.

The crisis in Welsh farming has a knock-on effect not only in the farming community but throughout the rural community and in many related industries. Before Christmas, I met a delegation of about eight workers involved in the ancillary industries, such as feedstuffs, farm machinery, ironmongery and fencing, and in the abattoir and processing industries. I saw the desperation in their eyes and heard the desperation in their voices. They are in crisis; they need help. They should get help from all quarters—from the Government, from the supermarkets and from the general public. We each have a role to play.

After the meeting in December, I promised to write to the Under-Secretary of State for Wales, my hon. Friend the Member for Bridgend (Mr. Griffiths), and the Minister of Agriculture, Fisheries and Food, pleading the case for the wider Welsh farming industry. I promised to write to all the national supermarkets in the United Kingdom—seven or eight of them—and I have had some encouraging responses from some, such as Kwik Save and Iceland. Kwik Save and Iceland are both based in Wales; in fact, Iceland was started by Albert Gubay in my home town of Rhyl. Both those supermarket chains have promised to act positively to help the Welsh farming community.

I also received an encouraging response from Tesco, which is aware of the crisis and has said that it will send one of its top executives to north Wales to listen to the problem. I hope that the right hon. Member for Caernarfon will join me on that visit, and perhaps we can get a delegation of Welsh farmers and the Welsh farming community there to plead our case. We should hold up those positive responses from some supermarket chains as an example to the others, and ask them how they intend to act. Most supermarkets wrote back to say that they were aware of the crisis and were doing this or that—but that is not enough: more can be done.

We need also to look at innovative ways of promoting Welsh farm produce. I ask the Minister to consider the American phenomenon known as farmers markets. They started in California because the farming community there was in crisis. The supermarkets were using their strong position to minimise farmers' profits. So the farming unions asked the supermarkets whether, for one or two days a week, they could use their grounds to sell their produce direct to the consumer, thereby cutting out the middle man. It was a great success, and it has since spread across the whole of America. The idea is going from strength to strength, and we could learn from that. I believe that there is only one pilot project of this type in the whole UK, in Bath. I urge the Minister to establish a pilot scheme for farmers markets in Wales.

The Government have thus far played an important role, and I shall continue to pressurise Ministers to plead the case for Welsh farmers. Some county councils are playing their part, but more pressure needs to be brought to bear to ensure that councils and LEAs buy Welsh meat. Some hospitals are playing their part, too. My hon. Friend the Member for Delyn (Mr. Hanson) has recounted how Ysbyty Glan Clwyd in my constituency has ordered the purchasing group for the whole of north Wales to buy Welsh or British meat.

Welsh Members of Parliament must continue to bring pressure to bear to ensure that Welsh farmers and the wider farming community survive this crisis. Without that, the farming industry will collapse, and that will bring devastation to rural communities throughout the length and breadth of Wales.

10.21 am

Mr. Ieuan Wyn Jones (Ynys Môn): I am indeed privileged to be called to speak in a debate on agriculture in Wales. I know that the Minister is well experienced in these matters—this will be the third time since the Government came to office that he has responded to agriculture debates initiated by my party. I thank him for the courtesy he showed my colleagues when we visited him before the announcement was made; I thank him for listening to our concerns.

Farmers in my constituency were disappointed with the compensation package, in the sense that it did not compensate specialist beef producers who finish beef—in other words, farmers who bought their store cattle in the spring and summer and finished them in the autumn and winter. They are the ones who bore the brunt of plummeting market prices. They have not received a penny piece from the compensation package. Perhaps the Minister will recognise these farmers' concerns and see what can be done for them.

The Minister is fully aware of the strength of feeling in Wales, so, rather than repeating points that have been made by my hon. Friends on both sides of the House, I should like to make three or four different points today.

First, I want to emphasise the depth of the crisis resulting from plummeting prices. I want to cite figures given me by the Morgan Evans market in Gaerwen. On 28 November last year, the average price for bullocks was 83.3p a kilo, and for heifers, 83.6p. The prices in mid-November 1996 had been 94.3p and 91p respectively; and in November 1995, 114.49p and 107p. That clearly shows, as my right hon. Friend the Member for Caernarfon (Mr. Wigley) said, a reduction of way over 20 per cent. in two years. There has in addition been a large drop in the price of lamb, from 130p to about 90p—a fall of 40p a kilo. It is the twin effect of the price falls in the beef and lamb sectors which has caused this awful crisis.

Wales is primarily a livestock-producing country, so the impact has been severe. The remarks of the Minister of Agriculture, Fisheries and Food at the Oxford conference, therefore, could not have come at a worse time. He said that he wanted support for the industry to decline even further. There are times to say these things, times when these matters need discussing, but raising them when the crisis is at its deepest was probably not particularly sensitive.

The introduction of new regulations on the exporting of sheep carcases on 1 January has caused immense concern to abattoirs and others involved in the export market. The Minister is well aware that when the industry was consulted about how the regulations should be introduced, certain exporters made the point that if the spinal cord had to be removed from the animal before export, that would cause difficulties with the retailers in France, who wanted the whole carcase. I do not see why the spinal cord cannot be removed in the country where the carcase is received. That should not be a problem, because France operates the same regulations. So provided the spinal cord is removed in an EU-licensed abattoir or other approved establishment, I cannot see any difficulty.

One abattoir in my constituency has laid off 25 people simply because the French refused to accept split carcases. Will the Minister look into that? We need only a small change in the regulations to allow EU-approved abattoirs or cutting plants instead of UK-approved ones.

The Government have introduced a voluntary beef-labelling scheme. Farmers are concerned about the way beef is labelled in supermarkets. It is often labelled "United Kingdom packed", whereas in fact the beef has been imported. The EU is to introduce a scheme in 2000, and the Government have decided on a voluntary scheme until then—but that could let many supermarkets and other retailers off the hook. There will be no statutory obligation to inform consumers properly. If there were a statutory obligation to label beef with its country of origin everyone would know where they stood and consumers would be satisfied that they were buying properly labelled meat.

Farmers are also worried that the labelling scheme will apply only to fresh and frozen meat and to minced beef, and not to meat products. As the Minister well knows, the difficulty often arises not with fresh meat but with added value meat products which are now bought in vast quantities by consumers. I should like the beef labelling scheme for the UK to be compulsory, not voluntary.

As for the purchasing policy of public bodies, the Minister will recall that the first debate to which he responded as a Minister was on that very subject. I realise of course that it is not up to individual stations such as RAF Valley; what matters is the central purchasing policy of the Ministry.

If the Government are serious about acknowledging the depth of the crisis in the industry in the UK, they can do something positive about it. They can ask the Ministry of Defence to change its purchasing policy. The MOD buys vast quantities of beef—it is a big contract. The Minister acknowledged the point in the earlier debate and promised to raise it with his colleagues in the MOD. Can he tell us what progress has been made?

The Minister is well aware of the issues. I hope that he will recognise the depth of feeling throughout the House, and I ask the Government to respond appropriately.

10.29 am

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I congratulate my right hon. Friend the Member for Caernarfon (Mr. Wigley) on once again securing parliamentary time to discuss this important matter. I shall be brief, as I know that others wish to speak.

It may be obvious, but I shall restate the fact that the agriculture industry is not a marginal industry. Together with the food industry, it represents some 8 per cent. of the United Kingdom's gross domestic product and 8 per cent. of employment. That is a significant contribution.

The announcement on 22 December was a step in the right direction; it would be churlish to say otherwise. However, huge losses have been suffered by the industry and a great deal needs to be done. Hon. Members on both sides of the House have made important contributions today and offered valuable suggestions, to which I hope the Minister will respond in due course.

[Mr. Elfyn Llwyd]

The question of a retirement package for farmers needs to be looked at again. That is a long-term view shared by our party and others, and we should be working on it.

On the immediate question of the agri-monetary compensation to which such eloquent reference was made, it is a fact that sterling has appreciated by 20 per cent. against the ecu and 30 per cent. against the deutschmark. Therefore, the sum that comes to Welsh farmers is far less than it appears. The value of the output in 1997 fell by a substantial amount because of the appreciation in sterling, creating a huge disparity.

As we know, compensation is available from the European Commission. I cannot for the life of me understand why some of the £980 million is not being applied for. It is being provided in all other eligible member states, and I reiterate the call for the matter to be reconsidered.

As a result of the strength of the pound during 1997, the Government have benefited from an underspend in the sheep annual premium scheme of about £190 million, together with an additional saving of £222 million in the over-30-months scheme.

Greater efforts must be made to lift the export ban. I understand that there is to be a statement on that today, and I hope that it will be the first of many such statements.

As my right hon. Friend said, there has been a weight limit in the over-30-months scheme, which has been unfair, and compensation has been capped, to put it mildly. That is unjustified and unwarranted. I urge the Government to review the scheme and the weight limit, and to ensure that proper compensation—for compensation it is—is paid to those who need it.

On imports of beef, a number of factors are coming together to create the very low returns being experienced by beef producers. Clearly, the strength of the pound is one reason, and the effect of price imports is a major contributory factor. As a result, imports of beef into the UK are considerably up on 1996 levels.

My party believes that it is essential for the Government to ensure that all agricultural produce imported into the UK conforms with the strict conditions relating to farm assurance, welfare concerns, traceability and processing safeguards. We have in Wales and throughout the UK an agriculture industry that is second to none. The same standards should be applied to all imported meat.

The hon. Member for Vale of Clwyd (Mr. Ruane) made some telling points about supermarket chains. I agree whole-heartedly with what he said, and I urge the Minister again to reconsider the promotion of Welsh meat. That important avenue should be pursued more energetically as a means of bolstering the internal market. It could be done quickly and effectively if sufficient investment and effort were committed.

I refer to the hon. Gentleman's remarks about the purchasing policy of some local authorities. I am pleased that purchasing groups within local authorities are beginning to recognise that the matter needs to be addressed. I congratulate my own authority, Gwynedd, on having stuck rigidly for some time to a home meat policy. That should be emulated throughout Wales and beyond. It is an important step forward.

I share the concern of hon. Members on both sides of the House at the dramatic fall in income of Welsh farmers. I share the concern, which could easily be allayed, at the delays in processing payments by the Welsh Office Agriculture Department. It is unacceptable that farmers in my constituency have been waiting since August for substantial payments. There is no possible excuse. We have had written responses about some computer or other. It is the same computer that works in England and in Scotland. Payments are made there on the due date, but not in Wales.

In fairness to the Minister, when I saw him before Christmas he took the matter up and I know that he will do his best, but he is fighting a system down at the Welsh Office that needs kicking. I hope that he will get the strength in his foot to do so, and I will assist him if necessary. That is not to say that I am a bovver boy, but action is needed.

This has been an important debate, with useful contributions from both sides of the House. We all unite in calling on the Government to address the crisis urgently. We went part of the way before the Christmas break; let us please look again and do what we can to ensure the strength and well-being of an extremely important industry.

The hon. Member for Montgomeryshire (Mr. Öpik) referred to rural stress. I was pleased to deliver a paper on the subject recently at Gregynog in his constituency. The Welsh Office and the Ministry of Agriculture, Fisheries and Food have it within their power to alleviate the great problem of rural stress, at least in part. I urge the Minister, for I know that he is sincere, to redouble his efforts to put matters right.

10.37 am

Mr. Cynog Dafis (Ceredigion): It is important to emphasise that the present crisis in farming is temporary and intense, arising from BSE and the export ban, and the strength of sterling. The Government have shown themselves slow to respond—indeed, in the autumn they intended not to respond at all. Their response now has been inadequate.

The Ministry of Agriculture, Fisheries and Food is on the record as arguing that it would be wrong to maintain people in farming who should not be there. The retirement scheme has been proposed in that context, to take people out of farming and reduce the numbers in farming in Wales. The proposal has been linked with the issue of environmental sustainability, and I have two comments on that.

First, environmental sustainability requires not fewer people in agriculture, but more. Fewer people in agriculture will lead to environmental loss, not environmental gain. People are needed to maintain and restore hedges, to create natural habitats and to maintain biodiversity. Moreover, cattle as well as sheep are needed on the uplands to promote environmental gain. If we lose people from farming in significant numbers, the countryside will fall into neglect and decay, and we will all be impoverished, including town dwellers who want to visit and walk in a living countryside, not in a decaying countryside.

Secondly, if the Minister wants to see an example of unsustainable agriculture, he should look in the direction not of cattle and sheep producers but of the intensive

industrialised systems that produce much of the pig and poultry meat that is so popular. Such systems convert grain to meat in conditions that are very dubious in terms both of animal welfare and of environmental impact. It is astonishing that the output of that production is advocated as being representative of healthy eating.

The awful thing about the present situation is that the most sustainable systems with first-rate animal welfare standards that produce meat from grass in mature animals are being undermined. It is high time that consumer choice was informed with an understanding of those issues. We must project those realities in order to encourage the consumption of healthy meat.

We should bear in mind the fact that BSE and the strength of sterling are temporary phenomena. We all agree that the agricultural policy should be reformed fundamentally—and it must go well beyond what is in Agenda 2000—but it would be wrong to pull the plug on farming when the industry is facing its worst crisis in living memory. The extra money that has been provided will do no more than meet the extra costs imposed on farmers.

If the Government intend to introduce the early retirement scheme, I appeal to them to link it with a scheme for new entrants, as occurs in other EU countries. Those two measures must combine to enable us to begin the process of reconstructing rather than reducing the number of people in agriculture.

By and large, the Minister did not make many enlightened comments at the Oxford farming conference. However, I was pleased to see reports of his remarks vis-a-vis CAP reform that he would consider modulation proposals that could be controlled by member states. He seems to have shifted from his previous blanket opposition to that measure. I hope that the Minister is listening to voices other than those of the NFU in England and the Country Landowners Association. He must heed also the voices of the Farmers Union of Wales, the Sustainable Agriculture, Farming and the Environment Alliance, and the Family Farmers Association.

As to modulation, it would be sensible to link agricultural support with labour units. That would assist the family farm and encourage employment. The policy would be in keeping with the fundamental principle of sustainable development: resource productivity is every bit as important as labour productivity. That will be an increasing policy trend generally, and we could start in the area of agriculture in the near future. If the United Kingdom Government were to take the lead in advocating policy change along those lines, it would be welcomed by the public at large and certainly welcomed in Wales where the family farm, which is largely owner occupied, remains the bedrock of our rural communities.

10.42 am

Mr. Nigel Evans (Ribble Valley): I congratulate the right hon. Member for Caernarfon (Mr. Wigley) on gaining this debate. I have tried several times to secure a debate on this issue that examined the whole of the United Kingdom. As the right hon. Gentleman said, this crisis affects all farming and all aspects of farming in the United Kingdom—from dairy and beef farming to arable, poultry and sheep farming. The crisis has spread down a long chain, affecting suppliers to the industry: suppliers of capital goods, including buildings and machinery, and even feed merchants are suffering.

Farm incomes have dropped dramatically—some estimates put the fall at more than 50 per cent. The Government's figures are also alarming, and that has an enormous knock-on effect. Farming is in need of life support and the meaningful existence of the rural economy depends on the industry being given the intensive care that it deserves and needs. As farmers have less to spend, incomes in local areas, local shops and other rural businesses that are dependent on farming suffer. Those incomes will drop also. This is an urgent and dire emergency and, by their inaction, the Government are fast becoming an undertaker to an essential industry that does much more than provide food for our nation.

We have seen farmers in Wales and in other parts of the country moved uncharacteristically to demonstrate at ports, outside supermarkets and in fields around the United Kingdom where our armed forces usually conduct manoeuvres. Farmers want to know whether the Government understand the industry. A farmer in the Ribble Valley wrote recently to a Welsh Labour Member of Parliament about hunting, and received a reply that was more than she had bargained for. I shall not mention the name of the Member of Parliament concerned as I have not written to him, but I hope that the letter is a one-off. It begins:

"I have many farms in my constituency and I am familiar with the problems and advantages that farmers have. Your address sounds as though a large amount of public money is spent providing roads and other facilities to you."

The hon. Member then goes on to address the hunting issue. What an arrogant and totally unnecessary introduction to a letter that displays abundant uncaring prejudice. The letter concludes:

"Time makes it impossible for me to take up your kind invitation to visit your farm. But I will spend a day at the Welsh Agricultural show next week where I expect to meet many farmers."

My constituent should consider herself lucky with that response. Farmers who live in the constituencies of Labour Members should be aware that, if they want sympathy from their Members of Parliament, they had better ensure that their addresses ooze poverty.

The reality for many farmers is that, despite the level of wealth or prosperity their farm addresses may suggest, the evidence will show an industry facing bankruptcy. Some farmers are in daily contact with their banks. That has led the National Farmers Union to initiate an unprecedented campaign. These are unprecedented times, and a petition will be presented shortly to the Prime Minister at 10 Downing street on behalf of the NFU.

The BSE crisis was an appalling body blow to farming initially, and the previous Government responded with a package that gave security and, importantly, time. However, that time is now running out. A recent Welsh NFU press release stated:

"The rescue package"—

for the BSE crisis—

"put in place during 1996 helped considerably".

We all know how difficult it has been for hill farmers recently. According to a recent NFU survey, that has led to more than 55 per cent. of farmers deciding that hill farming is not an attractive career option.

An impressive farming lobby came to Parliament before Christmas. We held three sittings in the Grand Committee Room off Westminster hall, and we still did

[Mr. Nigel Evans]

not see all the farmers present. NFU chiefs told us that if the Government's package was not sufficient to help Welsh farmers, they would be back. That package was announced, and the NFU will return on 20 January. We have rehearsed the problems facing the industry so many times that it is fast becoming a mantra. What is the use of repeating those problems if the Government refuse to provide any meaningful help? Will the Minister tell the House today that the industry is receiving enough assistance? Will he say that he has nothing to add to what has been said already, and that that is that? Will the Minister's words be a death sentence for thousands of farmers who will go bust—in effect, will the Government nail down the coffin lid on the industry?

Several hon. Members have mentioned problems with the compensation package and the green pound revaluation. There have been five interest rate rises since 1 May, and further increases are threatened. That has led to the revaluation of the green pound, the sucking in of imports and the depression of domestic prices. The Government must tell farmers why they refuse to apply for money to help the industry out of this problem.

The £85 million aid package for beef farmers, which was announced just before Christmas, is simply not adequate. It is a one-off payment which is insufficient to counter the lifetime charges and costs that the industry has heaped on it—including hygiene costs, renderers' charges, double tagging, traceability imperatives and measures necessary to assure suppliers and consumers. Those measures are adding to farmers' costs, while prices for the end product are falling through the floor. If the farming industry dies, many other industries will fail as well. As a result, communities will die. It is estimated that every direct farming job generates five others—the chilling reality is that the reverse must also be true.

Lifting the beef ban, which is now 21 months old, would assist the industry greatly. The news today that the Commission will ask for a partial lifting of the ban in Northern Ireland is a step forward. However, before the cheering starts, we must recognise that the Commission is only one hurdle and that many others must be cleared over many months before we see light at the end of the tunnel. The issue of specialised herds with traceability throughout the rest of the United Kingdom must also be addressed.

United Kingdom farmers want to see parity among farmers throughout Europe. The same standards should apply so that United Kingdom consumers know that the quality of the meat that they consume is assured, and that imported meat is of the same high standards as United Kingdom meat. Meat labelling must be examined. As the hon. Member for Monmouth (Mr. Edwards) said, if consumers have information about where their wine comes from, what is the problem with clear labelling of meat? That must be logical. The conning of the public by using fancy words—for example, regarding British minced beef or British beef which has been minced—must stop. There are many forms of misleading labelling. Supermarkets must listen to the plea that is made on behalf of farmers in terms of labelling and the price at which the product is sold in supermarkets. Farmers are receiving lower prices, and that fact should be reflected in supermarket prices.

Another area of grave concern is the over-30-months scheme. In March 1996, before the BSE crisis, the average price reported by the Meat and Livestock Commission for a grade 1 cull cow was 95.3p per kilo live weight. That made an 800 kg cull cow worth about £760. Following successive revaluations, cuts imposed by the Government and the introduction of a maximum weight limit of 560 kg, the value of the same animal is now only £311, a loss in value of about £450. Farmers are selling their meat at a loss, and that cannot continue.

I do not understand why the Government cannot take the simple step of lifting the imposition of the maximum weight limit in terms of the compensation that is payable under the over-30-months scheme. A realistic valuation must be placed on the animal.

The beef-on-the-bone announcement, which was made just before Christmas was a disgrace. The Government's handling of the matter was completely over the top. There was no consultation with the industry, and that was quite wrong. Many consumers are asking to be able to buy beef on the bone because they have made a judgment about the risks of catching anything from eating such meat. We must listen to those consumers.

The problems that have been aired during the debate are hitting every part of the farming industry. I shall not repeat what other hon. Members have said, but they have drawn attention to the problems facing the dairy and sheep industries, where prices have collapsed. Imports are increasing and depressing domestic prices, and farmers cannot export their goods. The crisis is hitting everyone.

As has been said, farmers are the custodians of the countryside. If they go, the impact will be felt by everyone. The rural economy is under threat.

The Minister has come to the Dispatch Box three times so far to respond to concerns similar to those that have been expressed today that have been raised by Members throughout Wales. We have heard the words before, and farmers will be listening for something that will help them to deal with the problems that they are now facing. Let us not just have words now, Minister; please may we have action?

10.52 am

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): I, too, congratulate the right hon. Member for Caernarfon (Mr. Wigley) on his success in the ballot and on taking the opportunity to raise matters of current concern to all rural communities in Wales.

We had a constructive debate in November last year when the hon. Member for Ceredigion (Mr. Dafis) introduced a debate on the issues that we are discussing this morning. Since then, my right hon. Friend the Secretary of State and I have met representatives of farming communities on a number of occasions. My right hon. Friend the Minister of Agriculture, Fisheries and Food made a statement to the House on 22 December last year in which he announced that, subject to consultation with the European Commission, the Government proposed to provide additional support to agriculture amounting to about £85 million.

Perhaps I should say at the outset that in the eight minutes that are available to me it will be impossible to cover every point that has been raised in the debate. Therefore, I undertake to write to hon. Members. The *Hansard* record will be scoured and I shall ensure that I respond to everyone who has contributed to the debate.

In the United Kingdom as a whole, agriculture represents 2 per cent. of the economy. I recognise that in Wales the figures are different. For example, agriculture represents about 3.4 per cent. of the economy in Gwynedd and 7.5 per cent. in Dyfed and Powys. Agriculture is very important and we are acutely aware of its importance to Welsh communities. It is not only an economic matter, because social and cultural matters are also involved.

Planned expenditure on agriculture in Wales this year is about £260 million. That shows the Government's support for the rural economy, and reflects a major contribution by the taxpayer.

Reference has been made to all the problems and to all the changes on the world scene, which mean that agriculture will have to adapt to meet the demands of the 21st century. We want to tackle the challenges. Reforms will come within the European Union. Market trends will have an impact on the industry. We know that markets are becoming more open to competition from the rest of the world. By and large, our beef, lamb and milk products are sold within the EU at much higher prices than those on world markets. Our market position in the world as a whole is weak and vulnerable. We must tackle the problems of overproduction. We must recognise that consumers are increasingly concerned about health issues, and that concern goes beyond the food that they eat. Consumers are concerned about the welfare of animals and the way in which herbicides and other chemicals are used in the growing of crops. These important environmental issues and long-term trends will not go away.

Against that background, we are looking to fundamental reform of the agricultural policy, but we recognise that that will not happen overnight. As a former Member of the European Parliament, I am acutely aware that the wheels involved grind extremely slowly. There is, however, a clear direction that we must follow. We shall do everything possible to encourage Welsh agriculture to begin to adapt now to ensure that our communities meet the challenges that face them.

My right hon. Friend the Secretary of State and I believe that there is tremendous potential in Welsh agriculture for driving up the prosperity of our rural areas. It may not be a very good time to say this when we are on the verge of a serious crisis, but the chairman of the National Farmers Union in Wales, Mr. John Lloyd Jones, argued in his new year message that the way to keep Welsh farming successful in the 21st century was by producing the best. I whole-heartedly agree with that view. In the Welsh Office, we want to work with farmers to ensure that the best is produced. We want to see Welsh farmers and food processors producing more well-branded premium products that can command premium prices, which will mean a greater value-added element in the food supply chain in Wales. We look to being able to meet consumer concerns. There are potential opportunities in terms of farm-assured and organic productions in Wales and we believe that Wales is ideally suited to take that course.

Today, a White Paper will be published on the Food Standards Agency by my right hon. Friend the Minister of Agriculture, Fisheries and Food. The FSA is an independent agency, which will be protecting the public. I believe that it will meet the public's expectations, restore confidence in our food markets and be of benefit to the industry.

In Wales, we want to ensure that we fully take part in the process that I have just set out and, therefore, our commitments remain strong. I understand the difficulties that the industry is facing at present, especially the beef sector. The additional money—it is additional—will go to many farmers in Wales and it will help to make a difference, even if it covers only some of the extra costs that Welsh farmers have to face.

Mr. Wigley: Given that the Minister acknowledged a moment ago that the industry is on the verge of a crisis and given that he has just acknowledged that the December money may go to cover only part of the additional costs placed on it by the Government, will the Government be prepared to look again at how much money will be given to the farmers of Wales and elsewhere to ensure that if the crisis really develops, there will be more resources to help them?

Mr. Griffiths: We are hoping obviously that the indications that we have made will help Welsh farming get out of the crisis. There are a number of issues relating to payments, and payments are now coming through. There were problems because the audit system in the Community changed this year and all the computer programs had to be rewritten. Our systems are not the same as those in England and Scotland. However, we are working to reconfigure completely the way in which our payment system works so that in future we will not have these problems.

We are doing all that we can to support Welsh food promotion, about which there has been much publicity recently, and have agreed additional funding to get it through this year. That requires approval from Brussels, because state aids are involved, but we are working on that. We have a number of projects to promote Welsh food. I assure all hon. Members that we are working hard on all these issues. We hope that the lifting of the Northern Ireland beef ban will go through. It has to go to the Community's veterinary committee first and the Council—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We must move on to the next debate.

Fuel Poverty and Energy Efficiency

11 am

Mr. David Chaytor (Bury, North): I am very pleased to be able to open this debate today. It is particularly appropriate that it is taking place this morning, as this afternoon my hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy) will present her Warm Homes and Energy Conservation (Fifteen Year Programme) Bill—an important Bill—which sets a national strategy to deal with fuel poverty.

It is particularly important that the debate is taking place this week, in the middle of January, as it is the peak period for the annual winter cull of elderly people in this country. The excess winter mortality rate—the additional number of elderly people who die each year, and will continue to die each year—is a scandal that has to be addressed. It is a mark of a civilised society that we do something about it.

I remind hon. Members of the figures. In the past five years, there has been an increase of almost 100 per cent. in the number of people dying unnecessarily in the winter months. In 1992–93, an additional 26,300 people died. In 1996–97, an additional 48,600 people died. Most of these deaths could be avoided. Ninety two per cent. of excess winter deaths are among pensioners. To those who say that this is to be expected, that it is quite normal, that it happens in other countries, I should point out that Britain, has one of the worst records of winter deaths caused by fuel poverty. In Britain, the excess mortality rate is 31 per cent. In countries whose climates are more severe than ours—Sweden, Norway, the Scandinavian countries—the figures range from 10 to 14 per cent. In Britain, we lose more than twice as many of our elderly people in the winter months as countries with climates that are harsher and more severe.

I should also point out that in Britain the figures for different districts in the country show that the greatest excess winter mortality rates occur in the midlands. The figures for last year show that the districts with the worst record—the top 20 districts for excess winter mortality—include places such as Northamptonshire, Derbyshire, Shropshire, Rutland, Cannock Chase, north Dorset, north Kesteven and Staffordshire Moorlands. We have excess winter mortality rates of up to 58 per cent., and these are places that do not have particularly severe climates. The excess winter deaths are due entirely to fuel poverty.

Fuel poverty is the inability to afford adequate warmth in the home because of the energy inefficiency of that home. We know that elderly people need more warmth, that they take less exercise and tend to spend more time sitting, that they tend to have poorer housing, more energy inefficient housing, and that they tend to be on low incomes. We now know that almost one in three homes in Britain suffers from energy inefficiency—almost 8 million homes. Fuel poverty affects about 15 million people. Of the 8 million homes, almost two thirds—just over 60 per cent.—are in the public sector, so there are enormous savings to be made by having a national programme to address fuel poverty. In my constituency, every year more than 100 people die in the winter months because of this problem.

I shall now talk about the very welcome initiatives that the new Government have taken to tackle the issue. I think that every hon. Member will welcome the announcement, made in the pre-Budget statement in the autumn, of the additional £20 per household to assist with the cost of fuel in the winter, or £50 for households on income support. Hon. Members will welcome the reduction in fuel bills as a result of the cut in VAT, the abolition of the gas levy, and the release of capital receipts so that local authorities can once again start to invest in social housing, the renewal of housing and the construction of new housing.

Hon. Members will also welcome the reduction in VAT on energy-saving equipment, which has put an end to one of the strangest anomalies in our taxation system. We welcome the establishment, as part of the new deal, of the environmental task force. I am sure that all hon. Members hope that many local authorities and others will take the opportunity to get young people off welfare and into work by launching imaginative environmental task force projects based on energy efficiency schemes. We welcome the continuation of the basic system of cold weather payments.

The previous Government made some achievements in this field. We welcome the fact that they established the Energy Saving Trust in 1993, and passed the Home Energy Conservation Act 1995. An enormous amount of good work is done across the country by local authorities, which have been submitting imaginative schemes under the bidding process of the Home Energy Conservation Act. Good work has been done through the home energy efficiency scheme for low-income households, grant aided by the Department of Environment, Transport and the Regions. A multiplicity of schemes are promoted by the Energy Saving Trust, including the replacement of old fridges; incentives for condensing boilers; the pensioners' energy plan, and many other schemes. An enormous amount of campaigning and promotional work has been done by a wide range of voluntary agencies.

However, it is increasingly obvious that we need greater co-ordination of that work and a more comprehensive, less fragmented approach. We need a national strategy and national targets. We have seen the fragmentation of the current approach and reductions in the budgets of organisations charged with improving energy efficiency. The Energy Saving Trust's budget has reduced from £25 million to £19 million, and will be cut further next year to £14 million. Local authorities have also had continuous budget cuts over the past few years, and, with the adherence of the new Government to the previous Government's spending limits, will face further cuts next year. Energy efficiency schemes are not always high profile, and are sometimes seen as soft options by local authorities, which think that they can make reductions in their budget without too much public reaction.

In the competitive bidding process for so much of this money, success very much depends on the enthusiasm of individuals or on the fairly arbitrary process of competitive bidding. The current system does not guarantee that resources are allocated where they are most needed. That is why we need a national strategy. That is why I commend to the House the Warm Homes and Energy Conservation (Fifteen Year Programme) Bill to be presented this afternoon. It calls for a programme designed to install a comprehensive package of energy efficiency measures in 500,000 homes for each of the next 15 years. Fuel poverty can be defeated if the political will exists, and an attack on fuel poverty will bring enormous savings to the public purse in the long run. It will require investment, but it will produce benefits in the long term.

This is not only a question of social justice and environmental sustainability; it is a question of common sense and sound economics. That is because it is bad economics to allow so much of our housing stock to be so energy-inefficient. The important Energy Efficiency Bill, promoted by my hon. Friend the Member for South Swindon (Ms Drown), seeks to ensure that all homes are given an energy efficiency rating, and that that rating is clearly publicised in all transactions relating to them.

Fuel poverty is bad economics, because we cannot afford the cost to the national health service of so many people becoming ill each winter when that can be avoided. I am thinking particularly of respiratory illnesses such as bronchitis and asthma, and of heart problems. The latest reliable estimates put the cost of fuel poverty to the NHS at £1 billion.

Fuel poverty is bad economics, because we cannot afford to keep so many people unemployed when so many jobs can be created through energy efficiency programmes. The national programme called for in the Warm Homes and Energy Conservation (Fifteen Year Programme) Bill would create more than 25,000 jobs, which would save the Treasury £245 million a year over those 15 years. I can think of no more valuable way of getting people off welfare and into work.

Fuel poverty is bad economics, because we cannot afford the enormous costs of wasting so much energy, or the excessive costs of maintaining homes that are energy-inefficient. There is a saving of £90 million a year to be made from ensuring that homes are energy-efficient. As 60 per cent. of the homes targeted are in public ownership, that will bring a direct saving to the Exchequer. The Energy Saving Trust has estimated that the average household fuel bill could fall by £250 a year with appropriate energy-saving measures.

Fuel poverty is bad for the environment, because the waste of energy works against our objective of a 20 per cent. cut in carbon dioxide emissions. The 15-year programme outlined in the warm homes Bill, targeting 500,000 homes a year, could contribute between 3 and 4 per cent. of the total reductions that must be made if we are to meet our target under the Kyoto agreement.

I commend the study produced in October by the Energy Saving Trust, which argues in favour of a 13-year programme leading to the year 2010. The trust says:

"This paper shows that domestic energy efficiency, if funding is available to build the market, could achieve savings of 4 per cent. against 1990 emission levels . . . in turn this would mean an 18 per cent. reduction in domestic energy use and a 14 per cent. reduction in domestic carbon dioxide emissions . . . We also estimate that over 20,000 jobs could be created by increasing the energy efficiency market to this extent. This increase will not happen on its own and will require an increase of public funding to pump prime and market energy efficiency. Our initial estimates are that such programme costs would be around £600 million above existing programme costs, spread over the next thirteen years. This would mean an increase in public funding for these measures from around £100 million today to around £170 million . . . Therefore we conclude that the public funding required, whether from a levy on energy use or directly from the Government, would be equivalent to less than 2 per cent. of that currently spent by the domestic sector on fuel".

Given that we have had a 10 per cent. levy to support the nuclear power industry in recent years, surely a 2 per cent. levy is not outrageous.

Finally, fuel poverty is simply bad for human beings. It is entirely wrong that we should sit back and allow so many elderly people to dread the winter, wondering whether it will be their last. It is entirely wrong that so many people of all ages who are in low-income families should shiver and suffer throughout the winter when that can be avoided. The real point is that—no matter how generous Governments are in providing extra financial assistance to help with fuel bills—if heat is escaping through the roof, windows or doors, the money is being poured down the drain.

It is important to remember the facts about household spending on fuel among different socio-economic groups. The latest figures from the House of Commons Library tell us that the average spend on domestic fuel in all households is 4.2 per cent. of income. In the poorest 20 per cent. of households, it is 12 per cent.—a staggering 300 per cent. increase. In the richest 20 per cent. of households, it is 2.5 per cent. That means that the very poorest families spend proportionately nearly five times more on domestic fuel than the very wealthiest.

Financial assistance from the Government is most welcome, but it is not tackling the root cause of the problem. I cannot be the only Member of Parliament to question whether the £485 million spent on cutting VAT on fuel from 8.5 to 5 per cent. would not have been better invested in targeting energy efficiency measures on the homes of the poorest people. That tax cut was enormously popular, but in time it may come to be seen as a triumph of political symbolism over sensible social and environmental policy.

I want to raise a related issue concerning the pricing structure for domestic fuel. Sadly, that is no longer within the Government's direct control, but it is a matter for the regulators. The system of standing charges for fuel impacts greatly on pensioners and other low-income households. It is one of the most iniquitous and regressive forms of taxation. In a typical pensioners' electricity bill, the standing charge can be more than 30 per cent. of the cost of the fuel consumed; in a typical gas bill, it can be more than 15 per cent. of the cost of the fuel. Consequently, pensioners and other low-income households whose consumption of fuel is low are paying more per unit of fuel than more affluent higher-volume consumers.

A fair system would operate in exactly the opposite way, with low-volume consumers paying less per unit and with higher charges being introduced at higher levels of consumption to encourage conservation. I hope that my hon. Friend the Minister will discuss the issue with our hon. Friend the Minister for Science, Energy and Industry. There is an urgent need for it to be raised with the regulators.

I hope that my hon. Friend will comment on some of the matters that I have raised, especially the fragmentation of existing programmes and policies for energy conservation, and will tell us what proposals she has to introduce greater co-ordination. I hope that she will comment on next year's proposed budget cuts for the Energy Saving Trust and how they will impact on the Government's objectives, and on the planned reductions in local authority expenditure for 1998–99 and how they will impact on local authority energy conservation measures. I hope that she will tell us whether she has had, or intends to have, discussions with the Minister for Science, Energy and Industry about the pricing structure for domestic fuel. Will she also comment on the relative

[Mr. David Chaytor]

merits—in policy terms—of cash benefits to compensate for high heating bills, and investment in long-term energy efficiency programmes?

I do not expect my hon. Friend to say whether the Government intend to introduce an affluence test for middle-class families who benefit from the cut in VAT, but I should be grateful if she would comment on the whole question of the long-term comprehensive national programme that we need so desperately to end fuel poverty and improve energy efficiency—along the lines of the Bill to be presented this afternoon, or the suggestions in the Energy Saving Trust's October 1997 study.

We can end fuel poverty if we choose. To do so would save money for the national health service by improving people's health, and it would save lives. It would save money in benefit payments by moving people from welfare to work, and by cutting the costs of housing maintenance. It would make a significant contribution to our national targets for greenhouse gas reductions. A 15-year programme, as outlined in the Bill, will produce a net saving to the Treasury. There will be initial costs in the early years of the programme; but, if we can find—without enormous difficulty—several hundred million pounds for a plastic tent to celebrate the millennium, can we not find a few hundred million pounds to celebrate the end of fuel poverty by the year 2000?

If we can find, without difficulty, £1 billion to maintain our weapons of mass destruction, can we not also find additional money to end fuel poverty in Britain? It is not unreasonable for us to seek the small amount of pump-priming money needed to abolish fuel poverty for good, so as dramatically to transform the qualify of life for several million people.

11.19 am

Mr. Matthew Taylor (Truro and St. Austell): I congratulate the hon. Member for Bury, North (Mr. Chaytor) on securing this debate and, more important on his excellent comments. I shall follow his comments rather more closely than I had expected during the early part of his speech, because I share his concern about the Government's attempt to deal with this problem by helping people to pay to waste fuel, rather than by helping them to save fuel, keep their home warm and thus cut their bills, cut pollution and solve fuel poverty in the long term.

Fuel poverty is not like general poverty: being fuel poor means being unable to afford to keep warm at home not because people are short of money, but because the fuel they buy is largely wasted. Warmth leaks out through doors, windows and the roof when it need not do so.

Fuel poverty is the result of a vicious circle that traps low-income families in cold homes. Despite being poor enough to be living in a home without proper insulation and with a decrepit heating system, vulnerable families and pensioners have to shell out on large heating bills just to stay warm enough to remain healthy. They often fail to keep warm enough, despite paying large bills, because so much fuel energy is wasted. The more their money is eaten up by that waste, the more difficult it becomes to pay their fuel, food and other bills, let alone to pay for their homes to be insulated.

As the fuel poor try to put up with the cold and damp, even more CO_2 emissions are pumped out of power stations that fuel homes where energy is wasted, so everyone suffers increased pollution. That position is worsened by several of the policies that have been designed to help people to pay excessive bills rather than insulate to cut waste, to cut bills and to keep the home warm. Meanwhile, the taxpayer shells out on a national health service that treats hundreds of thousands of people who would not be ill but for the lack of a few simple measures to improve the energy efficiency of their homes.

The energy report of the 1991 English house condition survey is a testament to years of ad hoc Government action to tackle fuel poverty. Almost 6 million homes are completely inefficient in the way they consume energy. Vast numbers of people live in inadequately insulated and heated homes. Unsurprisingly, those having to live in such conditions are more often than not the most vulnerable in society: the very old and the very young. The state that the housing stock has been allowed to get into is inexcusable.

The energy report included a comparative study of fuel poverty in Europe. It found that fuel poverty is virtually non-existent in much of western Europe, where the quality of the housing stock is much higher. Indeed, the figures are better in many of the former eastern bloc countries. In an advanced industrial society such as ours, it cannot be right that so many people lack the basic necessity of a warm home to live in, whereas other countries do not allow that problem to arise.

Evidence shows the effect that cold, damp homes have on occupants' health. Once again, Britain is put to shame when we compare the numbers of those suffering from cold-related illnesses in this country with those in other countries. Every year, Britain experiences a phenomenon known as "excess" winter deaths. Thousands of people are bereaved every winter because of a massive seasonal increase in deaths. Official Government statistics show an extra 60,000 deaths on average each winter, and many more people spend time in hospital.

"Excess" is a rather odd, bureaucratic word: it really describes unnecessary winter deaths. Such a phenomenon is not experienced, certainly not on the same scale, in other countries that have similar or even colder climates. In Britain, for every 1 deg Centigrade drop in temperature, an extra 8,000 deaths occur. In countries such as Sweden and Norway, which can have terrible winters, no extra deaths occur.

Our elderly relatives are not our only worry. The extra pollution caused by this wasted burning of energy contributes to global warming, which is gradually making the world uninhabitable for our grandchildren.

The reality of the impact of cold homes on the elderly and vulnerable is best illustrated, not by those grand, national figures, but by local figures from the Office for National Statistics. In my county of Cornwall last winter, 414 people died unnecessarily—excess deaths, as the Government statistics put it. In Devon, the figure was 984 last year. We must remember that each and every unnecessary death causes unnecessary grief to friends and relatives.

The complex causes of fuel poverty do not lend themselves to ad hoc or half-hearted solutions. What is missing from action to improve the energy efficiency of Britain's homes is an integrated, national approach on anything like a sufficient scale. Although many welcome

small steps are being taken—by local authorities and at national level through home energy efficiency schemes and the Energy Saving Trust—they do not add up to enough. Some statistics suggest that the quality of the housing stock is falling rather than improving, because of inadequate investment in many homes, not least in the public sector where local authority spending has been badly cut.

The work of the Energy Saving Trust is an excellent example of the positive action that must be taken, but on a much larger scale. When the trust was established, the previous Government expected that it would have hundreds of millions of pounds to work with, generated by the levy on power companies. That was approved by the Treasury and by Conservative Ministers, but blocked by the gas regulator, Clare Spottiswoode. The Energy Saving Trust ended up with little more than the Government's grant: an utterly inadequate £25 million. The Conservative Government betrayed those whom they had promised to help by doing nothing to overturn the regulator's action.

Despite the lack of funds, the Energy Saving Trust has managed to introduce many innovative schemes. It has built on the Home Energy Conservation Act 1995, which was secured by my colleague and friend, Baroness Maddock, the former, excellent Member of Parliament for Christchurch. It has helped local authorities to improve the quality of their housing stock. Ordinary people are also receiving help: they get free advice on how to reduce their fuel bills from the energy efficiency advice centres set up by the trust.

The sad fact is that such projects are no substitute for a whole-hearted, properly funded, Government-backed energy efficiency programme on a sufficient scale to deal with the millions of fuel-poor homes, not just a few thousand.

Labour promised such a national home energy efficiency programme when in opposition, but the idea has now been blocked, apparently by the Treasury. However, that has become even more necessary as the Energy Saving Trust's funding has fallen rapidly: it is £19 million this year, and if Tory spending plans are adhered to as proposed, under the new Labour Government funding will fall to a mere £14 million. I understand that a final decision on this matter is expected next week. The trust is not certain what the final figure will be, so I hope that the Minister will have some good news for us today.

The new deal for young unemployed is not the answer either. We are told that they will have the option of work on environmental schemes, with energy insulation being the top priority. I welcome that. However, there are no new funds for the materials required, which suggests that existing funds will be diverted. If so, few, if any, extra homes will be insulated, and existing jobs in the young companies that have been established to undertake work under the home energy efficiency schemes will be lost. The Minister must explain how the materials will be funded on a scale large enough to make a real impact.

Money is always hard for Ministers to find, but the financial position should be put in context. Right now, the vast majority of pensioner couples and lone parents live in dangerously cold homes—cold enough to make them and their children ill—because they cannot afford enough heat. Families must daily choose between food and warmth, while money leaks out of their poorly insulated homes. They waste the little money that they have, while the NHS spends an estimated £1 billion every year treating people who get ill in their cold, damp homes.

It is not just a question of the Government giving more money: that is the least of it. The scale of the problem goes beyond what any Government could provide. The average home in England is only half as energy efficient as the Government think is satisfactory, so there is a huge backlog of work if we are to achieve the standards of other countries. One in 10 low-income homes has no loft insulation, a third are still without adequate hot-water tank insulation and nearly 70 per cent. have no draught proofing. I could go on, but the point is made.

A vast amount remains to be done to give less-well-off people warm homes and a chance to use less power to better effect. The majority of homes in Britain could do with extra work, and a sensible way must be found to meet the large cost of that. The previous Conservative Administration found a solution—a levy on the energy companies—which was cleared by the Treasury. However, it was never put into practice. The regulator's block on such a levy must be overturned, by legislation if necessary. There would be overwhelming support in the House for such action.

The companies that make large profits from heating our homes and, incidentally, polluting our environment must be required to put far more of their profits back into the community through the funding of energy efficiency schemes. At a time of falling energy prices and high profits, there is no reason for that to lead to higher bills next year for anybody. Through insulation, the fuel poor would gain lower bills and warmer homes.

In addition to the levy, the free market should be harnessed to encourage energy conservation, not energy sales. A commitment to invest in energy efficiency should be secured before any energy supply company receives a trading licence under the new competition rules. The companies should be able to set up longer-term contracts with customers only if they have installed energy-saving equipment in customers' homes. The power company would get the profit from supplying a customer for a fixed period, which is not guaranteed in the new free market, and the consumer would get lower bills and a warmer home. The Government would not have to pay for that: it is harnessing the power of the free market, and the incentive would be the supply of energy saving to gain customers and not just selling ever more energy to people who cannot afford it in homes that waste it.

There must be a reversal of the absurdity under which there is less tax on using energy than on conserving it. If the Government want to attack fuel poverty, they should reduce VAT on all energy-saving materials to 5 per cent. which is the same rate as on energy so that it is not more expensive to save energy than to waste it. The Chancellor took a welcome, but, as was evident from the figures, rather tiny step in the right direction in his Budget by doing that for energy-saving materials that are used in Government projects. The same incentive must be given to every householder and business. Labour Members, including the Chancellor, voted with us two years ago to achieve that policy.

I hope that the Government will support the Energy Efficiency Bill that was presented by my hon. Friend the Member for Torridge and West Devon (Mr. Burnett).

[Mr. Matthew Taylor]

It will place a duty on all building societies and banks to provide, as part of their standard surveys, information on the energy efficiency of the home. That will help buyers to choose a new home in which energy is not wasted, or alert them to ways to improve their new home to cut heating bills and, I hope, press for a cut in the price of the home to enable them to make that investment. It will be a direct encouragement to sellers and builders to improve the energy efficiency of every home so that they are not selling homes that will be expensive to heat in the long term. I understand that the Council of Mortgage Lenders does not oppose the Bill. I hope that the Minister will say that she supports it.

As the hon. Member for Bury, North said, Ministers have to look beyond the next election. Energy efficiency requires investment now for a great but perhaps not immediate financial gain for the Government. Year after year, money is wasted on cold weather payments which are not even adequate because they do not take account of the wind chill factor. That money leaks out of homes which become more and more dilapidated every year. Funding now for proper insulation could remove the need for hefty Government payments for years to come and would include savings on the NHS bill through a reduction in thousands of extra winter patients every year. It would make many of the poorest in our society better off and warmer every winter. Greater energy efficiency will not only leave our grandchildren with a stock of warmer homes for their future, but avoid the legacy of global warming that is caused by CO_2 emissions and the catastrophic climate change that that will bring.

11.33 am

Mr. David Drew (Stroud): I congratulate my hon. Friend the Member for Bury, North (Mr. Chaytor) on obtaining the debate. I shall concentrate on fuel poverty as it affects pensioners and I shall do that mainly because for the past decade I have been a committee member of Care and Repair England in Stroud. I declare that as an interest which has given me an insight into the problems affecting pensioners in particular.

We all know why pensioners are especially vulnerable to fuel poverty. They are among the poorest in our community and there is a great disparity between the incomes of rich and poor pensioners. In addition, many pensioners spend hours at home while other people are at work or engaged in other activities, and they tend to live in the oldest properties, which are most deficient in energy efficiency. Last but not least, pensioners tend to suffer more from illness and mortality. According to Department of Health statistics, hypothermia deaths alone account for almost 500 people a year. Of course that is directly related to energy efficiency.

According to the last census in 1991, more than 2,500 pensioner households in my constituency did not have central heating, and that is a microcosm of the country. Many pensioners are on low incomes and experience fuel poverty. Some 1.7 million pensioner households depend on income support and even on the lower measurement of the Neighbourhood Energy Action's affordable wealth campaign, about 1.3 million pensioners are in need of energy efficiency support.

I welcome the Chancellor's proposal in his green Budget for extra help with the cost of heating all pensioner households and to target additional help on pensioners on income support. However, many pensioners choose not to take up income support; that is a problem in its own right. My hon. Friend the Member for Bury, North graphically explained many other measures that the Government have presented. I suggest a small change to income support regulations that would help to reduce fuel poverty for pensioners.

The previous Government amended the income support regulations in October 1995. Before that, regulations entitled people who were eligible for income support to receive assistance with the interest on a bank or building society loan that had been taken out, among other things, to install central heating. That enabled many older people to purchase modern energy-efficient heating systems. Many of them installed central heating for the first time or replaced antiquated or inefficient systems. The benefits included lower running costs for the householder, a reduction in condensation, which is damaging to the condition of a house, a reduction in cold-related illnesses and, of course, a reduction in CO_2 emissions, which damage the environment.

From October 1995, the Conservative Government restricted income support assistance for interest on loans; only those for repairs to existing heating systems are now eligible. That means that many older people must continue to rely on older heating systems that are inefficient and expensive to run. I ask the Minister to consider, in liaison with the Treasury, reinstating the installation of new energy efficient heating systems as an eligible item under income support regulations.

The economic and health-related benefits of energy efficient heating systems are well documented. For those who live in fuel poverty, the initial capital investment that is required can be prohibitive. Because their existing heating systems are inefficient and costly to run, they cannot afford to save or to borrow sufficient money to meet the cost of installing a new efficient heating system. The Conservative Government's Department of the Environment energy efficiency best practice programme guide No. 171 suggests that the cost of moving to an energy-efficient heating system can be recouped within five years. The call on the public purse to enable older people who live in fuel poverty to improve their heating systems would be relatively small—in some cases not much greater than the £50 a year payment to pensioners on income support. The great advantage of that Government subsidy is that it would reduce older people's future fuel bills rather than assist with the high running costs of old, inefficient heating systems. The estimated cost of running an old central heating system with poor controls is about £1,000 a year. Installing a condensing boiler and good heating controls would lead to a saving of 20 per cent., or £200, a year. The cost of installing a new central heating system in a traditional mid-terraced house would be about £1,600.

If the interest on a loan for that amount was eligible for income support housing costs, at the current standard rate of interest used in income support, the cost to the public purse would be about £2.30 per week for about four years, a total Government subsidy of less than £500. That would be a prudent use of a relatively small amount of Government expenditure, which would have substantial long-term benefits for the fuel poor and for the environment.

Those changes could be linked to a reinvigoration of the home energy efficiency schemes—HEES—which were mentioned by previous speakers. Unfortunately, the previous Government restricted HEES work to pensioners on benefit and to larger-scale operations, which has had a deleterious effect in my constituency. As the hon. Member for Truro and St. Austell (Mr. Taylor) said, it is important to integrate energy efficiency with other measures.

I want to deal with a second area, in which I have some expertise—the work of home improvement agencies. As I said at the beginning of my speech, I have a long association with Care and Repair England. The Department of the Environment, Transport and the Regions already supports a growing network of home improvement agencies, such as Stroud Care and Repair in my constituency. Those not-for-profit agencies have developed great expertise in assisting, in particular, older people living in poor quality housing to improve their living environment. They are also able to offer considerable advice on the best way to insulate and carry out repairs to their housing.

Home improvement agencies—usually called Care and Repair or Staying Put—are now recognised by all major political parties as having developed a sound track record in providing personal support and practical assistance to older people and, within that group, disabled people who live in poor or unsuitable housing. Their work incorporates a wide range of repairs and adaptations, ranging from a handrail to extensive renovations. Obviously, I want to concentrate on fuel poverty, where the clear aim of Care and Repair's strategy is to keep people in their own homes for as long as possible, and heating those homes to keep people warm is a major part of that strategy.

Inevitably, these matters link with community care—and housing is the missing limb of community care. My right hon. Friend the Secretary of State for Health frequently refers to a Berlin wall between health and social services. We must not forget housing as part of the community care programme, as people go back to their homes.

Not only have home improvement agencies developed the necessary technical knowledge and skills, they have developed the financial expertise to bring in funds from a wide range of sources, including charitable funds, insurance, the national lottery, the utility companies and equity released from the home. Many agencies are also working actively with local authorities on the implementation of the Home Energy Conservation Act 1995.

The national body for home improvement agencies, Care and Repair England, is working with other parties on maximising the use of equity release, in particular for older people in energy-inefficient housing. That will involve partnership working between home improvement agencies, local authorities and building societies and will bring in private finance to complement the use of public funds available through local authority housing grants and home energy efficiency scheme grants. Care and Repair England has also developed a particular expertise—again, in partnership with commercial and voluntary sector bodies, as well as with the Government—in addressing the problems of energy inefficiency in poor housing. It is currently planning research to improve and refine work in that area.

I suggest to my hon. Friend the Minister not only that a change to the income support regulations be considered, but that thought be given to strengthening the mechanisms for delivering help to older people through home improvement agencies. My hon. Friend the Minister for Local Government and Housing recently gave a strong endorsement to home improvement agencies through the allocation of an additional £750,000. She also announced a review of the funding mechanism.

In the context of this debate about fuel poverty, I draw my hon. Friend the Minister's attention to the capacity of home improvement agencies to make a useful contribution, both technically and financially, to combating fuel poverty and energy inefficiency and to express the hope that any changes to the funding system will preserve and, indeed, strengthen their ability to bring to this area of work a strong voluntary sector contribution and an expertise in accessing non-Government finance.

In the context of a home improvement agency service that can deliver the service and maximise the use of equity release, the proposed change to the income support regulations will assist such organisations to improve the living conditions of thousands of older people who are living in fuel poverty at the threshold of the 21st century.

The task is surely to link such vital organisations to a truly comprehensive programme of energy efficiency to reduce fuel poverty, pulling in the voluntary sector to work with landlords, local and central government, fuel industry regulators and, indeed, individual householders, to show that we have the political will, as well as the economic, social and environmental understanding, to grasp this important nettle.

11.45 am

Mr. Andrew Robathan (Blaby): I shall be relatively brief and I shall concentrate on energy efficiency. I suspect that there is little disagreement about the substance of this important debate, initiated by the hon. Member for Bury, North (Mr. Chaytor); indeed, I found little to disagree with in his remarks.

I want to explore the pan that the Government can play in encouraging good practice, especially through building regulations and by encouraging good design. This applies to new building as well as to refurbishment, on which the debate has concentrated up to now. As the hon. Member for Stroud (Mr. Drew) will know only too well—he initiated a debate on the issue—there are plans to build 4.4 million new housing units by 2025. That presents an enormous opportunity, although many of us are greatly concerned about where they will be built. By using the building regulations that will be applied to the new houses, tremendous progress could be made towards ensuring that there is no fuel poverty among future generations.

I understand that carbon emissions from domestic energy usage account for about one quarter of the total carbon emissions into the atmosphere. That is of concern to all hon. Members and no one doubts that emissions must be reduced. The question is how to do it. I live in a lovely part of Leicestershire where builders, such as the excellent David Wilson Homes, construct marvellous new, detached houses throughout the countryside. That is one of the problems. Why have we all been conditioned to want to live in detached houses, when terraced houses—as anyone who lives in one knows—are much warmer

[Mr. Andrew Robathan]

because they have only two outside walls rather than four? This is a serious point. There is nothing wrong with living in a terraced house. After all, extremely rich people want to live in terraced houses in Belgravia—[*Laughter.*] Hon. Members are grinning, but it is an important point. We are encouraged to live in detached houses, when, for reasons of crime as well as fuel efficiency, living in terraces is much more efficient. We should consider that.

It is difficult for Governments to order builders to build terraced houses, but it is ludicrous for estate agents to say that everybody wants to live in detached houses. We are told we want to live in detached houses. I am not keen on regulation in the matter, but I want the argument to move on so that people want to live in fuel-efficient terraced houses. That is easily said, but more difficult to achieve—but the Government could play a constructive role through building regulations.

The building regulations were last altered in 1993 or 1994. The complaint at the time was that all that was being initiated was a requirement that they be in line with good current practice. We should be looking beyond that—the hon. Member for Bury, North alluded to this—towards, for example, every window in any new building, although not in refurbishments, having to be double glazed. Every house should produce the minimum emissions possible, as is the case in Scandinavia. That could be achieved in new buildings at relatively low cost. We should examine that matter very carefully.

If the building regulations are improved, we shall be able to do an enormous amount to old housing units by properly insulating them, rather than simply bringing them up to a mediocre standard. I have just refurbished a house in London and I insisted to the architect that every hot water pipe should be lagged. Unfortunately, that was not done—and it still has not been done—because the cost of ripping out and relagging all the pipes is enormous. The house is thin and not particularly big, but an enormous amount of hot water is wasted every time the hot water tap on the top floor is used. Taking measures to reduce such waste could bring great savings to many people—to poor people and to rich people, and I do not count myself as being rich. People from all social strata could save a lot of money by not having to run the tap for five minutes before they get hot water. They could realise substantial savings not only for themselves but for the environment.

Much has been said today about fuel poverty. We should never underestimate the type of fuel poverty described by the hon. Member for Bury, North. When I lived in Fulham, my next door neighbour was in her late 80s. Although she lied about her age, one could surmise it by the fact that she had worked in a munitions factory in the first world war. One December, she died from the after-effects of a pneumonia that she contracted in the grotty little flat that she rented. Next door to my house, she sat huddled around a gas stove, always worried about the cost of running it. If my house next door could be warm, why could not hers? I am sure that the House appreciates the horror of fuel poverty.

Another aspect of the matter is the fact that many people—although not the elderly living in rotten accommodation—expect houses to be too warm. Far too often we wander round in our shirtsleeves, although it is the middle of winter; instead of putting on a jersey on cold days, we turn up the heating. Last year, an article in the *Leicester Mercury* described a man who complained that the council had not repaired his boiler during last winter's cold snap. He was photographed in his house, however, sitting in a vest. Although that is only an anecdote, it demonstrates that we should, to help the environment, perhaps consider turning down our heating a bit more. Such action will not affect fuel poverty, but it should be considered.

Paradoxically, reducing energy costs is not good for energy conservation or for the environment. The hon. Member for Bury, North mentioned VAT on fuel. It was disingenuous of those who campaigned for reducing VAT on fuel not to mention the fact that that VAT discouraged fuel consumption. Moreover, increased efficiency in fuel production and in the privatised utilities has resulted in falling prices for gas and electricity.

The Government have a part to play in developing building regulations, and in moving well beyond best practice to the very best practice possible at reasonable cost. I hope that Ministers will consider doing so. I hope also that the House will play its part in encouraging builders and house buyers—which we are all likely to be—to favour efficient terraced houses over the "des res" detached houses that are being built across the country.

11.53 am

Mr. Malcolm Chisholm (Edinburgh, North and Leith): I congratulate my hon. Friend the Member for Bury, North (Mr. Chaytor) on securing this debate on a subject that is clearly of enormous social and environmental importance. As several other hon. Members wish to speak, I shall be very brief and simply put a Scottish slant on the issue.

Home energy efficiency is very topical in Scotland. The latest house condition survey was issued only a couple of months ago and it showed that the mean national home energy rating of homes in Scotland was 4.1, whereas the rating for new properties must be 7, so 93 per cent. of Scottish homes are wasting energy. Moreover, 25 per cent. of all dwellings in Scotland were judged by surveyors to suffer from problems of dampness or condensation; residents judged that the percentage was even higher.

Houses should be energy efficient for three very important reasons. First, energy inefficiency means that houses are expensive to heat. Secondly, energy inefficiency means that houses can become damp, with an effect on health. Thirdly, it means wasting fuel, with increased CO_2 emissions. If all Scotland's homes were brought up to today's energy efficiency standards, CO_2 emissions would be reduced annually by 47 per cent., which is crucial in achieving the Government's objective of reducing CO_2 emissions by 20 per cent. by 2010.

As my hon. Friend the Member for Bury, North mentioned, energy inefficiency causes excess winter deaths. There is another way of considering those deaths. In the United Kingdom, the gap between winter and summer deaths is 31 per cent., whereas it is 14 per cent. in Sweden and 10 per cent. in Norway. It goes without saying that those countries are much colder.

A recent study in Glasgow found that asthmatics are three times as likely to have dampness in their homes as the control group and that people who suffer from severe

asthma are in the dampest homes. I was therefore very interested to learn that the Cornwall and Isles of Scilly health authority recently gave money to district councils to provide insulation in damp homes. That was a very interesting precedent in public health policy and I hope that it will be built upon.

Energy inefficiency affects costs. Currently, average householders in Scotland spend a third more than necessary on fuel bills and, of course, the poorest suffer the most. As my hon. Friend the Member for Bury, North again mentioned, the poorest households spend proportionately three times as much on fuel as the average household. A recent study in Granton Medway, in my constituency, indicated that householders there were spending between 10 and 15 per cent. of their income on fuel. However, I am glad to say that, since that work was done, the campaign they waged brought improvements to their homes.

Lone parent families are mentioned in the Scottish house condition survey in the context of a substantially higher incidence of dampness and or condensation. Those families will have even less to spend on heating if lone parents take up work in April and then lose their job. I do not make apologies for repeating that point, because it breaks my heart to see my Government simultaneously damaging their own credibility and lone parents. I shall go on challenging the Government unceasingly until, like an errant teenager, they see the error of their ways.

That appalling policy of my Government is particularly sad, because it overshadows the many exceptional achievements of their first eight months, some of which were mentioned by my hon. Friend the Member for Bury, North. VAT on fuel has been reduced to 5 per cent. VAT on the installation of energy-saving materials under current grant schemes has been reduced to 5 per cent. More than 10 million payments will soon be made to more than 7 million pensioner households. There has been action to ensure that all pensioners receive the income support to which they are entitled. There has been action, too, of course, on the minimum wage and on welfare into work.

In the Scottish context specifically, we have ensured that the welfare-to-work initiative will have as one of its priorities environmental task force work on home insulation. In Scotland, for next year, we have put £5 million of housing money into the environmental task force, so that there will be additional money for materials. It is important to make the point that comparatively small sums can make a big difference in work on energy efficiency.

I should like to say more about what is happening in Scotland but, because my hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy)—who will be presenting her Warm Homes and Energy Conservation (Fifteen Year Programme) Bill later today—wishes to speak, I shall draw my remarks to a close now.

11.58 am

Mr. Cynog Dafis (Ceredigion): Thank you, Mr. Deputy Speaker, for calling me to speak for the second time today. I congratulate the hon. Member for Bury, North (Mr. Chaytor) on raising this matter and on making a first-rate speech. Energy efficiency—with development of renewable resources and efficient production of energy from conventional sources, such as combined heat and power—is an essential component in a wider sustainable energy policy.

As chairman of the parliamentary group on renewable and sustainable energy, I am aware both of the tremendous developing consensus in favour of putting sustainable energy policy at the heart of Government consideration and of the compelling case for doing so. That case is well understood by the Minister, who I understand is sympathetic to that view.

Energy efficiency has been debated repeatedly since I first entered the House in 1992 and the overwhelming case for taking it seriously has been well established. It offers gains in respect of the environment, health and quality of life. There are environmental gains in manufacturing and installation and economic gains as a result of reduced costs. Real, sustainable development of energy efficiency is clearly at the heart of Government policy, but the cuts to the budget of the Energy Saving Trust tend to belie that. The Government will have to reverse those cuts if they are to be taken seriously.

Much has been achieved in recent years, but it has been by dint of constant and intense pressure from various lobby organisations and through the work of voluntary organisations such as Neighbourhood Energy Action and the Association for the Conservation of Energy. It was no small task to get the Home Energy Conservation Act 1995 on to the statute book. It took at least three years after I introduced a similar Bill that was blocked by the previous Government. Progress has been made through constant pressure and attrition, and it is still far too piecemeal and insufficient. It is not commensurate with the scale of the challenge or the opportunity to take the matter seriously.

Energy conservation needs to be built into economic and employment policy and social and environmental policy in a structured way over a set period of time. We need a coherent process and a substantial programme and that is what the Warm Homes and Energy Conservation (Fifteen Year Programme) Bill is all about. I am certain that it is the right way ahead. The Bill would contribute to Government policy, it is eminently compatible with the themes that the Government have established and I strongly support it.

12.1 pm

Mr. Harry Barnes (North-East Derbyshire): In introducing the debate, my hon. Friend the Member for Bury, North (Mr. Chaytor) said that Derbyshire is one area that suffers particularly from fuel poverty. Although I accept what my hon. Friend said about national programmes and the need for co-ordination, I should like to refer to local initiatives in Derbyshire and Nottinghamshire that are attempting to tackle fuel poverty.

In 1996, the Nottinghamshire and Derbyshire local authorities formed an energy partnership to offer local residents advice on energy saving. North East Derbyshire district council obtained a grant for those arrangements and now runs a mobile service. Local authorities also employ advice officers. It is an important initiative, but it is limited by the fact that it is an advice service.

More funding is required to deploy energy-saving methods in order to tackle fuel poverty among many needy people. The local authorities in Nottinghamshire and Derbyshire attempted to do that under a programme known as the home energy conservation action bid. They sought to set up an energy service company, supplying

[Mr. Harry Barnes]

energy-saving goods such as low-cost cavity wall insulation, that would work with the electricity and gas companies to provide cheaper fuel. It was planned that the company's profits, with additional money to be raised from the private finance initiative, the national lottery or European funding, would help to tackle many of the problems that need to be addressed.

Although most local authorities in Nottinghamshire and Derbyshire have been working together on the project for a considerable time, they now realise that they have entered a legal minefield and have had to withdraw the service. I should like my hon. Friend the Minister to examine the information that the local authorities have sent to her office. A change in the law is required to make it easier for such initiatives to be established; they would fit in with the wider concerns that my hon. Friend the Member for Bury, North raised.

12.5 pm

Mrs. Linda Gilroy (Plymouth, Sutton): I congratulate my hon. Friend the Member for Bury, North (Mr. Chaytor) on initiating the debate.

The Warm Homes and Energy Conservation (Fifteen Year Programme) Bill, which I shall present this afternoon, has been mentioned. It would require the Secretary of State to draw up and facilitate the carrying out over a period of 15 years a programme of action to provide at least 500,000 households each year with a comprehensive package of home insulation and other energy efficiency improvements. More than 200 hon. Members have expressed their support for the Bill and eight national organisations are working with me and support it. They are Friends of the Earth, the Association for the Conservation of Energy, the Child Poverty Action Group, Church Action on Poverty, Help the Aged, the National Housing Federation and Neighbourhood Energy Action. I pay tribute to all those organisations which have long track records in arguing for and taking practical steps to end fuel poverty.

Much has been achieved. Neighbourhood Energy Action is working to insulate 400,000 homes this year. Estimates suggest that as many as 8 million homes are still in need of energy-saving measures, which could reduce their heating bills and allow their occupants to afford the warmth that they need.

As we know, the home energy efficiency scheme is currently under review. One of its present limitations is that it does not reach to the private rented sector. By giving the Secretary of State responsibility for a programme of measures and ensuring that funding is available, we can ensure that the Government take an effective long-term view of this and other problems. By dealing with at least 500,000 homes over 15 years, we should eliminate fuel poverty in 8 million homes and end the misery of cold winters for as many as 15 million people and thereby dramatically reduce the United Kingdom's shameful winter death record.

The cost of the programme has been estimated as £1.25 billion. We believe that the Government already pick up a bill of about £1 billion through funding energy efficiency programmes or financial payment programmes such as VAT compensation and cold weather payments.

By introducing a requirement for a long-term approach, my Bill would ensure that maximum value for money is obtained from such expenditure in lowering fuel bills in a way that is permanent and sustainable. I hope that my Bill will focus discussion with the Government on finding new ways of funding that work more effectively. My hon. Friend the Member for Stroud (Mr. Drew) mentioned the home improvement agencies and equity release. Exploring the possibility of ethical bonds is another possible source to add to the funding that is currently available.

I hope, too, that the forthcoming consultative paper on utility regulation will include some proposals to help engage fuel companies to address the challenge of funding such measures. The hon. Member for Ceredigion (Mr. Dafis) mentioned the cut to the Energy Saving Trust; I hope that its budget will be restored.

I congratulate my hon. Friend the Member for Bury, North on initiating the debate and appreciate his support and that of other hon. Members for my Bill.

12.9 pm

Mr. Colin Breed (South-East Cornwall): I should like to concentrate on the regulation aspect of the issue. Although a number of issues need to be considered in tackling fuel poverty, the way in which regulation operates is clearly important. Regulation needs to be focused much more on being consumer friendly than on protecting the financial security of the privatised utilities.

The eradication of fuel poverty requires the measures that have already been discussed this morning, but regulation must be part of the process. Consumer choice is often more like supplier choice. Suppliers choose which are the best customers to supply with the best schemes. The advances in technology that allow companies to identify the customers that they really want have marginalised other customers and promoted the very fuel poverty that we are trying to eradicate.

The unit cost differentials between those able to pay their bill by direct debit and those who must use prepayment meters must be eradicated if we are to move against fuel poverty.

Regulation tends to increase the cost of fuel in more remote and rural areas, where wages are often lower, by imposing almost mandatory transmission costs which operate against the best interests of those in remote and rural areas. They have to pay more for the transmission of the very fuel and energy that they require. Regulation is part of the solution. I hope that the Minister will consider it in conjunction with those matters that have already been mentioned this morning.

12.10 pm

Mr. Christopher Chope (Christchurch): I shall remember this excellent debate for the description by the hon. Member for Bury, North (Mr. Chaytor) of his Government's £485 million Exchequer grant to reduce VAT on fuel from 8 to 5 per cent: a triumph of political symbolism over sensible environmental policy.

Mr. Chaytor: May I clarify that? I said that in years to come it might be seen that way.

Mr. Chope: I am glad that I gave the hon. Gentleman the opportunity to clarify matters for his Whips. I shall also recall this debate for another brave and sincere speech from the hon. Member for Edinburgh, North and

Leith (Mr. Chisholm) and for an incisive and thought-provoking speech from my hon. Friend the Member for Blaby (Mr. Robathan).

We have had a host of statistics about increases in so-called excess winter mortality. We need to be a little wary of some of the statistics. How is it that fuel poverty is worse when there has been a 26 per cent. fall in the price of gas in real terms since 1987? There have been five consecutive years of reductions in electricity prices. There has been a dramatic reduction in the number of disconnections due to debt. In 1987, some 60,000 gas disconnections took place. In 1996, the figure was down to fewer than 9,000. In 1987, there were 100,000 electricity disconnections. There were fewer than 1,000 in 1996. Those are dramatic falls.

The improvements have been accompanied by the impact of the previous Government's home energy efficiency scheme grant which, since 1991, has helped 2.3 million vulnerable households. There have been undoubted and substantial improvements, yet it is said that fuel poverty is getting worse. I question whether we are exaggerating the problem. In saying that, I recognise that it is a serious problem and that more needs to be done. Indeed, that was the policy of the previous Government.

An article in today's *The Times* gives an example of how we can all improve the energy efficiency of our homes. It is about the advantages of condensing boilers. It says that the Energy Efficiency Trust estimates that

"householders waste some £278 a year by not taking energy-saving measures, of which the boiler is the largest factor. It reckons that if everyone installed condensing boilers the nation would prevent £750 million (11 per cent.) of energy wastage.

The condensing boiler uses less fuel, and due to its technically advanced burners it produces fewer gases that contribute to global warming than a standard boiler . . . A condensing boiler costs only £250-£300 more than a standard model and the Energy Efficiency Trust offers a £200 cashback to anyone who installs one before the end of February 1998."

In so far as we can use the House to try to educate people about the opportunities that are available, I hope that an increasing number of people will take advantage of condensing boilers. At present, only 2 per cent. of all boilers are condensing boilers. If we got that number up significantly, it would help energy efficiency and deal with the problem of global warming.

Much of the debate has been about costs. What are the Government doing about applying risk assessment criteria in deciding their investment priorities? In the previous debate, the Government claimed credit for spending an extra £85 million of taxpayers' money to compensate beef farmers for the consequences of the Government's crazy decision to ban beef on the bone, which destroyed the market by curtailing consumer choice. That is costing an unnecessary £85 million. The beef farmers are saying that the costs to them are far in excess of that sum and that £85 million compensation is not enough.

On any objective risk assessment, which the Government should apply to decide whether investment should be made in order to save lives, more lives can be saved by investing in fuel efficiency measures than can be saved by banning beef on the bone and compensating farmers for the consequences of it. To take a small example, the Energy Saving Trust's grant is to be cut next year from £19 million to £13.5 million—a cut of £4.5 million. The Government are hiding behind inherited spending plans. There are no inherited spending plans in relation to beef compensation. The Government seem ready to spend an extra £85 million on beef compensation at the same time as approving a cut of £4.5 million to the trust. I submit that the Government have got their political priorities wrong.

The principle that should apply to householders is waste not, want not. If householders do not waste energy, they will be able to save money. Similarly, if the Government did not waste so much money on unnecessary measures such as banning beef on the bone, they would have more money to invest in improving energy efficiency in our homes.

12.17 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I shall pass on to my right hon. Friend the Minister of Agriculture, Fisheries and Food the fact that the Opposition do not agree with compensating farmers. I might also tip off the National Farmers Union and see what it has to say.

Mr. Chope: The Minister traduces what I said. The cut in the Energy Saving Trust budget is a direct consequence of the crazy decision of the Government to ban beef on the bone, against the wishes of consumers. Now they are having to pick up the financial consequences. If they had not banned beef on the bone, they would not have had to compensate beef farmers.

Angela Eagle: I am sure that we could have a long and interesting debate on BSE, Mr. Deputy Speaker, but I am not sure that you would rule me in order, given the title of this debate.

I want to talk about the extremely important subject that has been raised by my hon. Friend the Member for Bury, North (Mr. Chaytor). I have enjoyed the thought-provoking and wide-ranging debate on the important subject of fuel poverty and energy efficiency and the way in which they fit together. The quality of the debate has demonstrated the complexity of the subject. There are things that we can do by making focused small policies involving small amounts of money that make a difference, but at the back of our mind is the enormous backlog of problems with the housing stock. We have to integrate policies across government in order to tackle the problem coherently both at overall level and at the level of individual schemes. The debate has drawn attention to that.

I am grateful for all of the speeches that have made, which have been thought provoking, thoughtful and worth while, even down to that from the hon. Member for Blaby (Mr. Robathan), who attempted to impose terraced houses on the entire population. A terraced house in Bloomsbury or wherever he mentioned may be slightly different from one in Bury, North: perhaps my hon. Friend will tell me whether that is so.

Mr. Robathan: I used to live in a terraced house in Fulham, which I suspect mirrored those found in Bury, North and elsewhere.

Angela Eagle: I would be amazed if that were the case.

This has been a wide-ranging debate and there is not much time to deal with all the important issues that have been raised. I hope that I can at least inform the House about how the Government are beginning to deal with them.

Fuel poverty means the inability to heat a home adequately without spending a disproportionate amount of household income on it. Despite the scepticism of the hon. Member for Christchurch (Mr. Chope), we know that fuel poverty is widespread. We might argue about the figures, but the English house condition survey clearly confirms the extremely low standards of energy efficiency in the housing stock and the very slow rate of improvement. That provides evidence of the ineffectiveness of the previous Administration's energy efficiency policies. They had no overall strategy and I agree with those hon. Members who have described it as fragmented.

We know that 38 per cent. of the housing stock has less than satisfactory heating provision. Nearly 3 million dwellings are particularly inefficient, having energy ratings below 20 points. More than quarter of a million homes in the private rented sector, which are occupied by single pensioners, are appallingly expensive to heat, with an average energy rating of only 11 points.

It is deeply worrying that a high proportion of the poorest quality homes are occupied by people who are likely to be especially vulnerable to the effects of cold. Almost two fifths of all pensioners, who are particularly at risk from cold, need to spend more than 15 per cent. of their net income to achieve a basic standard of heating. More than three times as many single pensioners living in privately rented stock need to spend 15 per cent. or more of income on heating than do single pensioners living in the social rented sector. We must take the differences between housing sectors into account when dealing with fuel poverty.

As my hon. Friend the Member for Bury, North said, there is considerable evidence to link cold homes and poor health. The Government, at least, explicitly recognise that. It is significant that national health service expenditure rises by 2 per cent. in the coldest months of the year. I am not suggesting that that is all due to poorly heated housing, but we must acknowledge its effect on making people more vulnerable to other illnesses. It may increase people's chance of falling victim to illness and having to go to hospital.

Although very few people die from hypothermia, the death rate rises in winter, resulting in many thousands of "excess" winter deaths—a phrase already criticised by hon. Members—each year. As hon. Members have also said, the scale of that seasonal increase is not experienced in other countries. We must examine why this country more than any other—even those with colder climates—suffers that increase.

Vulnerable households need support if they are not to be left with impossibly difficult decisions that have a direct impact on health. The previous Administration had no coherent strategy to address the problems of cold, damp homes and ill health. We will do much better, because we recognise the links between poverty, housing quality, energy efficiency standards and health—and we take them seriously.

Health concerns us all and we have placed it at the heart of Government policies. Our manifesto promised to set goals to improve the overall health of the nation and recognised the possible effects of poor housing, poverty, unemployment and a polluted environment. Our Green Paper "Our Healthier Nation" will be published soon. We recognise that the problem of fuel poverty can be tackled only as a result of a cross-departmental strategy.

We will take an integrated approach across government to tackle fuel poverty and energy efficiency. We have to produce coherent policies that go to the heart of the problem. We are starting from first principles and I have set up an inter-departmental working group to investigate the extent of fuel poverty. Perhaps its findings will overcome some of the scepticism felt by the hon. Member for Christchurch. It will examine all existing programmes to see whether we can achieve better value and greater integration. There must be an informed national debate on the cross-cutting policy themes that have emerged in the debate and which I am convinced will also emerge from the review.

My hon. Friend the Member for Stroud (Mr. Drew) made a thoughtful speech. I assure him that I shall ask the working group to consider the policy provisions that he suggested on home improvement agencies and changes to income support as a means of dealing with some of existing problems. He will appreciate that I shall pass on his acute observations without prejudice to the result of that group's findings.

As many of my hon. Friends have said, we have not been idle since May. We have not waited for the results of reviews before giving initial help to those least able to help themselves. We have reduced the rate of VAT on fuel to 5 per cent. That was an important step because we know that poorer households spend a greater proportion of their income on heating their homes than do others. Let it not be forgotten that it was the Conservative party that introduced that levy on warmth, which most affected people on low incomes living in poor housing.

The Chancellor's statement on 25 November produced more good news for the fuel poor: this winter and the next, all pensioner households will receive a £20 payment to help with winter heating costs. The worst off—the almost one in four who receive income support—will get £50.

Mr. Chope: Can the hon. Lady guarantee that the £20 per pensioner household not on income support will be with those households before the winter is over?

Angela Eagle: My Department is not directly responsible for administering that payment, but it is the Chancellor's intention that that money should be provided and I am sure that the Government will do their best to do so.

As many hon. Members have already suggested, the utilities and regulators have a key role to play. Part of the legacy of the previous Government is that those companies and individuals essentially act alone as a result of statutory independence. That makes it very difficult for us to integrate policy across different sectors. My hon. Friend the Member for Bury, North asked about gas and electricity supply standing charges paid by people on low incomes. We are in the middle of a review of utility regulation that is considering whether such regulation

should have an explicit dimension based on fairness and social considerations. We plan to publish its findings in a Green Paper in the spring.

Mr. Matthew Taylor: The block on the levy for the Energy Saving Trust is key to undermining financial investment in energy saving. Will the Minister consider that problem?

Angela Eagle: It is being studied carefully, but a legacy of the system of regulation that we inherited from the previous Government is the gas regulator's power simply to say no. That is what she did and no amount of ministerial urging can make her change her mind.

The home energy efficiency scheme is the largest specific energy efficiency programme in the current portfolio designed to tackle fuel poverty. The scheme aims to help the most vulnerable by paying for energy efficiency measures in their homes. In that way, we will achieve two objectives: we will improve their home environment and contribute to our need to reduce CO_2 emissions to meet our international obligations. This year and next, the annual allocation is more than £75 million, and I have set a target for this year of 400,000 grants, each achieving, on average, an improvement of five points in the energy rating of the claimant's home.

The reduction in the cost of the materials for that work, which the Chancellor announced in the Budget in November, is welcome because it will enable us to help an extra 40,000 homes. Given that that scheme is targeted at the poorest households, that opportunity is especially pleasing.

My hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy) was wrong when she said that the home energy efficiency scheme does not reach to the private rented sector. It does, but, unfortunately, a review of the scheme that I initiated on my appointment has made it clear that the scheme as it currently operates does not reach the private rented sector as often as we would like it to. I do not want to pre-empt the outcome of that review, but there are indications that the scheme is not as well targeted on the fuel poor as it might be: it essentially offers a first aid service to a potentially large customer group and sometimes misses its targets.

I welcome today's debate. We need a continuing debate about these serious subjects and the House has made an extremely good start. I assume that we shall continue to make progress through private Members' Bills and Adjournment debates and I look forward to the debate continuing in a constructive way.

Ships (Passenger Registration)

12.29 pm

Mr. Roger Gale (North Thanet): I am grateful for the opportunity to raise on the Floor of the House the European Commission's proposal for a Council directive on the registration of persons sailing on board passenger ships. The matter is of considerable importance to my constituents, to the people of Kent and to the travelling public throughout the European Union.

When I first applied for a debate, my main concern was for those of my constituents who work on the passenger ferries and those using the ferries sailing from Ramsgate. In the interim, the Holyman passenger service has been transferred from Ramsgate to Dover, but it would wrong to think that the matters I wish to address do not also affect the freight shipping services still sailing from Ramsgate—they do and they will.

I should make it plain that, although I regard the issue as being of considerable importance to Kent and as a national issue, I shall inevitably refer frequently to the port of Dover. As a courtesy, I wish to put on record the convention that short Adjournment debates such as this involve the participation of one Member of Parliament and one Minister. I do not know whether the hon. Member for Dover (Mr. Prosser) shares my views, but I would not wish his constituents to think that the fact that he is not speaking in the debate means that he does not have an interest.

The proposal for a directive on the registration of passengers sailing on board ferries requires that all passengers be registered on an inventory by name, age, sex and, if relevant, disability. The proposed directive will apply to all passenger vessels on journeys of more than 20 miles; that figure was originally 30 miles, but the proposals have been amended to ensure that they catch all cross-channel short sea crossings. Curiously, the directive excludes one of the busier European passenger ferry routes—that between Denmark and Sweden—and the channel tunnel; I shall return to the significance of that fact later.

The proposed directive appears to be a European Commission knee-jerk reaction to the Estonia disaster, based on the "We'd better be seen to be doing something" principle. The preamble explains:

"The obligations of the Community in this context are the improvement of safety in maritime transport as foreseen in article 84(2) of the Treaty."

Great reliance is placed on the safety of life at sea convention, which introduces the principle of passenger registration in a specific regulation. The SOLAS regulation was intended to apply to

"all passenger ships on international voyages".

I repeat, international voyages, not short sea crossing ferries within the European Union.

To be fair to the Commission—I must be fair—it has acted on a request from the Council of Ministers to present a proposal for the mandatory requirement on the registration of passengers aboard roll-on/roll-off ferries. That request was indeed made in the light of the aftermath of the Estonia disaster, when considerable difficulty was experienced with the identification of passengers and the consequent settlement of insurance claims.

[Mr. Roger Gale]

In a letter dated 7 May 1997, Commissioner Kinnock tells me that

"the purposes of the Directive are the enhancement of safety and of the possibilities of rescue of passengers and crew, and the improvement of procedures to deal with the aftermath of an accident."

Yet the head of the Commission's maritime safety unit, Roberto Salvarani, is reported to have told port officials recently that

"there is no significant safety reason"

for the directive. It would seem that Mr. Salvarani's appraisal of the situation is more realistic than that of Commissioner Kinnock. Michael Krayenbrink, Dover harbour board's general manager, ferries, says that

"the registration of passenger names will not help prevent accidents (nor save lives in any search and rescue), but only deal with their aftermath".

Let us think logically. Anyone who has any dealings with search and rescue—as one who has worked in the Ministry of Defence and represents a constituency which played host to a search and rescue base, I have such experience—knows that helicopter and lifeboat services need numbers, not names, ages and genders, to facilitate a rescue. In the cold and the dark and the wind and the water, one does not shout, "Are you Smith, Miss, aged 18?" One yanks the body out of the water and moves on to the next one. Rescuers save everyone they can find and keep going until the total head count is reached. Ferries already carry such a count: that figure is kept on shore and also given to each captain before departure.

Names, ages and gender may be of interest to an insurance company after a disaster, but even here there is a difficulty. In copious correspondence with Commissioner Kinnock, I have endeavoured to establish how the personal information will be verified, because people are occasionally reluctant to give their real name when they are not compelled to do so. I am not suggesting that hundreds of Michael Mice will necessarily head for EuroDisney, but it would be naive to believe that a considerable number of Mr. and Mrs. Smiths do not and will not continue to head off for weekends in Paris. Mr. Kinnock's response to my inquiries, in a letter dated 3 October 1997, states:

"On the issue of a possible re-introduction of border controls, I can only repeat that the responsibility of checking the information requested in the Directive has been left to the Member States."

In other words, under European open frontiers there is no way of checking the details. The inventory may not only not help to save life, but confuse and hinder the settlement of insurance claims through inaccuracy.

I shall now address to the manner in which the directive appears to have been devised and its likely effects. The entire concept was generated in the emotional aftermath of the Estonia and the Herald of Free Enterprise disasters. Some constituents of mine who were on board the Herald of Free Enterprise lost husbands and others lost relatives. I do not know whether Commissioner Kinnock has had to deal with the grieving families of those bereaved in a ferry disaster, but I have, and I yield to nobody in my personal concern—if only in memory of those who died on the night the Herald went down—for the continual improvement in standards of safety at sea. However, the directive appears to have been produced in a rush, without any serious attention being given to the problems it would create. It is tokenism of the worst sort.

Commissioner Kinnock is on record as saying on 20 November 1997 that:

"I consider that sufficient positive opinions have already been gathered by my services from governments and ferry operators on the practicability of registering passengers on the Dover-Calais route. The advanced state of available telematics systems makes it possible to comply with such a requirement at reasonable costs".

Whom did his services consult before the proposals for the directive were drafted? Apparently, they did not consult the Calais chamber of commerce, which plays such a vital role in the running of that port; nor did they consult the cross-channel ferry operators Sea France or P and O European Ferries; and they did not consult Dover harbour board. Had they done their homework properly, they might have discovered the impracticalities of the bureaucratic nightmare that I fear they are about to create.

The ferry companies and the port authorities have done their homework and have concluded that the proposed scheme is unworkable if significant delays are not to be caused for both passenger and freight traffic. Indeed, the effect on the nation's freight could be disastrous. Freight lorries could not load even on to freight-only ferries if the approaches to the port were choked with cars and coaches. More than 50 per cent. of Britain's exports by volume cross the straits of Dover. Any damage done to that traffic will be damage felt by us all.

The ferries are essential to enable British industry to compete with our international rivals. The Road Haulage Association has told me this morning that it is

"very concerned about the very considerable commercial damage that will be done to the road haulage industry by the directive, particularly in the light of the merger of P and O and Stena."

I believe that that view is shared by officials from the Department of the Environment, Transport and the Regions who have also taken the trouble to make a thorough study of the subject.

In a letter sent to me yesterday, Michael Krayenbrink of the Dover harbour board reminded me of the following figures:

"In 1997 over 21 million passengers used the port of Dover with, at peak periods, vehicles checking in at the rate of 750 per hour. Any requirement to collect data on these will impose delays on the Port's operations, with knock-on effects on ferry companies using our facilities. This"—

he rightly adds—

"goes against the Commission's twin aims of facilitating transport within the Union and encouraging intermodal transport".

The inevitable increased costs will be passed on to passengers and freight hauliers, thus pushing up ticket prices and adding to the burden faced by ferry companies, already bracing themselves for the loss of traffic and revenue that is likely to result from the abolition of the duty-free trade. Mr. Krayenbrink's observations are as applicable, on a smaller scale, to Ramsgate and the other Kent channel ports as they are to Dover.

I have viewed the facilities available at both Dover and Calais. There is no doubt in my mind that at any peak time neither port is designed to collect the sort of information that will be required by the proposed directive without causing inordinate delay and car and lorry jams stretching back to the A2 or the Paris motorway.

Currently, the final check-in time is 20 minutes before the departure for each ferry. That allows time to load ships and for the completion of document formalities, freight and tourist manifests and loading lists. At present, the time taken to check tickets and passports is 45 seconds for a car and three passengers, five minutes for a coach and 40 passengers, three minutes for a freight lorry and its driver and 30 seconds for a foot passenger. The projected additional time for registration under the proposed directive is three minutes and 45 seconds for a car and three passengers instead of 45 seconds, 40 minutes for a bus and 40 passengers instead of five minutes, four minutes for a freight lorry and its driver instead of three minutes, and one minute and 30 seconds for each foot passenger instead of just 30 seconds.

How much earlier before departure will travellers have to arrive to enable the ports to comply with the terms of the proposed directive? Where will the additional traffic that is generated park?

Jonathan Sloggett of the Dover harbour board has said that there is no more shore space available for ferry companies at that port, and Guy Flamengt of the Calais chamber of commerce has stressed that the expensive new port of Calais approach road system, which was built with the help of European funding, was created to cut queues and to speed the boarding process. It was specifically designed not to have to handle large volumes of queuing traffic.

The thrust of the single market is to speed communications and end border delays within the Community, but the proposed directive introduces a new set of complex border delays. Commissioner Kinnock and his team appear to have conducted no proper research into the practicalities, but prefer to shelter behind the alleged availability of telematics to solve the problems. What telematics? I invite Commissioner Kinnock to stand in a check-in booth at Calais and try to record, by any means, the names, genders and ages of a Eurolines' coachful of visitors picked up from Poland and across Europe at various stops en route to Calais. It is not just Polish names that British and French officials find difficult to read and spell.

As someone who, for about a dozen years, has been pressing for fully machine-readable identity cards and passports, I am aware that there is no uniform system operating in the European Union, never mind the countries of the former Soviet Union and beyond. Even the different departements of France use differing systems. The idea that a machine-readable swipe card will make everything swift, accurate and easy is unreal. Even if the telematics did exist, even if every passenger carried a swipe card, even if all the cars were harmonised, even if every passenger was fit and well and could jump out of a coach quickly and even if it took each passenger only 10 seconds to use a swipe card, the cumulative effect would add hours to boarding times, with a consequent knock-on effect on turnround times and on passenger and freight costs.

The reliance on the use of telematics is jargon. I do not believe that it is at present practicable and I believe that the Commission also knows that, but declines to admit it. The process will interfere dreadfully, possibly terminally, with the turn-up-and-go system that is essential to the ferries' survival in competition with the channel tunnel shuttle.

That brings me to the issue of competition. Let me assume for a brief and incredible moment that the Commission's entire thesis is correct and the provisions of the directive will save life. Why do not the same provisions apply to the channel tunnel in which there was a near-fatal and certainly horrific fire not long ago? Why should ferry passengers be subjected to inordinate bureaucracy and delay while those using the potentially just as hazardous tunnel are allowed to travel on the shuttle without even a head count being taken?

The Commission claims that the directive ensures harmonisation in the interests of fair competition, but that is nonsense. It will have just the opposite effect. The directive's effect on the short sea crossings of the channel from Dover and Ramsgate, which is seeking to attract new operators following the loss of Holyman, will be disastrous to fair competition.

The direct competitor of the ferries is the shuttle. Unlike the ferries, the shuttle does not at present even count passengers. The Commission should at the very least have dealt with the ferries and the shuttle simultaneously. Unless the measure is applied equally and simultaneously to ferry and tunnel traffic, the Commission will have placed the channel ferries at such a grave disadvantage that they may become no longer commercially viable.

To date, the Commission has only, in the words of the director general of DG7, Robert Coleman,

"given a commitment to the European Parliament that the case for 'undersea' rail tunnels would be looked at further."

In a letter to me dated 19 November 1997, Mr. Coleman said:

"While I understand your arguments that a level playing field is needed for competition between cross-channel ferries and 'le Shuttle' I do not believe that it necessarily follows that users of the tunnel should, therefore, also have to comply with registration procedures as those only apply to ferries".

It is all right to fry and to be unidentified and unnumbered in a future tunnel fire, but it is not all right to be simply recorded, as at present, on the manifest of a ferry. If there is any logic in the proposal, of course it "necessarily follows" that the same regulations should apply to all cross-channel traffic.

The total traffic on the short sea routes in now more than the tunnel can handle on its own; loss of the ferries would pose a considerable threat to British exporters. Another closure of the tunnel, for any reason, would, under those circumstances, bring cross-channel freight and passenger traffic to a halt.

If I believed that the directive—which is promoted by Commissioner Kinnock and, astonishingly, has the support of East Kent's Member of the European Parliament, Mark Watts, as rapporteur of the Transport Committee—would contribute to the saving of even one life, I would support it. But I do not. I believe that it is ill-researched, unworkable, unnecessarily bureaucratic and fails every European test of a proportionate response to a perceived need.

I emphatically do not regard this as a party-political issue. I believe that the Department of the Environment, Transport and the Regions' own officials have serious reservations about the directive. I have good reason to believe that their colleagues in France share those growing doubts.

[Mr. Roger Gale]

The Minister for Transport in London has a reputation for being fair minded and, without wishing to embarrass her, for being a thinking Minister. I urge her to take another long, hard look at the proposals. If she shares any of my concerns about the future viability of the ferries, about their importance to our transport infrastructure and about the need for fair competition between the sea routes and the tunnel, will she please seek to ensure that the United Kingdom's presidency is used to secure, at the very least, parity of treatment between the ferries and the tunnel?

Will the Minister demand that parity is achieved before the commencement date of any such directive—even if it means pushing the current year 2000 start date back by however long it takes? Will she please insist that a proper study of the likely effects of the proposed directive is conducted by the Commission and that all interested parties are, even at this late stage, properly consulted? Will she explore the possibilities, within the present proposals, for a derogation to exempt entirely the short sea crossings of the channel from the proposed directive under the terms of new paragraph 4 of article 9? If at all possible, will she endeavour to have this ill-conceived proposal for a directive consigned to oblivion?

12.49 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I congratulate the hon. Member for North Thanet (Mr. Gale) on obtaining this debate on an issue of great importance. It is regrettable that so few hon. Members have been in the Chamber to hear the arguments that he advanced.

The hon. Member made it abundantly clear that, in his thinking, the appropriate directive has no virtue as regards safety. He is right when he says that the proposed directive originated in a unanimous resolution of the European Transport Council on 22 December 1994, on the safety of roll on/roll off passenger ferries. Member states, in agreeing the resolution, invited the European Commission—in the light of the tragic loss of the ro-ro passenger ferry Estonia—to submit a proposal for recording accurately the number and names of passengers and crew on board certain vessels. The then United Kingdom Government signed up to the resolution, so obviously the principle of registration was acceptable.

The proposed directive contains several requirements for passenger shipping in the European Union. On every passenger ship voyage of more than 20 miles from the point of departure, the shipping company must, as the hon. Member said, record the name of every person on board—including the crew—their gender and an indication of age category: adult, child or infant. The proposed directive also requires the recording of information, when volunteered by a passenger, concerning the need for special care or assistance in emergency situations; and that information must be passed to a shore-based representative of the company within 30 minutes after the passenger ship's departure.

The proposed directive requires all persons—including the crew—on board any passenger ship departing from a European port to be counted before the ship departs, and requires that number of persons on board to be communicated to both the master of the ship and a shore-based representative of the company. The master is specifically responsible under the directive for ensuring that the number of persons on board does not exceed the number that the ship is permitted to carry.

The proposed directive also requires the ferry company to ensure that the information required by the directive is readily available at all times for transmission to the designated authority—in the United Kingdom's case, that is the Coastguard agency—for search and rescue purposes in the event of an emergency or accident.

Although I well understood—because the hon. Member presented it so cogently—his argument regarding the effect and some of the implications of the measure, I believe that it is not the case that the package that it represents lacks justification in terms of safety improvements. Reinforcing traditional duties to keep passenger totals within certificate limits benefits safety; formalising arrangements for information sought from people with disabilities benefits safety; requiring those data in respect of each voyage to be recorded ashore as well as on board ship benefits safety.

During working group discussions in Brussels, my Department questioned—as the hon. Gentleman did today—the practicality of some of the requirements. The concern was to probe the rationale for detailed requirements and procedures because of their effect on British shipping routes and ports, and their relationship to the original resolution. As a result of those suggestions, the proposed directive was materially simplified.

At the European Transport Council in June 1997, the Government judged that the safety aspects of the directive as a whole outweighed reservations. We were able to gain a later implementation date for the recording of passenger details than had been originally proposed. Like many of the concerns that the hon. Gentleman expressed, our concerns were essentially practical and did not relate to the principle of the measure, which the Transport Council had already accepted in 1994.

I shall now deal with the extent to which passenger registration will apply to services affecting the United Kingdom. It is important to remember that no journey of less than 20 miles is affected by the requirement to record passenger information. However, the requirement applies to both domestic and international voyages within the European Union of more than 20 miles so, as the hon. Gentleman said, it would apply to voyages between Dover and Calais or between Ramsgate and the continent. That was of particular concern to the hon. Gentleman.

There is, however, scope in the proposed directive for member states to issue exemptions from the requirements to record passenger information, but not from the duty to count. There is also scope to request the European Commission to derogate certain services from the requirement to record passenger information. However, the scope for exemptions or derogations is limited in each case to services that meet clearly defined criteria set out in the measure. For example, exemptions by member states may be granted only to services operating exclusively in protected sea areas. The definition of a protected sea area within the directive is:

"a sea area sheltered from open sea effects, where a ship is at no time more than 6 miles from a place of refuge, where shipwrecked persons can land, and in which the proximity of search and rescue facilities is ensured."

Having set out the background and contents of the measure, I turn to implementation issues. We have held several informal discussions with representatives of the shipping and ports industry affected by the directive. One important subject examined with them has been the extent of possible exemption or derogation for both domestic and international journeys. Cases for derogation of international voyages between member states must be made—I am sure that the hon. Gentleman will would accept that this is reasonable—jointly by the member states concerned, and they will be decided by the European Community collectively.

Exemptions may be given by member states, but they need to inform the European Commission. If the Commission considers that a service should not have been granted an exemption, it can require the member state to amend or withdraw its decision. The overall aim of these provisions is consistency throughout the Union. I point out to the hon. Gentleman that British citizens often travel on ferries of other than British origin; we believe that this is a means of increasing safety throughout the European Union for all its citizens.

We have not yet completed our analysis, but are well advanced with it, so it may be helpful if I set out our provisional conclusions. As I said, many domestic services will not be affected by the requirement to record passenger details because their voyages are of less than 20 miles. We believe that others will meet the criteria for being granted an exemption by the United Kingdom.

When the directive has been formally adopted, thereby bringing into force the exemption procedure, we shall ask ferry companies to apply to us for formal exemption. In principle, passenger services in protected sea areas can be expected to be exempted. We are also considering whether there is a case for seeking derogation for further domestic services and hence for making a submission to the European Commission for those services that we believe meet the criteria laid down in the directive.

One relevant criterion is the state of the sea to be expected on the service. The directive allows member states to apply for derogations only for services in an area where the annual probability of the significant wave heights exceeding 2m is less than 10 per cent. As for international journeys, our provisional view is that virtually all of them will be affected by the requirement to record passenger details, and that operators should plan on that basis.

There are no cases that might be exempted by the United Kingdom alone, because the member state for the other terminal of the service also must agree.

From the outset, the European Commission was particularly anxious to ensure that voyages across the English channel, and especially the Dover strait, should be included in the requirement to record passenger information. The Commission argued that precisely that sort of service should be subject to the requirement because of its relative frequency, in the Commission's view, across a particularly busy shipping route. The hon. Gentleman, in his well-reasoned argument, made clear his concerns on that issue, so I shall deal separately with the question of seeking a derogation for services across the Dover strait.

Any such case must be supported jointly by the United Kingdom and France. France has supported and continues to support the Commission's desire for the requirement to be applied to companies on the Dover strait. If we did receive a proposal from the French Government, we would of course consider with them the strength of the argument; and if we considered the case strong enough we would support its submission to the European Commission—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

Cannabis

1 pm

Mr. Austin Mitchell (Great Grimsby): I am grateful for the opportunity to draw attention in this short debate to a change that drastically needs making—allowing the prescription of cannabis for certain specified medical conditions. This is not part of any general argument about the decriminalisation of cannabis—it is a unique subject, although it has a bearing on that argument. To allow cannabis to be made available on prescription would effectively make the law more rational and enforceable in respect of other uses.

Today, I am discussing the case for moving cannabis from schedule 1 to schedule 2 of the Misuse of Drugs Regulations 1985. It will still be illegal, but if it is moved to schedule 2, research into it can be carried out; and it will be available on prescription to named patients.

It is quite illogical not to allow cannabis to be provided in this fashion. Indeed, until 1971 it was available on prescription, but it was then moved from schedule 2 to schedule 1, which comprises drugs with no therapeutic value. Strangely, heroin, cocaine and two synthetic cannabinoids have been left in schedule 2. If the Minister sees any logic in that, I hope that he will explain what it is.

I cannot see why Home Office licences are required for research into cannabis but not for research into heroin. Ever since 1971, the move to schedule 1 has been used as an excuse for doing nothing about cannabis as a form of treatment. In effect, there has been a total block on research.

Most research is done by the drug companies because it is so expensive, but what drug company will put money into research into an illegal substance that cannot be used for prescription? Who then will do the research, when applications to do it are shuffled around, as they are now, between the Department of Health and the Home Office? Licences are incredibly difficult to obtain, and the Home Office in particular seems to drag its feet.

Who will develop a standardised product of the type we need, if such research is not possible? We need research to discover which part of the complex chemistry of cannabis can be used for therapeutic purposes, but that research is just not being done. We need research into ways of taking cannabis for treatment purposes. I understand that it used to be available in tincture form. The Dutch have developed preparations of cannabis that can be taken orally or by inhaler. I am not asking that people suffering from medical conditions be allowed to smoke cannabis, but we need research into a form of it that will dissociate treatment by the drug from its leisure uses.

All this work is being held up by the decision in 1971 to shift cannabis to schedule 1. Meanwhile, the situation has been changing rapidly, invalidating the 1971 decision in the process. First, word has spread among the thousands of multiple sclerosis sufferers that cannabis is of value in treating their condition. They have found relief from pain, greater bladder control, and more control of spasms. The Alliance for Cannabis Therapy, which was formed to campaign on the issue and which has done a magnificent job, has received more than 3,000 letters from MS sufferers describing the value of cannabis in their treatment. But they have been driven into illegality by their need for this treatment.

I should like to quote some of the moving letters that have been received—I wish that the Minister would go through them. Here is one written in 1996:

"I have dreadful spasms in my legs and can take pills like diazepam without any effect. Half a cigarette a day doctored with cannabis stops the spasms within 10 minutes. I have to pay £30 for a piece as long as my little finger and half the thickness. I find it very difficult because I only have my pension and mobility allowance."

Here is another letter:

"I have a 36 year old son who developed MS when he was 18 years old. He has now got to the stage where he is wheelchair-bound and totally dependent on my husband and I for everything. He also has to sit with his legs elevated to waist height all the time because of pain in his legs. The doctors have tried everything they can think of but nothing works. They have now told us there is nothing they can do for our son. About a year ago, after much deliberation, my son decided to try cannabis and it worked. We told the doctors and they did not object to him using it, but because the pain is so bad he needs quite a lot, and this in itself causes quite a problem."

The next letter is dated January 1997:

"We heard about cannabis through talking to others at respite centres he went to, and as most of our friends who would and did get this for us willingly refused to take away money, we decided to go it alone, so to speak",

and use cannabis. That shows the sort of problems that are caused. I hope that the Minister will not condone the idea of people suffering from this disease being forced into the illegal market to find a form of treatment that helps them. The situation is truly appalling.

The law is being brought into disrepute. A recent headline in *The Daily Telegraph* read: "MS sufferer who turned to cannabis escapes jail". These people are not professional drug dealers: they are amateurs, and hence clumsy in their approaches. They find themselves threatened with prosecution, and although the police do not always press for prosecution, realising the humanitarian circumstances, and although the courts may hand down lenient sentences, the fact remains that people are being forced into illegality. The longer that that goes on, the more the law will be brought into disrepute.

The case for what I am saying is overwhelming. Does the Minister truly want people to find themselves in this position?

The second change since 1971 has been the growth of public support for the availability of cannabis on prescription for MS sufferers. All the polls show that. In California and Arizona, recent plebiscites have sanctioned the prescription of cannabis for certain specified conditions. In Italy, too, it is available on prescription—or rather, people can now grow their own if cannabis is prescribed for them by a doctor.

The last stage in the process of change finds expression in the BMA report issued at the end of last year on the therapeutic uses of cannabis, showing conclusively that it does have therapeutic value. That proves that the move from schedule 2 to schedule 1, denoting a drug of no therapeutic value, was wrong.

All that has changed since the 1971 decision. I emphasise that I am speaking about natural cannabis, not cannabinoids. The research we need is into the properties of natural cannabis, as the BMA report says. The BMA has no objection to research on cannabinoids—all the research has been on cannabinoids—but we need research on natural cannabis.

I cannot see why we do not have more research to develop a purified, standardised form. I hope that the Government will facilitate that research instead of inhibiting it, as they do at present. Each attempt to have cannabis made available on prescription is met with the argument that we need more research. It is a circular argument, because the Government do not allow the research that would provide the information.

I have taken two delegations of senior doctors—delegations so high-powered that I wondered why I was on them—to the Department of Health. The first occasion was in 1994, when we got a warm reception and indications that change was in the air. That vanished as the election approached and the usual fear about drugs and the panic that the subject produces took over. The second occasion was in December, when the reception that we got was more hostile and less supportive than in 1994 or before.

I believe that the mentality of the war on drugs produces such change in official thinking. I am not expressing an opinion on the war on drugs. It is partly a civil war waged by one section of society on another—on young people—but that is not my argument today. We cannot wage the war on drugs against the sick, including sufferers from multiple sclerosis. Parliament and public opinion would not put up with it. The police do not want it.

All the senior members of the police with whom I have discussed the matter think that cannabis could and should be made available on prescription, because that would remove that difficulty from the enforcement of the law. I hope that the Minister will ask our new drugs tsar, Keith Hellawell—a man for whom I have great respect, particularly for his Yorkshire common sense—what he thinks about whether cannabis should be available on prescription.

It is irrational to deal with the matter as we do. I am disappointed by the reaction to the delegation that I took last December. I want the Minister to recognise reality, and I want us to stop bringing the law into disrepute. I want us to help the vulnerable and to stop the run-around of arguing for more research when research is not possible.

I have great respect for the Minister, both in his previous legal incarnation and in his present health incarnation. He is a rational, highly intelligent Minister. I know, unfortunately, that will not get up in a couple of minutes and say, "My God, Mitchell, you are right." If he is, I am happy to give way, but I somehow think that that is not the way of Adjournment debates, unless they have been reviewed as another aspect of that review of everything that we have embarked on under the Labour Government. New Labour, new approach—it would be very welcome.

I am afraid, however, that we will get a defensive reply. I imagine that it might go on about consultations and further consultations, especially with the BMA. Such consultations have been going on for years, with no result and no action. We might get a reply about caution. Caution, and even fear and panic, have been the dominant tone since 1971.

If the reply highlights the need for further research, I point out that that research is not being done and is very difficult in the present circumstances. I would want licences for laboratory experiments and clinical experiments, and such licences may not be available unless cannabis is moved from schedule 1 to schedule 2. I hope that we will not be given the run-around on that. I fear that we shall hear more remarks about the war on drugs, but I should point out to the Minister that that muddies the issue, because it makes that war a war on the vulnerable.

Most such argument is not intellectually sustainable. It is irrational. If the Minister must deploy such arguments, he has obviously been told by superiors in the Government that, in the words of "Beyond the Fringe", at this stage in the war we need a futile gesture, and to go outside and make it. I hope that, while the Minister makes defensive noises, he grasps the essence of the issue. We need rational thought, and I want the process of rational thought to begin with a new Government taking a new look at a situation that has been deadlocked for far too long, with consequent suffering and illegality for the most vulnerable.

I hope that the Minister will initiate a process of thinking—a short one—by Ministers, officials, the Department, the Home Office and the drugs tsar, so that we end up with a more rational approach to the issue and move natural cannabis from schedule 1 to schedule 2 to make it available on a named patient basis for purposes of treatment. We cannot go on as we are. It is illogical, messy and disastrous for the war on drugs and for those who turn to cannabis for treatment. Let us take them off the front line and put them in a field treatment station, well away from the front line of the war on drugs. Please, let us have some rationality on the issue.

1.16 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): My hon. Friend the Member for Great Grimsby (Mr. Mitchell) brings to the debate a passionate commitment and considerable knowledge of his subject. For that, the House is grateful. The subject provokes strong views on both sides. The issues surrounding the prescription of cannabis are complex and not capable of easy or rapid resolution, as I know my hon. Friend will recognise.

The issues are of obvious importance to our society, as we grapple with the problem of the abuse of drugs, and as we seek to alleviate suffering and distress, not least for groups of people, some of whom my hon. Friend mentioned, for whom medical science does not always have a great deal to offer. We are, of course, sympathetic to their concerns and their plight.

My remarks are not meant to be defensive. They are meant to be a statement of profound principle. We should not accept a lesser standard of evidence in the case of cannabis because of the pressures, to which my hon. Friend has contributed—properly, as he sees it—on behalf of people who are convinced of its therapeutic value. Society requires us to determine the matter on the basis of the evidence. That position is endorsed by the Multiple Sclerosis Society, which considers that, in common with all other drugs for that lifelong disease, rigorous scientific trials are needed before licensing. The Government have profound sympathy for that position.

It is true that cannabis could be prescribed until 1973. It was rarely used and, when it was, it was used mainly for its sedative qualities. Advice at the time from the World Health Organisation was that cannabis was no

[Mr. Paul Boateng]

more effective than any other available drug in treating the conditions for which it was used, so its use was stopped. That was not a panic response, but the result of a World Health Organisation initiative.

During the past quarter of a century, there have been considerable changes in the way in which we view prescription drugs. I am sure that all hon. Members will agree that we now adopt a much more rigorous attitude to drug safety and effectiveness—it is right that we should do so. That means that all drugs that are currently available on prescription have undergone a stringent review of their safety, efficacy and quality.

The Government believe that the case has not yet been proven for the therapeutic use of cannabis. Until a strong, sound, research-based case is made, it is not possible for cannabis or any of its constituents to be prescribed for use by people suffering from multiple sclerosis or any other condition. To allow any substance—not just cannabis—to be prescribed without adequate proof of its effectiveness and safety would be a highly irresponsible and retrograde step. It is not one which the Government are prepared to take.

The good-quality research evidence needed to make the case for the use of cannabis is not currently available. The British Medical Association recognised that fact in its recent publication "Therapeutic uses of cannabis". Much of the existing research evidence on the use of cannabis is flawed, and is recognised as such. The studies examined by the BMA in its extensive piece of research—for which we owe it a debt of gratitude—were methodologically unsound and all too frequently involved very small numbers of subjects. Therefore, no firm conclusions could be reached.

In fact, the BMA report recognises that cannabis is not the risk-free option that many people suppose. That is particularly true if it is smoked. Cannabis smoke contains all the toxic elements of tobacco smoke, apart from nicotine. We must take account of the potential risks associated with short and long-term use of cannabis in reaching any decisions about its therapeutic use. Short-term risks include impairment of concentration and manual dexterity and short-term memory loss.

In the long term, people who smoke cannabis—I recognise the distinction that my hon. Friend made between smoking cannabis and taking it in various other ways—are more likely to develop respiratory diseases such as bronchitis and lung cancer. Nor is the eating of cannabis free from danger. Cannabis taken orally has a much slower absorption rate, which can vary greatly from person to person. That means that people can be affected for longer than they think, experiencing problems with their motor skills and concentration long after they believed that the effects had ceased.

Given the nature of those risks, the BMA has concluded that cannabis is unsuitable for therapeutic use and that future research should concentrate on exploring the properties of cannabinoids, which are the unique constituents of cannabis. Cannabinoids are known to latch on to receptors in various sites in the brain. At present, we do not fully understand which cannabinoid attaches to what receptor in the brain and what happens when that occurs. We cannot be certain that all the effects are beneficial until we have the results of further research.

Dr. Peter Brand (Isle of Wight): Will the Minister give way?

Mr. Boateng: No, not at the moment. The Government do not wish to stand in the way of sound research in this area—especially research into the identification of cannabinoids and the exploration of their use as a medicine. Department of Health officials, led by the chief medical officer, will meet BMA representatives to talk about those issues.

My hon. Friend has said that there are those who contend that the misuse of drugs legislation makes research difficult and that cannabis should therefore be rescheduled under the Misuse of Drugs Regulations 1985 from schedule 1 to schedule 2. It will come as no surprise to my hon. Friend to learn that the Government do not accept that contention. In fact, the Home Office has granted licences to 22 research initiatives involving cannabis, 19 of which are still in force. Three are concerned directly with medical research involving patients. No applications have been rejected in the recent past, and I know that the relevant Home Office officials are happy to give advice to researchers, drug companies and other interested parties, as is the Medicines Control Agency.

In fact, the Home Office has already met one of the members of the delegation organised by the Alliance for Cannabis Therapeutics, which I was glad to receive and which included my hon. Friends the Members for Great Grimsby and for Pendle (Mr. Prentice). I am sorry if the delegation was disappointed by its reception—my hon. Friend could not have expected me to roll over and have my tummy tickled. That is not the way of the world. As a result of that meeting, a member of the delegation has at least had the opportunity to meet Home Office officials to examine the way forward.

There is no reason why it is not possible to undertake sensible size clinical trials within the current legislation. If there is sufficient demand for them, that is what will happen. However, we must ensure that we proceed on the basis of scientific evidence, recognising the proper role of the Home Office and the Medicines Control Agency in this area. A stringent review of safety, efficacy and quality is vital if we are to proceed.

Mr. Paul Flynn (Newport, West): Will the Minister give way?

Mr. Boateng: I shall give way to my hon. Friend, knowing of his involvement in this area and of the very useful debate on this subject that he initiated in 1995.

Mr. Flynn: Sadly, today's answer is exactly the same as that which I received in 1995. Will the Minister explain why he will not agree with my hon. Friend the Member for Great Grimsby (Mr. Mitchell) that cannabis should be returned to its original schedule where the relevant research is far more likely to take place? It was moved only because it was deemed to have no therapeutic value. However, the British Medical Association says that cannabis has therapeutic value, as does the Medical

Research Council, which wrote to me two years ago saying that it did not believe further research was necessary because the therapeutic value of cannabis had been proved.

Mr. Boateng: This time my hon. Friend at least has the comfort of hearing the same answer from his side. We are not able or prepared to turn back the clock. We wholly support a philosophy and an approach to the development of all treatments that is based on sound clinical research evidence.

Dr. Brand *rose—*

Mr. Boateng: I do not intend to give way to the hon. Gentleman.

When that evidence exists, we have the basis for moving forward; until it exists, it is not possible to do so.

I hope that the discussions currently taking place between the Department of Health, the BMA and the Home Office—which resulted from the initiative displayed by my hon. Friend in leading a delegation to the Department in December—will lead to the discovery of sound empirical evidence upon which it will be possible to proceed.

We are not prepared to accept lesser standards in relation to cannabis for the relief of suffering than would be applied to any other drug. That is the duty that we have to patients. It is the duty that we have to those who are suffering and it is the duty that we have to society. It is a duty from which we do not intend to flinch.

My hon. Friend knows that my door is always open to him to ensure that he is satisfied that these matters are being properly explored, but I must tell him that we are unable to accede to the proposition that he has—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We must now move on to the next debate.

National Hunt Racing

1.30 pm

Mr. Laurence Robertson (Tewkesbury): I am privileged to be introducing an Adjournment debate on the national hunt racing industry. Basically, I want to do three things. First, I wish to draw attention to the importance of the racing industry to the country and to my constituency. Secondly, I wish to highlight some of the problems that, in particular, national hunt racing faces. Thirdly, I wish to suggest one or two ways forward in which the Government might help.

First, I declare an interest. The Cheltenham race course is in my constituency and I am a member of that course, although I am sure that membership of it costs more money than it brings in. I declare also a passion for racing, especially national hunt racing. Most people in this country and many others throughout the world are stirred by the excitement of the grand national and the Cheltenham gold cup, and by many other races that we stage in Britain.

Two million people attended race meetings last year to enjoy the spectacle of racing. It is the third most popular sport in the country. Racing is a large industry, with a turnover of £600 million a year; the turnover is more than £5 billion a year if betting is included in the calculations. The industry's assets total more than £2 billion and it is responsible for £90 million-worth of exports a year. It also contributes £600 million a year to the Exchequer, which is a subject to which I shall return shortly.

The industry generates jobs for more than 100,000 people. It is responsible for providing jobs for one in every eight agricultural workers. There are 500 racing training yards in Britain and 50 race courses, of which 44 stage national hunt racing. At present, more than 12,000 horses are in training.

In my constituency alone, Cheltenham race course has a turnover of £10 million a year. That does not include the massive revenue that is generated in hotels, guest houses, pubs and restaurants by the 173,000 people who attend the three-day national hunt festival in March each year.

It might be asked, if the industry is doing so well, why introduce an Adjournment debate on it? Sadly, racing—especially the national hunt side—has its problems. No one is suggesting that these problems point to a terminal decline, but I want to bring the problems to the Government's attention because, largely, they are caused by the way in which successive Governments have regulated the industry.

The House will be aware that only yesterday Lord Wakeham resigned as chairman of the British Horseracing Board, and that that body has been discussing this morning a financial plan which has been compiled to address the problems of the racing industry generally.

What are the problems facing the industry? They are, of course, financial. The prize money won by guiding a horse to victory in the grand national or the Cheltenham gold cup is well worth having. However, the prize money received by winning a race at Fontwell or Newton Abbot, for example, can be as low as £1,300, out of which the winning owner would have to pay a percentage to the trainer and the jockey as well as his own travelling expenses for that day.

[Mr. Laurence Robertson]

When we consider that, on average, it costs £10,000 a year to have a national hunt horse in training, it does not require a degree in mathematics to work out that involvement in racing costs most owners dearly. On average, owners in Britain recover only 24 per cent. of their costs each season. That compares with 47 per cent. in the United States, 49 per cent. in France, 61 per cent. in South Africa and 90 per cent. in Japan. Of the nine major racing nations, British owners come eighth in the league, with only owners in Ireland being worse off. It is no coincidence that Ireland is the only other country to have a major national hunt programme.

The poor return to owners has a knock-on effect. It means that fewer horses are in training than would otherwise be the case. Given the low prize money, 32 per cent. of races attract fewer than eight runners. That, in turn, means that fewer bets are placed on those races, because each-way betting is not an option. As a result, less money is collected in taxation by the Government. More important, less money is collected by the Horserace Betting Levy Board to return to racing. If less money is returned to racing, prize money will remain low. At that point, the circle begins again.

It is crucial to the industry that smaller courses thrive. The analogy that I would draw is that the Football League would not survive if it contained only the big clubs, such as Manchester United and Liverpool. Those clubs depend on the smaller clubs, such as Doncaster Rovers or Brentford, to supply players. Many players start from such clubs. The same goes for racing: most horses, trainers and owners start from what might be called the feeder tracks before progressing, if they ever do, to Cheltenham and Aintree.

It is vital that attention is given to the problems that are faced by the smaller race courses to enable them to increase the prize money on offer, thereby protecting the fundamental base of the industry.

Why is the prize money so low? The answer is that not enough money comes into racing from the most obvious source of revenue, the betting industry. The punters cannot be blamed for that because they, cheerfully or otherwise, contribute about £1 billion a year to the bookies in lost bets. The bookies survive on a profit margin of less than 3 per cent. The problem is the low percentage of betting turnover that finds its way back into racing.

For every bet placed, the punter pays tax at 9 per cent. Of the total bet—the bet plus the tax—the money is distributed as follows: 78 per cent. is returned to the punter as winnings, which is average by international standards, and overheads of 14 per cent. are retained by the betting industry, whereas the international level is about half that amount. The percentage is high in Britain because of the regulated nature of such betting. The 14 per cent. for overheads includes profits for bookmakers of only 2.35 per cent. compared with an international spread of between 4 and 8 per cent.

The betting duty taken by the Government is 6.75 per cent., which leaves only 1.19 per cent. of the total bet to go back into racing. That is the crux of the problem. That percentage compares with 8 per cent. in France, 9 per cent. in the United States and 15 per cent. in Germany. It is no wonder that prize money is so low in Britain.

The ratio of how much the Government take to how much racing receives is 6:1 in Britain. In France it is 1.8:1 and in Germany it is 0.05:1. These ratios clearly demonstrate that the Government are taking too high a percentage of the tax paid by the punter when compared to the amount that racing receives from the tax.

The Minister will be aware that the tax percentage taken by the Government of 6.75 per cent. is not particularly high by international standards and is at about the middle of the range. Nevertheless, government is racing's problem in this country in a number of ways. Although some foreign Governments might charge a comparable rate of tax, the overheads of the racing industry abroad are lower than in this country. The reason is the over-regulation of much of the industry.

For example, race courses in this country are restricted in the activities that they can pursue. Betting on horse races can take place only in licensed betting shops. All this regulation adds to the cost of running the betting industry, which is why overheads are so high.

I have dealt with the problems, but what are the solutions? Much in common with what the British Horseracing Board is suggesting today, I have some proposals which, if taken up, would serve to protect the racing industry and enable it to remain a major employer, a popular sport and a big money spinner well into the next century.

The real way forward for racing is to deregulate much of the industry. At present, racing gets much of its money—about £54 million a year—from the levy board, and that arrangement is regulated by the Government. Because of the present arrangement negotiated at Government level, racing stands to lose £5 million a year from this source for the next two years. In time, the racing industry needs to be able to negotiate the levy arrangements directly with the bookmakers, so that a famine-to-worse-famine situation can be avoided.

The betting industry also needs deregulating to a large extent. Why cannot bets on horse races be made in the same places at which lottery tickets are bought, in common with what happens in other countries? That would cut the industry's overheads, thereby leaving more room for negotiation between the racing industry and the bookmakers. Race courses, too, should be deregulated, to allow them to realise the true worth of their assets.

Without being controversial, I believe that the Government should not cause further problems for the national hunt industry by accommodating legislation that would cause hunting to be banned, as such a move would be very damaging to the industry—a point widely acknowledged in racing circles.

These solutions are for the future. The industry needs an immediate increase in income of £105 million a year to increase prize money significantly, improve its marketing and thereby safeguard the future of the industry and the livelihoods of those who work in it.

The British Horseracing Board has identified ways in which the industry could raise an additional £25 million a year, but that leaves £80 million a year, which must come from the betting industry. Given that bookmakers make less than 3 per cent. in profits, it is incumbent on the Government to change the present betting duty-betting levy ratio, about which I spoke earlier. The ratio is currently 6:1; if it were changed to one similar to that of France, say, to 1.7:1, the racing industry would have the

money that it needed, enabling it to double the prize money, which would give the industry a tremendous boost, and the money would find its way into the pockets of trainers and stablehands, as well as owners.

Such a transformation in the fortunes of the racing industry can be attained simply by the Government cutting betting duty from 6.75 to 5 per cent., with the difference going to the levy board for distribution to racing. It is estimated that that would cost the Government only about £125 million a year initially, but that money would be regained in the short to medium term through extra tax receipts, which would be taken from a regenerated racing industry. In the longer term, the Government's tax take from the industry would probably increase, just as the previous Government increased their tax take by cutting the rates of tax.

Without wanting to be party political, I should point out that the previous Government helped the industry by cutting betting tax, by abolishing on-course betting tax altogether and by allowing owners to claim back VAT on training fees and bloodstock purchases. It is time for the Government to recognise the problems that the industry faces and to realise that government is the largest part of the problem.

Mr. Richard Spring (West Suffolk): Does my hon. Friend agree that if, as has been threatened, the largest racing interest in this country, the Maktoum family, withdraws its racing interests from this country—totally out of character, the family have publicly gone on record to say that, if this dire situation continues, they may well do so—the effect on revenues for racing, and indeed on tax revenues and employment in this country and all its ancillary industries, would be catastrophic?

Mr. Robertson: My hon. Friend is absolutely right. When somebody of that gentleman's standing is persuaded to consider withdrawing his horses from British racing, that is a very dire warning of which we should all take notice. His racehorses tend to be flat-race horses, and flat racing is better funded than national hunt racing. If he sees such a problem in flat racing, the problem in national hunt racing is indeed worse.

I ask the Government to recognise that government in general has tended to be the problem in the racing industry. I should like them to consider how they might offer help to the industry. I stress that no one in racing is asking for a Government handout or subsidy; all we ask is that the Government stop taking such a large amount of money out of racing, especially when they treat other forms of gambling more leniently.

A cut in betting duty and a transfer of that to the levy board—a move seen as vital by the industry—would enable racing to continue to provide employment to thousands of people and enjoyment to millions. I ask the Government seriously to consider making such a medium-term investment in an industry which is one of the hallmarks of Britain.

1.47 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am grateful to my hon. Friend the Member for Tewkesbury (Mr. Robertson), my neighbour, for allowing me to have a couple of minutes of his Adjournment debate. He presented the case for national hunt racing in a well-structured and professional way, and all of us who are involved and have an interest in racing are incredibly grateful to him for raising this subject today.

Although I have no direct interest in national hunt racing, my family does. Indeed, I must be one of very few hon. Members to have ridden winners under the rules of the national hunt racing industry.

I shall make a couple of points in support of what my hon. Friend said. I was talking the other day to one of the more successful owners in this country, whose horse had just won—admittedly on the flat, and not under national hunt rules—£50,000 on a grade 1 race in Milan. Apparently, in this country he would have won about £5,000 or £6,000. That is the problem. Unless an owner is one of the most successful, the prize money in this country hardly covers the training fee.

As my hon. Friend pointed out, in national hunt racing, which has always been the poorer cousin of flat racing, the situation is even more dire; unless the prize money and general conditions in racing can be improved, the situation can only go downhill. That would be a pity not only for the racing industry and the trainers but for the huge host of associated industries. The stud industry—the pedigree horse industry—in this country is one of the most successful in the world. It would be a great shame if some of the best stallions in the world were not to stand in this country and were to stand abroad, with the implications that that would have on the balance of payments.

My hon. Friend the Member for West Suffolk (Mr. Spring) made the point that one of the foremost interests in the middle east, who has spent some £500 million on the flat racing industry in this country, has threatened to pull out if the situation, particularly the prize money, is not improved. My hon. Friend will be able to attest far better than I, although I was born and bred and brought up in his constituency, the financial multiplier of that money in the Newmarket area in terms of employment and the generation of various economic activities.

Many other associated industries within the racing industry are very successful in this country, notably the horse insurance and finance leasing industry, and the veterinary research in this country is some of the foremost in the world. If we start to lose all those supporting industries, this country will be very much the poorer, because of investors in the middle east not investing in this country, and also because the rich people in this country will have to send their mares abroad for covering by stallions.

I hope that the Government will take notice of what my hon. Friend the Member for Tewkesbury so expertly said. It is really a question of cutting off our nose to spite our face if we cannot bring about a little more deregulation in the betting industry in this country, and if we cannot ensure that a little more money goes back into the industry, through some mechanism from the betting industry, but particularly from the betting levy tax. It is not a huge amount of money from the Government's coffers, but if it were sensibly done I am sure that the advantage to the balance of payments, and indeed the multiplier effect of the turnover from racing increasing, would be very beneficial for this country in the longer term.

1.49 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): I congratulate the hon. Member for Tewkesbury (Mr. Robertson) on his account of the industry's problems, and his description of its contribution to our national life. I may be corrected, but I do not remember a similar debate in the House over the past decade, so it is all the more important for us to take as much advantage of today's debate as possible. *[Interruption.]* The hon. Member for Tewkesbury says that my memory is bad. If there has been such a debate over the past decade, I apologise, but I certainly have no recollection of it.

The hon. Gentleman placed particular emphasis on national hunt racing. I think it is true to say that no other country has a national hunt or jump racing system that is anything like ours. The grand national—which takes place in my constituency—is watched by many members of the public, both in this country and abroad. I shall say more shortly about Aintree and its role in national hunt racing

The hon. Gentleman chose to highlight the problems faced by the industry, which is fair enough—and, as he pointed out, topical. The issues surrounding racing have been debated hotly in the past few weeks, in different forums, but, although the debate has focused on the problems, we should bear in mind the positive developments that are taking place. Cheltenham race course, in the hon. Gentleman's constituency, is both charming—I know that, as I have visited it—and successful: indeed, I understand that it is doing so well that last year it had to limit the number of admissions. We should not paint too gloomy a picture.

The Tote—whose profits go to racing—has reported an increased turnover, and is in a healthy financial position. As hon. Members who take an interest in such matters will know, it is set to expand. Racing benefits considerably from the Tote's activities. Race courses receive a 5 per cent. commission on Tote turnover, and the last Cheltenham festival, for instance, generated a record turnover of £7 million. That gives some indication of the benefit that flowed from it. Racehorse owners benefit from sponsorship, which boosts prize money. The Tote will be providing sponsorship at all 59 race courses in 1998.

It is clear that the Tote is going from strength to strength. Racing has welcomed its strategy to maximise its own long-term profits for the benefit of racing and everyone associated with it. The Tote chairman, Peter Jones, summed up the position very well in his recent Gimcrack speech—made on the same occasion as the speech by Sheikh Mohammed, to which the hon. Gentleman referred; for obvious reasons, it was probably less widely reported. Mr. Jones said:

"British racing is in its best shape for many years."

I consider that a fair reflection of the conclusion that would be reached by a number of people with a balanced approach.

However, Mr. Jones also referred to a need for improvement. As my right hon. Friend the Foreign Secretary tellingly said to a racing audience last week, there is no room for complacency. I do not want to convey the unbalanced view that we do not accept that there are difficulties and cases that must be considered, and I certainly feel that the racing industry and the bookmakers can build on their successes to help in the boosting of racing's share of the betting market.

Mr. James Paice (South-East Cambridgeshire): Will the Minister give way?

Mr. Howarth: Briefly; I have very little time.

Mr. Paice: I thank the Minister. I will be brief.

The Minister has mentioned bookmakers, and the share of the money that goes back to racing. I realise that he will have to discuss the matter with the Treasury, and that it is not necessarily his direct responsibility, but will he talk to the Treasury about the levels of betting duty on different forms of betting? I understand that this is one of the few countries in which everything that takes place in a betting shop is taxed at the same rate, whereas tax on the lottery is already at a different level. Will the Minister consider the possibility of relating tax more to the margins that bookmakers are making on individual betting products? He may find that it is possible to replace the money that the racing industry is seeking by reducing that amount.

Mr. Howarth: I hope to make some comments on the Treasury's responsibilities shortly, but I am not sure that it is accurate to say that there are not different rates for certain kinds of bet. Forecasts, for instance, are exempt from certain tax rates—I think; if I am wrong, I will come back to the hon. Gentleman. In any event, his general point deserves to be considered.

The British Horseracing Board's off-course betting development group has shown what can be achieved. Last year, prize money in Britain topped a record £60 million. The case of the hon. Member for Tewkesbury is that the prize money is inadequate in many lesser races, but I repeat that the total has reached a record level. *[Interruption.]* There are international comparisons to be made. I am simply commenting on the scale in this country now.

On behalf of the racing industry, the British Horseracing Board has prepared a financial plan. It was presented to the industry forum this morning, and I look forward to studying it in detail. Hon. Members will, I think, accept that it would be premature for me to comment on its contents before I have had an opportunity to read them, and I will confine myself to a personal comment. It has been widely reported that Lord Wakeham resigned as BHB chairman yesterday because he could not agree with the plan. On a personal level, my right hon. Friend the Home Secretary and I very much regret his departure. Such disagreements will occur; it is unfortunate that this disagreement led to Lord Wakeham's decision to resign. It now falls to the board to appoint a successor, and I hope that that successor will work—and that Lord Wakeham will continue to work—for the best interests of all who are involved in racing.

Mr. Clifton-Brown: Will the Minister give way?

Mr. Howarth: Very briefly.

Mr. Clifton-Brown: Does the Minister agree that one of the reasons why the need for reform is so urgent is the

increasing internationalisation of the horse racing industry, and the fact that people who participate in it have more freedom to take their horses wherever they wish if they do not like the regime in this country?

Mr. Howarth: That is absolutely true, in terms not only of that side of the market but of the punters' considerations. Those in the betting industry are very shrewd: they realise that at certain times of the year it is useful to take bets on races in South Africa and elsewhere.

Aintree race course, which is in my constituency, is very successful. On 4 April—this is just one more piece of good news—it will open a new £6 million grandstand, which forms part of a £15 million investment programme. The levy has played a part in that.

The hon. Gentleman referred to betting deregulation. He felt that there was too much regulation, and rightly said that the last Government had moved towards deregulation. There were welcome developments in that regard, and I am willing to consider approaches that are made to us, but I must add that our approach must be consistent with the rest of the Government's attitude to gambling. With that caveat, I do not rule out any further deregulation measures.

The hon. Gentleman rightly said that the betting industry had benefited from previous Home Office deregulation measures relating to print advertising, changed arrangements in shops and the introduction of amusement with prizes machines. All those measures have improved turnover. Not many industries have the support that the levy affords: as I think the hon. Gentleman said, it contributes £54 million a year to racing. So far, no one has come forward with a better mechanism, although I am willing to look at any suggestions.

The hon. Gentleman mentioned betting duty, which he rightly said was a matter for the Chancellor. I know that he will study the BHB's plan carefully; we have an on-going dialogue with the Treasury on such matters.

I shall refer only briefly to the ban on hunting, because it has already been debated thoroughly. I accept—as I accepted on Second Reading of the Wild Mammals (Hunting with Dogs) Bill—that there will be an effect. Whether it will be as severe as those who oppose the ban claim remains to be seen, but it is no good pretending that there will be no effect.

Many of the issues raised by the hon. Gentleman need to be considered further. It is important for those who care about the future of national hunt racing and racing in general—throughout the House and elsewhere—to reach the best possible consensus. If we can reach agreement across the industry, across the House and in the Government about what can be done sensibly, what is in the best interests of the racing industry and what is in the best interests of the general public who support it in many different ways, we will have done everyone a service. It is not simple, but, if we can establish some good will and understanding, and if we can engage in the sort of friendly but well-informed debate in which we have engaged this morning, I am sure that we can make progress.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

RUC Officers

1. **Rev. Martin Smyth:** If she will list the perceived religion of *(a)* all officers and *(b)* officers above chief inspector level in the RUC in percentage terms. [20851]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): The perceived religion of all officers in the regular Royal Ulster Constabulary at 1 December 1997 was 88.5 per cent. Protestant, 8.26 per cent. Roman Catholic and 3.24 per cent. undetermined. At superintendent level and above, the figures were 80.95 per cent., 17.26 per cent. and 1.79 per cent. respectively.

Rev. Martin Smyth: I am sure that the Minister will join me in expressing sympathy and at the same time understanding something of the tension in north Belfast following this morning's tragic incident. I welcome the figures that he has given because they show that, if only about 8 per cent. of RUC officers are from the Roman Catholic community, at least attempts have been made to promote people whether on merit or otherwise, causing the perception to develop and the concern that there may be disproportionate promotions in the RUC.

Mr. Ingram: I share the hon. Gentleman's sentiments about this morning's incident. We all wish the injured RUC officer a speedy recovery. I do not know where the hon. Gentleman's concerns about promotion arise from, because the majority of people in Northern Ireland want a balanced police force that represents the spread of communities. That is also the view of the RUC and its senior officers. I suggest that a large majority of RUC officers want to be accepted in the wider community. One way to achieve that is for the RUC to represent a wider cross-section of the communities in Northern Ireland.

Policing (Public Confidence)

2. **Mr. Savidge:** What steps are being taken to increase confidence in policing in Northern Ireland. [20852]

Mr. Ingram: The Police (Northern Ireland) Bill currently before Parliament introduces planning and objective-setting mechanisms and other measures aimed at increasing confidence in policing. It includes the establishment of a police ombudsman for the independent investigation of complaints against the police. The Police Authority and the Chief Constable have also introduced community police liaison committees and initiatives on the promotion of a neutral working environment, recruitment processes and lay visiting.

Mr. Savidge: I thank the Minister for that reply. Does he agree with me that everyone, including the RUC, recognises the importance of changes to policing in Northern Ireland? Does he also agree that the Government's Bill merely provides the framework for those changes? Will he inform the House what plans the Government have to ensure that all sections of the community are properly consulted about the future of policing in the Province?

Mr. Ingram: I am grateful to my hon. Friend for that question. I pay tribute to the RUC, who do a very good job in extremely difficult circumstances each and every day. My hon. Friend is right that the Bill provides a framework for the future of policing in Northern Ireland, but it is an important foundation on which new structures can be built if the people of Northern Ireland want more change. Obviously, the talks process provides an ideal opportunity for all sections of the community to have a say in the future of the policy. The Bill offers great opportunities for the future and poses a threat to no one.

Mr. Maginnis: Does the Minister agree that the confidence of both traditions in the community in the police is manifested regularly in a very practical way? Does he also agree that one must be careful not to carry forward arguments that are propounded by the most extreme elements in society when looking at changes that may take place within the RUC? Does he further agree that society's confidence in the police requires, first and foremost, a police force that is confident in itself?

Mr. Ingram: Clearly, the hon. Gentleman's last point is undoubtedly true: the police force should feel confident in itself. The Police (Northern Ireland) Bill will help the force in that objective because it is about increasing the efficiency, effectiveness and accountability and, therefore, the acceptability of the RUC in the wider community. That is why I said in response to the question from the hon. Member for Belfast, South (Rev. Martin Smyth) that it is about improving the basis on which the RUC operates because that is what the RUC wants. It wants to be a normal police service within a normal society.

Mr. McGrady: Will the Minister join me in sympathising with those who were injured in the two incidents last night in Belfast? In one of them an on-duty, out-of-uniform lady soldier was shot and critically wounded by an RUC officer after hot pursuit. In the second, an SDLP councillor, one Martin Morgan, was assaulted physically and verbally by the RUC in attempting to dispel a riotous situation. Does he agree that it is not sufficient for the RUC to investigate those two incidents and will he immediately put in hand investigations into both incidents to restore the great deal of public confidence that has been lost in the past 24 hours?

Mr. Ingram: Obviously, we all regret incidents in which people are injured. There are details about the second incident to which the hon. Gentleman referred, and that is not yet a proven case. There have been allegations, and all members of society in Northern Ireland have the opportunity to pursue allegations against the police through the normal process. If the Police (Northern Ireland) Bill is accepted by the House, there will be an independent ombudsman to deal with such complaints against the RUC, and I am sure that I can count on the hon. Gentleman's support for that measure.

Integrated Schools

3. **Mr. Gareth R. Thomas:** What plans she has further to develop the integrated schools sector. [20853]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Tony Worthington): The pace of development of the integrated school sector will be driven by parental demand. I will continue to respond positively to viable, cost-effective proposals both for new schools and from existing schools which wish to transform to integrated status. In the past year, approval has been given to eight proposals for integrated schools, which is the highest number ever approved in a year. I am pleased to say that this morning I was able to give the go ahead to the transformation of Kircubbin primary school to integrated status.

Mr. Thomas: I welcome my hon. Friend's reply and especially the news that another primary school has been granted permission to transform to controlled integrated status. Does he agree that there remains considerable unmet parental demand for integrated education in Northern Ireland? Will he assure the House that his Department will continue to work actively alongside the Northern Ireland Council for Integrated Education to encourage existing schools to meet the criteria to transform into genuine, integrated schools?

Mr. Worthington: I can give that assurance. Obviously, we have to lay down fair criteria on the number of parents, on the balance between the two communities, on finding sites and on the impact on other schools. There was a recent problem when we had to turn down a couple of applications because we were fearful of the impact on other integrated schools that were building up. We shall continue to work with the Northern Ireland Council for Integrated Education to stimulate more integrated schools where parents want them.

Mr. William Ross: Northern Ireland has a state sector that is open to all and a Church-dominated sector that is also open to all. Why, then, is a third sector being created? Will it be cost-effective in the cost per pupil?

Mr. Worthington: The hon. Gentleman has raised this issue before. Where schools already have a balanced intake but do not call themselves integrated, it is open to them—and we would welcome it—to say that they would like to be integrated schools.

Mr. Barnes: Would it not be a boost for integrated education in Northern Ireland if teacher training colleges provided integrated education? Currently, there is a teachers training college for Catholics, which means that the state system is comprised virtually of Protestants who make use of it. If the problem of teacher training integration was tackled, integration might then spread into primary and secondary education.

Mr. Worthington: My understanding is that the issue was tackled some 10 years ago, but its impact was not integration but disintegration. Colleges are now entering into closer relationships with the university sector, which is to be welcomed.

Mr. Öpik: Given that 80 per cent. of Northern Ireland's parents support integrated schooling for their children, but only 2 to 4 per cent. of schooling is formally integrated, does the Minister agree that there is a job of work to be done to accelerate the process?

Mr. Worthington: As I have already said, integration will be driven by parental demand. If 80 per cent. of the parent population want integrated schools, they should express that by getting involved in a campaign to demand integrated education, rather than saying vaguely that they would like it. If they involve themselves in a campaign and say that they want to send their children to integrated schools, that is what they will achieve.

Mr. Moss: If any of the integrated schools are also prep schools, is the Minister going to hammer them in the same way that he is going to hammer prep school pupils and their parents through his proposal to remove funding? Where does he expect to find the preposterous savings figure of £1.5 million? Does he not realise that if less than half of prep school pupils move to the state primary sector, he will save nothing? If more move, he will face increased costs. Is this new Labour economic ineptitude or old Labour class dogma?

Mr. Worthington: I remind the hon. Gentleman that his Government cut the contribution to prep schools a few years ago. Why, then, is he today questioning our decision to consider a similar proposal?

Beef Farming

4. **Mr. Thompson:** If she will make a statement on the problems facing the beef farming sector in Northern Ireland. [20854]

The Minister of State, Northern Ireland Office (Mr. Paul Murphy): The beef farming sector is facing a difficult period, but the Government have been working on a number of fronts to alleviate the problems. My right hon. Friend the Minister of Agriculture, Fisheries and Food announced a substantial package of financial aid amounting to £85 million just before Christmas. Northern Ireland will receive about £14 million of that. We have also succeeded in persuading the European Union to restore intervention and, most important, we are pressing hard to get the beef export ban lifted.

Mr. Thompson: I thank the Minister for his reply. May I emphasise to him that even when the beef crisis is over, there will be a considerable period before the export market builds up? Will he consult his right hon. Friend the Minister of Agriculture, Fisheries and Food to ensure that intervention continues during that initial period?

Mr. Murphy: I am grateful to the hon. Gentleman for his question. As he knows—and as we speak—the College of Commissioners is meeting in Strasbourg and the Standing Veterinary Committee in Brussels. I very much hope that the Commissioners will agree to recommend to the Committee that it endorse the proposal for a certified herd scheme which will lead to the lifting of the ban. That will help farmers in Northern Ireland.

I take the hon. Gentleman's point about export markets. I understand that the Northern Ireland Meat Exporters Association believes that it could restore 50 per cent. of the former export market within a year of the ban's being lifted.

Mr. Hume: In the light of the expected very positive and welcome statement this afternoon in Strasbourg by

the European Commission to relieve the beef crisis, will the Minister—I join the hon. Member for West Tyrone (Mr. Thompson) in asking this question—take the necessary steps to assist our farmers to recover their lost markets? Agriculture is by far our biggest industry, and this has been by far our biggest crisis. Are the Government willing to take action to compensate farmers for the massive losses that they have already suffered, and to urge the European Commission also to go forward by implementing the date scheme?

Mr. Murphy: I am grateful to my hon. Friend for his question. We should pay tribute to him and to his two colleagues in the European Parliament for all the work that they have put into ensuring that the Commissioners are meeting to consider lifting that ban. I take the points that he has made closely into consideration. My right hon. Friend the Secretary of State has met leaders of the farming industry in Northern Ireland. I believe that—with the lifting of the ban and the other factors that my hon. Friend mentioned—the future is brighter for farmers in Northern Ireland.

Mr. Peter Bottomley: Traditionally, beef has been regarded as being of a very high health status and of equal status north and south of the border. Is it the Government's view that beef is still the same healthy food that it should be, and that it should be treated equally north and south of the border?

Mr. Murphy: It is certainly not for me to respond on behalf of the Government of the Republic of Ireland on what they do with their beef industry. I will, however, confirm that it is our Government's view that the measures that they have taken over the past few months are absolutely right in ensuring that the safety aspects of the beef industry are considered, and that, ultimately, we must consider the health of the people in this country who eat beef.

IRA Activity

5. **Mr. Robathan:** What assessment she has made of current IRA activity. [20855]

Mr. Ingram: All indications are that the Provisional IRA ceasefire remains stable. Consequently, terrorist activity levels overall continue at a significantly reduced level.

Mr. Robathan: The Minister will be aware of the sixth Mitchell principle, which states that punishment beatings must stop. I do not know whether he has ever seen the effects of a knee-capping—a glib term for a cruel and vicious act designed to maim—but is he aware that there have been three such shootings in the past week, in Short Strand, Lenadoon and Clonard? Is he aware that they were allegedly, or most probably, committed by an organisation called direct action against drugs—a gangster organisation used by the IRA as a front to cover its drug-running activities? Does he therefore have any confidence that the political representatives of the IRA will genuinely adhere to the sixth Mitchell principle?

Mr. Ingram: The Government are very much committed to the Mitchell principles, and we realise the impact of events in Northern Ireland on victims and their families. All those factors must be considered. However, I should tell the hon. Gentleman that it is not appropriate for the Government—or for him—to spread speculation or allegations made by others. The Mitchell principles state that matters and facts should be demonstrably proven. Once that has been done, under rule 29 of the Mitchell principles, those matters can be considered by the talks participants. We have at all times to consider the facts of the situation and to deal with those facts, not with speculation.

Mr. Robert McCartney: Is the Minister aware that Families Against Intimidation and Terror is to petition Senator Mitchell, the chairman of the talks process, on the vastly increasing number of shootings and beatings, which that concerned organisation attributes to both loyalist and republican paramilitaries, who are represented in the current talks by the loyalist parties and by Sinn Fein? Everyone in Northern Ireland—particularly those who are informed—is aware that a coach and four is daily being driven through the Mitchell principles.

Mr. Ingram: I recently had a worthwhile and useful discussion with the FAIT group. I know only too well the concerns that were raised. Of course that group was not unique in raising those concerns. However, I would refer the hon. and learned Gentleman to the answer I gave the hon. Member for Blaby (Mr. Robathan). It is easy to make allegations, but, in respect of the Mitchell principles, matters have to be demonstrably proven before action can be taken. As an hon. and learned Member, he should be only too well aware of the need to prove a case before justice or any other progress can be achieved.

Mr. Forsythe: Given that responsibility for the Bannbridge bomb has not yet been claimed by the Continuity Army Council, can the Minister tell the House whether or not the allegations that the IRA planted that bomb are true?

Mr. Ingram: The hon. Gentleman is right that no particular group has claimed responsibility for that, although the Continuity Army Council often takes some time to claim responsibility for its actions. Indeed, that was the case in respect of the Markethill bomb. No group has yet claimed responsibility for the most recent incident that the hon. Gentleman mentioned. The RUC investigation, with the support of the Army, will continue examining the forensics and the way in which the bomb was constructed and deployed.

Mr. Peter Robinson: Does not the Minister leave himself open to the charge of hiding evidence against paramilitary organisations? Is he not aware that, forensically, guns used in shootings and killings have been linked to organisations whose representatives are sitting around the negotiating table with him and his right hon. Friends? Is he not further aware that there was an admission in respect of the Bannbridge bomb? I have police documentary evidence of an admission by the Provisional IRA, that a warning was phoned in to a County Louth radio station and to the Samaritans in Newry? Is it not very clear, therefore, that the terrorist organisations are calling the tune and the Government are dancing to it?

Mr. Ingram: Those are very strong words indeed, but let me remind the hon. Gentleman that it is not my

responsibility to assess evidence. The RUC is charged with that. I have no responsibility for hiding evidence. Certainly I receive reports on such matters, but at the end of the day it is for the RUC to proceed with its investigations and to take them to a conclusion. The hon. Gentleman has said that he has evidence contrary to what has been said publicly. If he has, I suggest that he takes it to the RUC and asks it to carry out the job that it has been charged to do.

Mr. Wilkinson: Is it not particularly important at this critical juncture in the negotiations over the political future of Northern Ireland that the IRA and its spokesmen should not be allowed to intimidate participants in the negotiations into an outcome that is against the democratic will of the majority of people in Northern Ireland? In that context, will the Minister make absolutely certain that the decommissioning of terrorists' weapons receives the priority that it rightly deserves?

Mr. Ingram: On the hon. Gentleman's first point, there is no evidence in the way that he asserts or indeed at all in respect of participants in the talks. As for decommissioning, this morning I attended a meeting of the liaison sub-committee to deal with that issue. Once the commission has established its full framework on handling decommissioning, and the two Governments—our own and that of the Republic of Ireland—have in place schemes—and we hope to have done so by about the middle of February if various technicalities can be resolved—we shall proceed in the way that the hon. Gentleman has suggested and the matter will be given high priority.

Peace Process

6. **Mr. Winnick:** If she will make a statement on the current talks on the peace process. [20856]

The Secretary of State for Northern Ireland (Marjorie Mowlam): During the Christmas break, I together with several of my colleagues had a number of meeting with the political parties. As a result of these meetings, and despite the senseless and appalling killings which have occurred during the break in the talks, we remain confident that the commitment still exists to reach a peaceful settlement. On 12 January we witnessed this commitment when the talks participants returned to the table with renewed determination to make progress.

Mr. Winnick: Is my right hon. Friend aware that there must be very few people in this country who do not greatly admire and respect her determination to make progress towards success in the peace process, including her visit to the prison? Undoubtedly, her judgment proved right and kept everyone on board. Is she further aware that the whole House will wish her every possible success for a peace settlement, which would be to the obvious advantage of the large majority of people in Northern Ireland?

Marjorie Mowlam: I thank my hon. Friend for those words. The Maze visit was a difficult judgment to make, but I thought that on balance if it kept the talks moving it was the right thing to do. I put on record the telephone calls from many of the families and friends of victims of the people to whom I talked at the prison. To some of the people who called I had caused offence, for which I apologise. Others who had lost husbands, brothers and sons said, "Please keep going because if the talks can move forward, other families will not have to go through the pain that our family has gone through."

I may be the face seen on the television, but the progress has been made by the parties in the talks. It is the political parties and the people of Northern Ireland who have had the courage to get to where we have, and it is they who will get further.

Mr. Trimble: I am sure that the Secretary of State will share the pleasure that we feel at the wide welcome in the media and in the House for one aspect of Monday's paper, namely, the suggestion that there should be a council of the British Isles to draw together all the interests within that wider group. The editorial in *The Independent* yesterday, while identifying the suggestion as the one radical innovation in the Government's thinking, made the point that one can defuse and divert potential conflicts by bringing them into a wider arena. Will the Secretary of State please reflect in her dealings with Irish nationalists north and south of the border the benefits that they will derive from moving outside the narrow ground on which they have been for too long and by being involved in this wider arena together with the other parties in the British Isles as a whole?

Marjorie Mowlam: I thank the hon. Gentleman for that question—and may I take this opportunity to congratulate him on becoming a right hon. Gentleman? The document that was put on the table in the talks process on Monday is in many ways radical. It is built on many of the ideas that the parties in the talks have put forward. It joins them together. I hope that people do not prejudge the document but take time to examine and discuss it in their parties and then make a judgment as to where we can move forward to reach agreements in the talks process.

Mr. Mallon: Does the Secretary of State agree that the television images from within the prison and the television pictures of coffins of those who were murdered leaving their grieving houses should and must shock everyone into recognising that the political problem in Northern Ireland can be solved only in, by and through the political process. Will she ensure that the momentum that has been created within the talks by the joint paper presented by the two Governments will not be lost so that we can successfully agree a settlement in the shortest possible time?

Marjorie Mowlam: I agree with the hon. Gentleman's opening remarks. The deaths and murders that we have seen should be condemned as appalling acts by everyone. I am sure that the House offers its condolences to the family of Mr. Enright, who is being buried at this very moment. We will do everything that we can to move the process forward. We had a meeting yesterday with the parties to discuss what measures we could put in place to build trust and confidence among the parties to facilitate movement forward.

We will do all that we can, and I am sure that the hon. Gentleman's party and the others involved will show determination to move the process forward.

Mr. MacKay: Does the Secretary of State accept that the Opposition whole-heartedly support the latest developments and wish her well in bringing a permanent settlement to Northern Ireland? Does she also accept that we are delighted that she has built on the work done by successive Conservative Ministers in bringing peace to Northern Ireland?

I should like to ask the right hon. Lady two specific questions. Will she assure the House that no final settlement will be reached without the consent of the people of Northern Ireland? Will she give us an absolute assurance that she will be in no way diverted by the men of violence, who talk about a "doomsday scenario" if they do not get precisely what they want?

Marjorie Mowlam: I thank the hon. Gentleman for his comments and I appreciate the support that we receive from the Opposition. I readily acknowledge that we have built on the work that was done by his Government. They put the framework documents on the table—and they are still there—and they helped to form the basis according to which we have moved forward.

We agree whole heartedly about the centrality of consent for the final settlement. The Prime Minister, who has worked very hard along with the Taoiseach in the past days to get us to where we are now, has made clear on numerous occasions the importance of centrality of consent to everything that we do in the talks process and in obtaining the consent of the people of Northern Ireland in a final referendum.

As for the men of violence, I can guarantee, contrary to some earlier comments, that we will not let one group dictate the progress or the agenda. We want to reach a settlement that can be accommodated by all the groups in Northern Ireland and that is what we are working towards.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1.[20831] **Mr. Sanders:** If he will list his official engagements for Wednesday 14 January.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. Later today I shall have further such meetings.

Mr. Sanders: On the occasion of the first Prime Minister's Question Time after the recess, I wish the Prime Minister a very happy new year.

The Secretary of State for Education and Employment recently said that means-testing creates disincentives to work, savings and honesty. Does the Prime Minister agree?

The Prime Minister: My right hon. Friend said quite rightly that we must make sure that any reforms that we introduce help those who are genuinely in need. I can assure the hon. Gentleman that that is precisely what we intend to do. I believe that there is widespread support, indeed in his own political party as well, for the idea that it is time to modernise and update the welfare state for the 21st century.

Mr. Grant: Does my right hon. Friend agree that the Federal Government of the United States of America took a very big step when they decided that the Oklahoma city bombers could not be tried in Oklahoma city because they may not get justice there? If so, will he ask his friend, Bill Clinton, whether he would apply the same principle to the Lockerbie bombers, so that they can be tried in a neutral country?

The Prime Minister: I entirely understand why people want to make sure that a trial of the alleged Lockerbie bombers takes place. We want to ensure that that happens and I understand and, in particular, sympathise with the desire of the families of the victims of the Lockerbie bombing to see justice done, but nothing must be done that casts any doubt or aspersions on the validity of Scottish courts and Scottish justice. In the end, the ball is firmly in the Libyan court. Everybody knows that those two people should be brought to trial and what stands in the way of that is not the Americans or the British, but the Libyan Government.

Mr. Hague: The Prime Minister has already mentioned the welfare state. Does he believe that

"means tests penalise work, tax savings, and place a penalty on honesty"?

The Prime Minister: That is actually the question that I have just answered, but I say again that I think that what is important is to ensure that any reform of the welfare state helps those people who are genuinely in need. We need that reform of welfare; we need it because, at the moment, spending is going up but poverty is going up. That is plainly an unacceptable situation and one which we want to change. We will look at the issues of means testing, insurance benefits and categorical benefits within that context.

Mr. Hague: The Prime Minister will often be asked that question if he does not answer it. It was his Minister for Welfare Reform who said that

"means tests penalise work, tax savings, and place a penalty on honesty".

This week, we have heard the Secretary of State for Social Security saying that she plans more means testing. Which of those approaches represents the policy of the Government? Who is now in charge of policy at the Department of Social Security?

The Prime Minister: First, my right hon. Friend did not say that. Secondly, what is important in relation to means testing benefits or anything else is that we try to make sure that we design the right system for the future. It is not sensible to speculate on the outcome of the review of that system until it is complete. When it is complete, people will have ample opportunity to discuss the proposals that we have made. The plain fact is that the welfare system is not working at present. It is the

system that we inherited from the right hon. Gentleman's Government—his Government failed, and I want my Government to succeed.

Mr. Hague: The Secretary of State for Social Security did talk about the extension of means testing. Two Ministers are engaged in warfare over welfare and everybody knows it—everybody in Whitehall knows it and everybody in Westminster knows it. It is as good a well-kept secret as a grudge borne by the Chancellor—*[Interruption.]*—in fact, the Prime Minister could ask the Chief Whip to report on it and then it could be properly opened up to everybody. Has he seen the extraordinary explanation by DSS officials of what the Secretary of State said? They said that she had used a spurious example, saying:

"It's a spurious figure, but it's one she uses to make her point. Like a lot of figures we give, it doesn't reflect real life."

Does not the Prime Minister agree that the idea that those two Ministers in the Department of Social Security are working successfully together does not reflect real life? Which of their approaches represents the Government's philosophy? Who is in charge at the DSS?

The Prime Minister: What is absolutely clear is that the right hon. Gentleman has nothing whatever of substance to say on the issue of the welfare state—*[Interruption.]* He does not. Just last week, we launched the biggest welfare-to-work programme this country has seen—a £3.5 billion programme opposed by his party. Those are the real issues—getting people off benefit and into work—that the public expect answers on and they are getting those answers from the Government. The Opposition have nothing to say about them at all.

Mr. Hague: The Prime Minister will get the support of the Opposition for the reform of the welfare state if his plans are based on sound principles. What we are trying to discover this afternoon is whether they will be based on any principles at all. He wants to talk about substance, but he has the Minister for Welfare Reform who wants less means testing and a Secretary of State who wants more; the Minister wants expensive reforms and the Chancellor wants cheap ones; the Minister wants to increase national insurance contributions, which the Prime Minister has already ruled out; and the Minister wants to abolish the state earnings-related pension scheme while other Ministers have already said that they would not do it. Will the Prime Minister now—*[Interruption.]* It is no wonder he had to send the Minister without Portfolio to Disney World to ask Mickey Mouse. Will the Prime Minister now back up the Minister he appointed to reform the welfare system, or has he already abandoned that Minister?

The Prime Minister: No is the answer to that. The right hon. Gentleman can make as many debating points as he likes, but frankly they do not add up to a serious strategy for reform. His social security spokesman, the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), has today said that he wants to work with the Government and I welcome that, but there are two things that flow from that. The first, is the Conservatives' admission that they have failed in Government over 20 years—had they succeeded, we would not be discussing welfare reform.

Secondly, there will come a point where there is a simple test as to whether or not the Conservatives are serious about supporting us on welfare reform. The first part of the test is on student finance. Will the right hon. Member for Richmond, Yorks (Mr. Hague) support us on that, given that our proposals are based on the report that his Government commissioned or will he continue to play about and make debating points?

Mr. Hague: I shall give the Prime Minister a serious proposition. We shall support the Prime Minister in reforming welfare if his reforms are based on the principles of ending the dependency culture, strengthening families, encouraging alternative provision and looking after the worst-off and disabled people. Let him say whether he will base his plans for welfare reform on those principles, even if he and I have to fight together for them against some Labour Back Benchers.

The Prime Minister: The principles that the right hon. Gentleman has just outlined are the very principles that we have already outlined as the basis of our proposals. If that is the case and the right hon. Gentleman supports those principles, why does he oppose the welfare-to-work programme which implements them? Never mind the debating points, there is a specific programme of £3.5 billion to help young people and the long-term unemployed off benefit and into work, from dependence to independence. If the right hon. Gentleman supports our proposals if they are based on those principles, and they are, he should support that programme, but does he? No.

Mr. Pound: In the first week of July this year, we shall celebrate the 50th anniversary of the birth of the national health service—and, coincidentally, my 50th birthday. There has been half a century of distinguished service to the nation in both cases. What plans does my right hon. Friend the Prime Minister have to mark the slightly more significant of those two anniversaries, bearing in mind the fact that in my case a modest card will be more than sufficient?

The Prime Minister: First, I offer my personal congratulations to my hon. Friend on his 50th birthday. The very best way to celebrate the anniversary of the national health service is to make the commitment to investment and reform that this Government have made. Over this period, an extra £1.5 billion over and above the Conservatives' spending plans is to go into the national health service and there is to be reform to make the NHS work again on the basis of co-operation and partnership, rather than being run by the Conservative's internal market, which did so much damage. That is the national health service that the Labour party created when it was in government after the war and that is the NHS which we shall now renew.

Mr. Ashdown: Listening to the Prime Minister and the right hon. Member for Richmond, Yorks (Mr. Hague) talking about co-operating on welfare reform is rather like watching a lost edition of "Call My Bluff". Is not the truth about welfare reform simply that all three parties want to see welfare reformed and there have been two attempts to do so? Both those attempts have been Treasury driven, both have been piecemeal, both have been political and

both have ended up in trouble. Yet Beveridge's welfare system that we wish to reform was created by a non-party committee, whose work enjoyed cross-party support. If it is really true that the Conservatives have joined us in believing that that is the best way to approach the subject, the Prime Minister has a real opportunity. Will he now take it?

The Prime Minister: I do not know how sincere the protestations of support from the Conservatives were. If what we have just witnessed is their support, I should not like to see their opposition. If people can join forces in order to reform the welfare state sensibly, that is a good idea. No change will be proposed without consultation and the changes will be based on the principles that I have set out. Those principles are to help those who are genuinely in need, to say that work is the best answer for the welfare of those who can work, to ensure that we root out fraud and abuse from within the system and to give as many people as possible the chance to move from dependence on welfare to independence. Those are good, sound principles, but the difficulty will be in seeing them through. We must try to do so in the most effective and humane way, and we shall do that.

Mr. Ashdown: But that is not creating a consensus for cross-party support; that is saying, "I will put forward the proposals and you support me."

Let me make a concrete proposition to the Prime Minister: that he could create an independent commission, that it would carry representation from all the parties and experts in the field, that he could write the remit, that it would report in a year and that, if it did so, he might then genuinely have cross-party support and he might also have a situation where his Government made proposals that were right rather than wrong.

The Prime Minister: In the end, we must take these decisions ourselves. I mean by "ourselves" not simply the Government but the politicians in general who are in the House. Of course we should be informed by independent research, and we will be.

As we embark on this process, it is important for us to realise that we must change a welfare system in which spending is increasing ever more and ever more, but poverty is increasing, too. We have 3.5 million households that are workless even though the people in them are not of pensionable age. Three million children grow up in households where no one is working. One million of the poorest pensioners are entitled to income support, but do not get it.

We must change that, but we cannot load it on to an independent commission and say, "Go away and do the thinking for us"; we must do the thinking ourselves. Nevertheless, any changes that are proposed will be changes that are subject to proper consultation.

Gillian Merron: In anticipation of marking the 50th anniversary of the national health service, will my right hon. Friend join me in paying tribute to those whose work forms the backbone of our national health service: not only the doctors and nurses but those who cook, clean or care for us, whose work often goes unseen and is undervalued?

The Prime Minister: My hon. Friend is correct in pointing out that the national health service depends on the work and dedication of a number of people who often give up their time without any payment and without any concern other than the well-being of patients. The national health service is still generally regarded by people abroad as one of the great institutions of the world. Our task is to take it, keep it true to its principles and renew it for a new age.

Q2.[20832] **Dr. Cable:** Does the Prime Minister believe in the contributory principle for state pensions? If, as was reported during the recess, he has an open mind on the subject, will he indicate at what approximate income people can be considered to be too affluent to qualify? Would it be more or less than the income of Members of the House?

The Prime Minister: There is really no point in conducting a review and inquiry and then giving out possibly speculative proposals before they are properly considered. It has to be done in a proper and serious way. Once it is done, there will be a chance for people to have a debate on the proposals. What is interesting about this discussion and the debate in the House is that there is now widespread acceptance of the need for reform, and of the fact that the past 20 years saw us fail on the welfare state and now we must change and succeed. I welcome that and I think that it is a good start to the debate.

Q3.[20833] **Dan Norris:** Last night the House of Lords voted to frustrate the introduction of democracy in London. Back in the 1980s, it used its power to obliterate a whole tier of local government. Does the Prime Minister agree that if the House of Lords can use the power of privilege to obliterate democracy, the House of Commons should use the power of democracy to obliterate privilege—and may we start, please, with hereditary peers?

The Prime Minister: Of course, last night what happened was not merely that the hereditary peers pushed through an amendment that has the effect of depriving Londoners of the chance on 8 May to vote on their authority, but that they did so with the full support of the Conservative Opposition. [HON. MEMBERS: "Shame."] They are prepared to use hereditary peers to stop people getting the chance to vote for something that was in the Labour party manifesto, that people voted for in London and that people want in London. We shall ensure, not merely that people get the chance to vote on 8 May as we promised, but that we put an end to hereditary privilege in the House of Lords.

Official Visits (Cornwall)

Q4.[20834] **Mr. Tyler:** What plans he has to pay an official visit to Cornwall.

The Prime Minister: I have no plans to do so at the moment.

Mr. Tyler: Would I be right in saying that the Prime Minister's briefing notes contain the following facts: that after 18 years of Conservative rule, households in Cornwall have some of the lowest incomes in the country; that our GDP is less than 70 per cent. of the European average; and that unemployment is rising? As other

Ministers have come to Cornwall and the south-west and have tried to tackle those problems by endorsing the bid for objective 1 status, even if the Prime Minister cannot visit us, will he, on our behalf, give an absolute assurance to the people of Cornwall that he will advocate this case in the European Council and Commission?

The Prime Minister: I am sorry that I have not been down to the hon. Gentleman's part of the world yet—I have no doubt that I will rectify that in time to come. Objective 1 status is at present the subject of discussion between our various European partners, but I can assure him that we will keep the claims of Cornwall uppermost in our minds.

Ms Atherton: Will the Prime Minister assure my constituents that the new development agency will work to tackle the problems that Cornwall faces, and that some or all of the agency will be located in the county? Does he believe that the agency will significantly help our efforts to create new jobs and support existing jobs, such as those at the last working tin mine in Cornwall and Europe, South Crofty?

The Prime Minister: As my hon. Friend knows, detailed proposals for South Crofty are still being considered by the Ministry. I certainly believe that the regional development agency will play an important part in helping Cornwall, just as regional development agencies around the country will help by operating the single regeneration budget and by drawing in the inward investment that we require. The policies of the Government taken together—for jobs, through the welfare-to-work programme, and for greater health and education spending—will also play their part in raising the living standards of the people of Cornwall. I congratulate my hon. Friend on all her campaigning work on these issues.

Q5.[20835] **Mr. Andrew George:** What plans he has to pay an official visit to the communities of mainland Cornwall and the Isles of Scilly in the St. Ives constituency.

The Prime Minister: I am afraid that I have to say none at the moment, but I shall keep it under review.

Mr. George: I thank the Prime Minister for his reply, and repeat that we would welcome him to Cornwall. The people of Cornwall face a great deal of uncertainty. Can the Prime Minister confirm that he will seize the opportunity of the European presidency to forge ahead with the effective reform of the common fisheries policy, on the principles of sustainability, decentralisation and equality of monitoring and enforcement?

The Prime Minister: I am pleased to say that I can give the hon. Gentleman that assurance—that is precisely what we will try to achieve. Before Christmas, we achieved a better than expected outcome at the Commission negotiations. We shall continue to work on the long-term reform of the common fisheries policy. We are pressing the Commission now; I hope that we will be in a position to announce something in the not-too-distant future which will provide us with far better enforcement mechanisms under the fisheries policy than we have.

Engagements

Q6.[20836] **Mr. Robathan:** Has the Prime Minister ever given permission for Mrs. Regan to travel abroad with the Foreign Secretary at public expense?

The Prime Minister: All these things have been handled entirely in the ordinary way. When Conservative Members raise such issues, it only goes to show how little they have to say about anything of importance.

Mr. Chisholm: I welcome the Prime Minister's determination to modernise the welfare state, and I congratulate the Secretary of State for Social Security on her new deal for lone parents. Why on earth have both projects been torpedoed by cutting in-work and out-of-work benefits for lone parents? Will he now put those cuts into the comprehensive spending review of the social security budget, so that lone parents can take the risk of moving from welfare into work after April, and so that there may be a credible and consistent starting point for much-needed welfare reform?

The Prime Minister: I know that my hon. Friend feels strongly about that issue, but we have put a substantial amount of money into helping lone parents off benefits and into work. Early indications of the way our programmes are working show that lone parents are desperately anxious to take the opportunity to get off benefits and into work, given that their incomes—bearing in mind how the benefit system works in relation to family credit—are likely to be far higher when they are in work than when they are on benefit.

Q7.[20837] **Mr. Luff:** In the light of the growing evidence of maladministration and possibly sharp practice during the counting of votes in the Welsh referendum, will the Prime Minister urgently order a judicial inquiry into what went on?

The Prime Minister: No, I will not, because there is no evidence whatever of impropriety. When Conservative Members put on a performance like the one this afternoon, all that they do is show why they are in opposition.

Mr. Miller: Does my right hon. Friend agree that one of the most shameful statistics that we inherited was the fact that four out of 10 11-year-olds had failed to reach adequate standards of literacy and numeracy? Does he recall the enjoyable time that we had with children from Stanney high school, who participated in the summer literacy scheme? Does he agree that the success of that scheme supports the arguments coming from the Department for Education and Employment that we must return to the core values of literacy and numeracy in the curriculum for children up to 11 years old?

The Prime Minister: Yes. The literacy and numeracy programme is an extremely important part of the education reforms. As my hon. Friend points out, the fact that after 20 years of Conservative government, we ended up with 40 per cent. or more of 11-year-olds not up to the proper standard in literacy and numeracy is a disaster not just for them, but for the country. I remember well the visit of his constituents, who benefited from the Government's literacy programme in the summer. Once

again, we hear serious issues being raised by Labour Members, and a whole lot of chatter and scorn from Conservative Members, who would not know a serious issue if it jumped up and hit them.

Q8.[20838] **Mr. Bercow:** May I say how delighted I am to see the Prime Minister here? Since the general election he has spent more time in the Seychelles than in the House of Commons.

Will the Prime Minister publish the rules on travel at public expense by Ministers' partners, as the ministerial code refers only to spouses? No waffle, no "I have to say", no "What is important is"—yes or no will do.

The Prime Minister: The code of practice has not changed in any way since the previous Government were in office.

I have reflected on the hon. Gentleman, as I knew that he would be asking a question today. The person of whom he reminds me most is a Mr. David Shaw. His hallmark, which the hon. Gentleman shares, was to be nasty and ineffectual in equal quantities. *[Interruption.]*

Madam Speaker: Order.

Q9.[20839] **Mr. Jim Murphy:** After the previous question, I am sure we all wish that someone else spent less time in the House of Commons. Does my right hon. Friend agree that the Second Reading of the Scotland Bill last evening was an historic event, not only because it witnessed the conversion of the Conservatives to devolution, and because it will strengthen the United Kingdom, not break it up, but because it gives to Scotland the Parliament that it has needed and been denied for 300 years?

The Prime Minister: Yes. It was a significant vote in two respects. It allows us to put well under way the proposals for a Scottish Parliament, which fulfils another pledge in our manifesto. It is interesting to note that the Conservatives, who told us before the election that devolution would wreck the constitution of the United Kingdom, did not even vote against the Bill's Second Reading.

Q10.[20840] **Mr. Amess:** Even though "Sorry, it ain't me, guv" seems to be the order of the day during Question Time under the new Labour Government, perhaps the right hon. Gentleman will answer the following question. As the new Scottish Parliament is to be given the power to determine its health policy, does the right hon. Gentleman agree that it should also be given the power to determine its policy on abortion?

The Prime Minister: No, I do not agree for the reasons that were given in the White Paper.

Dr. Palmer: On the day that the new Northern Ireland initiative became known, most newspapers led with the story of the Foreign Minister's marriage. Judging from the questions that we have heard from Opposition Members today, is it not astonishing that they appear to share that sense of priority?

The Prime Minister: It is, but Labour can speak from a lot of experience in opposition. The first true phase of opposition is when hon. Members have nothing to say about the really big issues so they run around on all the little ones. However, I am afraid that the public will find the Conservatives out in the end.

Official Visits (Colchester)

Q11.[20841] **Mr. Bob Russell:** What plans he has to visit Colchester.

The Prime Minister: I do not have any plans at the moment. I am making many visits, but not to that particular place. *[Interruption.]*

Madam Speaker: Order. Opposition Members are impossibly badly behaved. *[Interruption.]* Order. Otherwise, Mr. Blunt, I shall send you out for the rest of the day.

The Prime Minister: I have no plans to visit Colchester.

Mr. Russell: I am disappointed that the Prime Minister will not be able to come to Colchester. Will he give me a message to take back to the parents at the Mulberry Tree day nursery that is facing closure because of the Government's failure to provide sufficient resources to Essex county council whose Labour social services committee is planning to shut the nursery? What advice does the Prime Minister have for those parents, many of whom are lone parents?

The Prime Minister: I do not know the particular circumstances of that day nursery. However, under the settlement announced a few weeks ago by the Deputy Prime Minister, more money will go to social services, and additional money will go to education. A vast sum of additional money will go to education next year.

I understand that there will be difficulties in particular areas, but I say to the parents of the nursery to which the hon. Gentleman referred and to other parents: yes, it will take time to put right the position that we have inherited, but we are putting it right. In the end, those parents will be able to see that the education system, like the national health service, has been improved by a Government who care about both.

Madam Speaker: Order. Time is up. We now come to a statement by the Minister of Agriculture, Fisheries and Food. *[Interruption.]* Order. Will hon. Members who are leaving do so quietly? *[Interruption.]* Order. Will hon. Members have their conversations outside the Chamber, please? *[Interruption.]* Order. Hon. Members should not walk in front of the Front Bench when I am waiting for a statement from the Secretary of State, and they should not move in front of the Secretary of State when I have called him.

Food Standards Agency

3.32 pm

The Minister of Agriculture, Fisheries and Food (Dr. John Cunningham): With permission, Madam Speaker, I should like to make a statement about our plans for a Food Standards Agency. Copies of this statement and the White Paper will be available from the Vote Office when I sit down.

Public consultation on Professor Philip James's report on how such a body should operate demonstrated an overwhelming consensus about the need to reform the way in which food safety and standards are handled in government. There is widespread support for the principle of separating responsibility for promoting food safety from responsibility for sponsoring the food and farming industries.

The Government have drawn up detailed proposals for the Food Standards Agency in the light of the responses to Professor James's recommendations. Those recommendations provided an excellent foundation for the White Paper, and I pay tribute to Professor James for his work. I am delighted to be able to present our proposals to the House today, on behalf of all the United Kingdom agriculture and health Ministers, in a Government White Paper, "The Food Standards Agency: A Force for Change". I particularly appreciate the support given by my right hon. Friend the Secretary of State for Health during the drafting of the White Paper, and that of our hon. Friends the Minister for Public Health and the Minister of State, Ministry of Agriculture, Fisheries and Food. Thanks are also due to my right hon. Friend the Chancellor of the Duchy of Lancaster who chaired the committee.

These proposals are genuinely radical and modernising. They are part of the wider process of reform which we are driving forward across the whole spectrum of government. They are very much in tune with our core objective of making government more open and accountable as the basis for public trust in public services and institutions.

Every family and individual in the land has a direct interest in food safety and food standards. It has long been clear that fundamental reform of the Government machinery for handling these issues is needed if public confidence is to be properly restored. We have quickly grasped this challenge. We have already made important changes to the way in which food safety and standards are tackled since we took office. We have ensured that my Department and that of my right hon. Friend the Secretary of State for Health work effectively as a team, together with our colleagues in Scotland, Wales and Northern Ireland. We have significantly increased the amount and quality of information that we make public.

Our proposals for the Food Standards Agency highlight our plans to strengthen and make transparent the way in which government deals with these vital matters. They represent a radical approach in which the clear priority is to protect public health. The agency will be a powerful new body, able to publish its advice to Ministers, free of vested interests and able to act clearly and decisively at all stages of the food chain. It will be directed by a group of independent commissioners who will provide an authoritative and wide range of expertise. They will work together in the public interest to lead an agency which promotes the supply of food that meets the standards that consumers expect. It will ensure that people have the information that they need to make proper choices for themselves about the food they eat, for consumers will rightly always decide for themselves about their diet. The agency will aim to help people who want to be healthier to choose a suitable diet; it will not tell people what they must eat.

Every business, from the farm, the small shopkeeper to the largest supermarket, also has a direct interest in ensuring confidence in food. They will gain from an agency which, because it is able to deal effectively with genuine food safety problems to protect consumers, will also have the credibility to reassure consumers when that is necessary.

The agency's functions will include formulation of policy advice, preparation of draft legislation, negotiation in the European Union and other international bodies, research, surveillance, public information and the monitoring of food law enforcement. Its remit will extend across the whole food chain. Where it does not have full operational responsibility, in aspects of farming practices, it will have powers to intervene if it considers that the action taken by other bodies, including the Ministry of Agriculture, does not provide sufficient safeguards for the human food chain. The Meat Hygiene Service will report to the agency rather than to agriculture Ministers.

The agency will be able to draw on the expertise of the network of independent scientific advisory committees, including a new advisory committee on animal feeding stuffs—recommended as long ago as 1992—which will advise both the agency and agriculture Departments.

By eliminating the confusion and uncertainty that have for too long surrounded the arrangements for dealing with food safety and standards issues, the agency will be able to deliver real benefits to consumers, retailers and the food industry alike. In doing so, it will need to command the confidence of all those who have an interest in its work. The agency will achieve this by adopting the best available authoritative scientific advice, and by acting in a way that is open, consultative and transparent. It will ensure that the public have access to clear and consistent information about risk.

The guiding principles that will govern the agency's actions are set out in the White Paper. They will be enshrined in the legislation that brings it into being. They will provide the framework to ensure that the agency will act responsibly and proportionately in the public interest.

The Food Standards Agency will be fully accountable for its actions to the public and to Parliament. It will report to Parliament through health Ministers, but will also work closely with the other Departments of government, including the Ministry of Agriculture, Fisheries and Food, which will retain responsibility for sponsorship of the food industry. The agency will routinely publish the basis for its advice. This will ensure that the public interest is clearly being served when policy decisions are taken and regulations proposed. The appropriate Select Committees of both Houses would, of course, be able to call the chair of the commission and the agency's chief executive to give evidence when appropriate.

The particular interests of Scotland, Wales and Northern Ireland will be fully covered. The Food Standards Agency will be responsible for advising the

[Dr. John Cunningham]

Government on the United Kingdom policy framework on food standards and safety matters. However, we recognise that issues of particular interest to Scotland, Wales and Northern Ireland arise. We therefore propose that new independent advisory committees will be formed in each of those countries to provide a focus for Scottish, Welsh and Northern Irish interests in food standards, and to advise the agency's commission and the respective Secretaries of State, or their successors from a devolved Parliament or Assembly. We will also establish Scottish, Welsh and Northern Irish executives within the United Kingdom agency to take responsibility for the existing food safety and standards functions carried out by the Scottish, Welsh and Northern Ireland Offices.

The agency will need to be properly resourced. The White Paper makes it clear that the Government intend to pursue new methods of raising some of the necessary expenditure from the food sector. We intend to consult closely all who would be affected, including, of course, the small business sector, in drawing up our detailed proposals.

The publication of the White Paper is the commencement of the next phase of public debate. Establishing an agency with such important, wide-ranging responsibilities is a complex process. We will again consult interested parties, across the whole food chain, to ensure that the Food Standards Agency will work effectively in practice and command respect from all those who have an interest in its work. The White Paper is being circulated widely for comment today. My right hon. Friends and I look forward to discussing the way forward with all stakeholders over the coming weeks.

The responses to the consultation will inform the drafting of the Bill to establish the agency. The draft Bill will be circulated for consultation and pre-legislative scrutiny by Parliament later this year. The Bill will be brought before Parliament as soon as the legislative programme permits. In the meantime, the Government are already putting into practice the principles by which the agency will operate. We will continue to ensure that the period of transition is managed successfully. We propose in particular to begin to put in place the agency's governing body on a shadow basis at an appropriate stage in the passage of the legislation through Parliament.

The White Paper contains a radical, coherent, responsible set of proposals for delivering one of our most important manifesto commitments. The Food Standards Agency will constitute a force that is dedicated to working systematically and constructively with all who are involved with the supply of food to the consumer to ensure better food safety standards. The time for change is long overdue. I commend our proposals to the House.

Mr. Michael Jack (Fylde): May I first thank the Minister for his statement and for the fact that we were able to have adequate time to study it and to look at the White Paper? I am glad that his computers are fixed on this occasion.

We very much welcome any moves that will help our food to be even safer than it is now, and indeed to enhance consumer confidence in our already excellent food industry.

I welcome the Minister's commitment to widespread consultation on the policy, and thank him for providing the opportunity for pre-legislation scrutiny. That is right, when important and detailed matters such as this are being considered.

The Minister says that there has been a loss of confidence in British food. I wonder how he reacts to the statement made by Safeway, which referred, on the publication of Professor James's report, to

"The vast majority of our 6 million weekly shoppers continuing to demonstrate confidence in us, providing volume growth and little alteration in their long term buying patterns".

Perhaps the Minister could also comment on Safeway's view of the agency. It says that it does not believe that the Food Standards Agency, however structured, could have anticipated BSE or E. coli 0157, or that it will prevent issues of possibly similar severity in the future. It is important for the Minister to give us a view on those matters.

May I ask the Minister what criteria he will use to determine whether the Food Standards Agency is being successful? Does he intend to set a target for the reduction of reported incidents of food poisoning, or will he consider another target—possibly the elimination from the food chain of harmful pathogens such as salmonella or campylobacter? By what objective measures will he assess public confidence in Britain's food once the agency has started work? Professor James did not seem to think that much would happen. He said this morning on the radio:

"I think if in fact the food poisoning is levelling off"

that would be an achievement. Professor James hoped that the rate might fall in three to five years. Perhaps the Minister can tell us what his ambitions for the agency are.

How will the agency determine its priorities? I know that it is to produce a corporate plan. Will that plan be the subject of ministerial decision making? If so, which Ministers will decide on the objectives and policies that the agency will pursue? How will the agency change its policies from time to time, in the light of changing situations? Can the Minister tell us whether the present budgets relating to food science, which will underpin much of the agency's work, will be sustained and developed further?

How will the Minister ensure that the agency continually recognises that people, as consumers, want to make their own choices on the safe food that they eat? What safeguards can he offer the House? Can he assure us that the agency's clear, objective agenda will not be hijacked by those who would be labelled food faddists, and who would want the agency to move into what has been described an extension of the nanny state? Does the right hon. Gentleman agree with Marks and Spencer, which has said that well-being, in terms of the food that people eat, cannot be imposed on the customer?

A central part of the Minister's statement was his comment on the agency's funding. The White Paper talks of the agency's own new costs being £100 million, of which £35 million are covered by other charges; but what exactly are the new methods of raising money to which the Minister has referred? The White Paper speaks of some form of licensing or registration scheme. Will all food premises have to be licensed? If so, how will they qualify for the licence, and on what criteria might the licence be removed? I should like to know more about that from the Minister.

The White Paper also talks of the £120 million to £150 million that local authority enforcement costs. The implication of paragraph 8.19 is that in some way, by gradual attrition, the food industry—from the farm right through to the supermarket and the restaurant—will have to pick up the tab. May we know more precisely what proportion of the costs will be placed on industry, and when the process of costs passing back will stop?

Will the Minister confirm—as the Parliamentary Office of Science and Technology has—that 44 per cent. of all reported food poisoning cases result from consumers buying meals from restaurants, hotels and other catering establishments? Does he agree that a key ingredient to achieving safer food is the proper enforcement of existing laws? The current law is unevenly enforced, so how will the agency tackle that problem? What consultations will he have with local authorities to find out how much extra money they will require to carry out their duties under the new agency?

Will the Minister give more detail of how the new agency will fulfil its legislative responsibilities? Will it have to put to Ministers all future proposals on new or revised food law? Will it be involved in environmental policy? There is concern about the disposal of bio-solids and the effect on the food chain. Will the new agency be involved in that?

Will the Minister tell the House a little more about the lines of accountability and the way in which the new agency will operate? He talked about openness, and we applaud that, but will he reassure us that the supply of information that is commercial in confidence currently given to his officials will not be cut off, as it enables them to be effective in European Union negotiations and in other areas in which the agency will operate? There is a worry that such openness may be against the interests of the dissemination of information.

In the world of food, many people give consumers alternative advice. Will the agency act as referee to give clear guidance when such information is made available? In his statement, the Minister referred to the agency's ability to interfere in farming practice if it considers that

"action taken by other bodies, including the Ministry of Agriculture, Fisheries and Food, does not provide sufficient safeguards"

for human health. Will he confirm that the agency will have the unique power to overrule him and his Department? If so, to whom will the agency be accountable for such actions? How would the agency have reacted if it had received from the Spongiform Encephalopathy Advisory Committee the advice about beef on the bone? Would it have implemented the ban, or would it have followed the line taken in the Minister's statement and ensured that the public had the knowledge to make up their own minds?

The Opposition welcome the arrival of the Food Standards Agency. [*Laughter.*] It is interesting to note that, my having asked the Government searching and probing questions about a serious new agency, the best that we can get from them is guffaws of laughter. Do they take the matter seriously?

Dr. Cunningham: I welcome the comments at the beginning of the right hon. Gentleman's statements, but the remarks that he made at the end rang a little hollow after his long litany of critical statements in between. He seems to be giving the Food Standards Agency a one-candlepower welcome. I can tell him that the agency is widely welcomed across the country by consumers, consumer organisations and major players in the industry.

The right hon. Gentleman began by saying that he believed that this is the right way forward, and clearly we share that view. He asked me some questions about the Safeway organisation. I shall tell the House what Safeway had to say following the publication of the report by Professor Philip James. It said that Safeway

"agrees with the principle of a Food Standards Agency . . . organisationally transparent, financially and politically independent and with 'plough to plate' scope."

That is a pretty clear statement of support from Safeway for the Government's proposal.

The right hon. Gentleman then asked me whether the Food Standards Agency could have prevented or foreseen serious food problems, such as BSE or E. coli.

Mr. Jack: That is what Safeway asked.

Dr. Cunningham: Sorry, but the right hon. Gentleman put the question. It is difficult for any organisation, within or outside government, to foresee certain problems, but the agency might have been more guarded, more careful and more cautious in its approach to what was happening in the animal food chain than the Conservative Government ever were in the lead-up to the disastrous consequences that flowed from their failures, and from the widespread infection of the national herd with BSE.

The right hon. Member asked about criteria and targets for the Food Standards Agency. The White Paper proposes that the Ministry of Agriculture, Fisheries and Food will give up all responsibility for these matters. The agency's responsibility will be to report in the first place to my right hon. Friend the Secretary of State for Health, and it will be for the Government and the agency in consultation, following what I hope will be a successful passage of the legislation, to decide whether targets—financial, operational or otherwise—should be established and on what basis. In response to the second part of what the right hon. Gentleman said on the matter, I do not anticipate that the Food Standards Agency will have the capability to eliminate coliforms, enteroviruses or pathogenic micro-organisms.

Mr. Jack: It will not tackle the problem.

Dr. Cunningham: The right hon. Gentleman says that it will not tackle the problem, but of course it will tackle the problems of food standards and food hygiene, which is what it is being established to do. We have to rest on advances in medical science to deal with some of the other problems. Even so, we know that some organisms are almost impossibly difficult to eliminate or destroy.

The right hon. Gentleman asked how we could guarantee that the agency's agenda would not be hijacked by people on one side of the argument. The important matter is that the Food Standards Agency has to be so robustly independent and so well managed that its agenda cannot be hijacked by anyone, including the food industry or people who take the extreme view against which the right hon. Gentleman rightly cautions. I agree on that: we want the agency to be tough and independent, and it will be on a statutory basis. I cannot believe that the serious and experienced people whom we intend to form

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the commission and the executive of the agency will allow their agenda to be hijacked by anyone. That would totally destroy the agency's independence and credibility, and we shall ensure that that does not happen.

In another question, the right hon. Gentleman spoke about the views of Marks and Spencer. I shall tell him and the House what Marks and Spencer said in its response to the consultation on the report of Professor Philip James. It stated that Marks and Spencer

"supports the creation of an independent Food Standards Agency to help maintain public confidence in the safety of British food."

That is another clear statement of support in principle for the Government's proposal.

The right hon. Gentleman asked an important question about funding. We have deliberately made it clear to everyone involved that funding proposals are to be the subject of further discussion and debate. It will be possible for hon. Members, those in the food industry, and all who are involved in the food chain to comment on funding. The White Paper gives a couple of illustrative examples of what might happen under a licensing system, for example. I say to the right hon. Gentleman that all these establishments are already licensed and on the record, and there is no necessity for any huge new bureaucracy in that regard.

The Food Standards Agency will clearly have a role in the enforcement of EU as well as UK legislation. It is difficult to take seriously the right hon. Gentleman's question on that point because it comes from a member of a Government who signally failed again and again to take effective, proper action fully to implement our obligations under EU and UK law. I have dealt with the main points that were raised by the right hon. Gentleman in his questions.

Mr. Jack: Accountability?

Dr. Cunningham: I have made it clear in the statement and in my response to the right hon. Gentleman that the agency will be accountable to my right hon. Friend the Secretary of State for Health, to Parliament and to Select Committees. It will be able to give unbiased advice, free from any vested interests. In turn, it will be able to take its advice from the expert scientific committees that currently advise me and my right hon. Friend the Secretary of State for Health.

I am sure that the whole country will welcome my statement, will want to discuss the White Paper and will want the Government to move forward as quickly as possible to bring an independent Food Standards Agency into being.

Mrs. Anne Campbell (Cambridge): I know that my right hon. Friend's statement and the White Paper will be warmly welcomed in my constituency, where people are concerned about standards in food safety. Will there be research funding for the agency to carry out its own research? If so, how will it relate to the research programmes already undertaken by my right hon. Friend's Department and the Department of Health?

Dr. Cunningham: I am grateful to my hon. Friend for her comments. Existing scientific and advisory agencies and research programmes will be available to guide the thinking of the Food Standards Agency, but it will also have, in its own right, the power to commission an independent research programme outside of existing Government agencies, in the private sector. Of course, if it wishes, it can continue to make use of existing Government agencies. It will be the agency's decision.

Mr. Paul Tyler (North Cornwall): On behalf of my right hon. and hon. Friends, I warmly welcome the Minister's statement and the White Paper. We have long campaigned for an independent Food Standards Agency, and many of the proposals in both the statement and the White Paper meet our requirements.

I have some specific concerns, but, before expressing them, I want also to welcome the Government's decision to make the matter the subject of pre-legislative scrutiny in the House. I am sure that that will be warmly welcomed by all hon. Members from all parties, including Back Benchers. It is important that the emphasis that the Minister has placed on credibility, transparency and accountability receives a positive response from hon. Members—we must all endorse it.

Does the right hon. Gentleman agree that the core issue is reliability? Over recent years, there has been no lack of reliable, safe, good quality food—but there has been a lack of good, reliable, safe standards of advice on that food. Does the Minister recall that his predecessor, the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), admitted to me from the Dispatch Box that three quarters of the public did not believe what he said about food safety? His advisers were no better received by the general public. Therefore, we must be sure that the new mechanism that the Minister is putting into place will carry credibility with the general public and the consumer in a way that was patently not the case under his predecessor.

That brings me to my core concern. I accept that it is early days, and obviously we will study the White Paper with interest, but there will be some confusion in the House and in the country about precisely what accountability means. The Minister made the statement, but the Secretary of State for Health will be accountable for the agency. The simple way to square the circle would be to establish a separate Select Committee on food standards. That would bring together the interests of health, agriculture and consumer protection throughout the country.

Another issue of concern both inside and outside the House is cost. It is right that the Minister should examine the issue, and I am grateful to him for what he said. I and, I am sure, other hon. Members will not take with more than a pinch of salt the squeals of dismay from a very, very rich industry. The food processing and retailing industry made huge profits during the recession. Indeed, some of the supermarkets have made huge profits out of farmers during the BSE crisis. The industry will be asked to contribute a comparatively small sum towards restoring confidence in its products. If there was already confidence in its products, we would not need the agency. The agency is being established to ensure that there is real confidence in future. If the main cost of the new agency falls entirely on the industry, however, there is a danger that it will be suspected of being in the pocket of its paymasters. Therefore, it is important that the public purse—the taxpayer—also makes a contribution.

With those concerns, but with a general welcome, I hope that the Minister will have the support of most hon. Members in the consultation process.

Dr. Cunningham: I am grateful to the hon. Gentleman for his generous support for both the statement and the White Paper. As he said, the matters of reliability, sound advice and public confidence are inextricably linked. The food industry, and particularly the beef industry, has suffered so many of its problems precisely because public confidence in government and in advice from government fell to such a low ebb, and the strong case for an independent Food Standards Agency became unassailable for exactly those reasons. We must have clear, coherent and independent advice from an organisation that is staffed by people in whom the general public will have confidence, knowing that they are independent administrators and independent of the industry.

I disagree with the hon. Gentleman's suggestion that there will be some confusion. One of the reasons for mistrust is that, historically, the Ministry of Agriculture has been responsible not only for the promotion and production of food but for the promotion of food standards and of food safety. Those responsibilities have all been held by one Ministry, although they occasionally conflict. That is the overwhelming case for the separation of responsibilities.

After separating responsibilities, it would be rather perverse to say that the Food Standards Agency should report to the Minister of Agriculture. The agency should report to the Secretary of State for Health, and that is what it will do. There is no need for anyone to be confused about the reasons for the separation of powers and responsibilities or about how accountability will work.

I should tell the hon. Gentleman that it is not for me to decide whether the House has a Select Committee on food safety matters. In general and in principle, I am a supporter of Select Committees in the House, but I cannot make such a commitment.

Finally, the hon. Gentleman dealt with the very important matter of costs. The White Paper gives an example of 600,000—in round terms—establishments being affected by the agency. I should apologise to the right hon. Member for Fylde (Mr. Jack) for saying that they are already licensed. They are registered, not licensed. I apologise for that slip of the tongue.

The illustrative example in the White Paper states that if the cost of a licence were £100 per annum, the net income would be £60 million. Therefore, even if we were to use that approach—there is no commitment to do so yet—such relatively small charges will not overburden an industry that, as the hon. Member for North Cornwall (Mr. Tyler) said, is profitable and able to compete vigorously and successfully, not only in domestic but in international markets. That was only one example. The Government have an open mind on the matter, and we will consult widely on it.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that it comes easy to me to be able to support this clear-cut manifesto commitment, unlike some of the others that we have been hearing about lately, in the knowledge that the agency will provide a very big counterweight to the large vested interests in the food-producing industries? But will he take on board one problem? He says that the body will be independent of Ministers and of the food industries. If the agency is not truly independent of those wild-eyed people in the Common Market who make all those tin-pot proposals month after month, and if people in the agency find themselves tarred with that brush, the instincts of the British people will turn against it. I tell my right hon. Friend to have a word with those in the agency and those who are in the environmental health industries in local authorities, and to tell them that, if they are truly independent, they will have enough initiative to find out what has to be done without going over there to find the answers.

Dr. Cunningham: It is not always the case that my hon. Friend and I agree on policy issues, as he made clear, but I am always happier when we do, so I work hard to maximise the opportunities for that. I am grateful to him for his comments. He is right to highlight the crucial importance of securing and maintaining complete independence for the agency. Food law and standards are increasingly international. If our industries want to continue to export successfully, they have to meet not just United Kingdom standards, but international standards, so, whether we like it or not, there will always be a role for the European Union in these matters. My hon. Friend described some people in Brussels in a rather colourful way. I am delighted to tell him that the Commission has just approved the export certified herd scheme for British beef from Northern Ireland.

Several hon. Members *rose—*

Madam Speaker: Order. It seems that I need to remind the House that statements are an extension of Question Time and are not a time for Back Benchers to make long comments. We have had only four questions in three quarters of an hour. We cannot proceed in that way. I now ask for brisk questions, and brisk answers from the Minister.

Mr. Douglas Hogg (Sleaford and North Hykeham): May I first say to the right hon. Gentleman that I welcome the fact that he will be publishing a Bill for pre-legislative discussion? That is a desirable step.

I understand that the agency will be a free-standing executive agency with the right—indeed, the duty—to set standards as to composition, sale, manufacture, and so on. Clearly, there will be legal requirements on producers, and, no doubt, legal offences will be created. Can he tell the House the extent of the control that the House will be able to exercise over the setting of those legal obligations and the creation of those offences? If the agency is to be truly independent, it is difficult to see what the line of accountability can be.

On a further point made by the hon. Member for Bolsover (Mr. Skinner), given that there is a single market within the European Union in food and foodstuffs, what is the relationship between the standards being set by the agency and such standards as may be set by counterpart institutions in other member states and by the European Union itself?

Dr. Cunningham: I am grateful to the right hon. and learned Gentleman. We shall certainly publish the draft legislation for consultation. He is right that it will be a

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free-standing, independent agency, but when it proposes changes in food standards or food hygiene there will have to be legislation. The agency will not have the power simply to change things. Change will have to be based on legislation which will have to pass through the House. The principal aim and objective of the agency will be to focus on food standards and food hygiene, as we made clear at the beginning of the White Paper. That will be its role. Where it believes that circumstances are not adequate, it will be able to recommend that the law is changed, but it will not be able to change the law without the proper legislative process in the House.

That also applies to the final important question that the right hon. and learned Gentleman raised in respect of the European Union. As he knows, because he has held the job that I now have the privilege of holding, we work increasingly to harmonise law on these matters exactly because our food industries, like those in other countries, have to compete and survive in a global marketplace, and we want the same standards to apply on a level playing field.

Ms Jackie Lawrence (Preseli Pembrokeshire): Will the agency ensure that adequate standards are applied to the production of animal feedstuffs so that another disaster such as BSE cannot happen, particularly in the light of Professor James's key recommendations that the agency's remit should apply to the entire food chain?

Dr. Cunningham: My hon. Friend has asked an important question, the answer to which is yes it will. As I said in the statement, the Government propose to accept the recommendations of Professor Lamming, who, in a report to the previous Administration, suggested that there should be an advisory committee on animal feedstuffs. It is to the shame of the previous Administration, given the circumstances that prevailed, and what we now know, that the Conservative Government refused to act on that recommendation of the Lamming report. We shall do so.

Mrs. Angela Browning (Tiverton and Honiton): May I ask the Minister to give a little more detail about the negotiations with Europe? When a matter related to food is discussed—usually subject, as he will know, to qualified majority voting—a great deal of negotiation takes place and there is inevitably give and take. Will there be a secretariat in Brussels associated with the Food Standards Agency? How will it work in practice in terms of advice that the agency gives to Ministers at the negotiation stage before they vote?

Dr. Cunningham: That is an important question. The Food Standards Agency will work in exactly the same way as the Health and Safety Executive advises Ministers now, and has done for some time in respect of EU legislation. It will present the case, and perhaps negotiate in detail in some of the working committees, but the final decisions, as always, will rest with Ministers.

Mr. Frank Roy (Motherwell and Wishaw): As the Member of Parliament for Motherwell and Wishaw, the constituency at the centre of last year's E. coli outbreak, I welcome my right hon. Friend's statement. Many of my close friends were hospitalised and some of the people in my own street tragically lost their lives. I am sure that my right hon. Friend will understand when I ask for an assurance that the No. 1 priority of the agency will be public health and the consumers at the end of the line, not food retailers or producers.

Dr. Cunningham: I can give my hon. Friend the important assurance that he seeks on behalf of his constituents. It is the first guiding principle set out in the White Paper that public health should be the first priority of a Food Standards Agency. In addition, I can tell my hon. Friend that on coming to the Ministry of Agriculture, Fisheries and Food, I put the health and well-being of people and the environment at the top of its agenda. We shall have powerful new forces within the Government and in the agency and, needless to say, in the Department of Health, putting the health and well-being of the people of this country at the top of the nation's agenda.

Mrs. Ann Winterton (Congleton): Food standards in this country are exceptionally high. The Government propose that they should be higher still by the establishment of this agency, which will be extremely costly. The costs will be borne eventually by the consumer. What guarantees can the Minister give to the consumers that food imported into the United Kingdom will be of the same very high standard?

Dr. Cunningham: The hon. Lady is right; we have pretty high standards of food hygiene in this country. Let me pay tribute to our leading food manufacturers and food industries, which are able to compete successfully globally because they set excellent standards. However, like most industries, the industry has a very long and poorly performing tail which does not meet the high standards of the best in the sector.

The hon. Lady said that the agency would be costly. Let me say that the consequences of BSE, E. coli outbreaks and salmonella poisoning are colossal when compared with the likely realistic cost of such an agency. That is just the financial consequences. In terms of the health of the people and the deaths that have resulted from the problems, the cost to the people affected is immeasurable.

The people of this country are going to get a bargain out of the Food Standards Agency which will be of great value to them in terms of the quality and safety of the food that they eat and in terms of their health and well-being. Let me say again that we are working in the European Union wherever possible to ensure a level playing field for our farmers and our food industry. That is why I remind the hon. Lady and the House that from 1 January this year no beef can come into this country unless it has been subject to the same rigorous safeguards as beef produced in Britain.

Ms Sally Keeble (Northampton, North): May I say how much I welcome the consultation paper and in particular the fact that it takes on board the wider brief of nutrition and not just food safety? Can my right hon. Friend offer some more assurances about the effectiveness of the powers of the agency and the way in which it will carry out its powers of enforcement? What type of consumer liaison will be conducted so that people can be sure that we will see improvements in health standards,

and consumer confidence is retained in that extremely important agency so that it is a real consumers' champion?

Dr. Cunningham: I am grateful to my hon. Friend for her welcome supportive comments.

As set out in the White Paper, there is a division of responsibility between the Food Standards Agency and my right hon. Friend the Secretary of State for Health. It would be absurd if my right hon. Friend did not have some responsibility for matters of nutrition and diet, given their important role in so many of the worst illnesses with which he and his colleagues must grapple—for example, cardiovascular disease and others. That division of responsibility is clearly set out in the White Paper and I have no doubt, because nutrition is one of controversial issues, that there will be some warm, if not heated, public debate about it.

As for the second important question my hon. Friend raised about liaison, of course an agency of this kind will have permanent lines of communication open not just to the Secretary of State for Health and, where necessary, other Government Departments, but to local authorities, because of their important role in such matters. Last, but by no means least, it will have such lines of communication with consumers, consumer organisations and their representatives.

Mrs. Caroline Spelman (Meriden): The Minister said in his statement that the Government are keen to put into practice the principles governing the agency. They include giving the consumer the right information with which to make proper choices. In the light of that principle, will the Minister reconsider his decision to ban beef on the bone?

Dr. Cunningham: No. I remind the hon. Lady and the House that, as yet, we and our scientists still have no idea of the incubation period of CJD. The hon. Lady should bear that in mind when she thinks about the actions that I take in respect of safeguarding public health in that matter. The principle according to which I acted in that regard was exactly the same as that followed by the shadow Leader of the House, the right hon. Member for South-West Norfolk (Mrs. Shephard), when she held my office. She made an almost identical statement about the existence of a very small risk, but nevertheless added that particular part of the animal's anatomy to the list of specified risk materials.

I am not so sure that we would have got the decision that was reached in Brussels today if I had not taken that action.

Dr. Doug Naysmith (Bristol, North–West): I, too, welcome the Minister's statement and the proposals set out in it, as they have clearly been influenced by the excellent James report. What proposals does he envisage will be necessary to establish more consistent standards governing the enforcement of food hygiene regulations by trading standards officers and the environmental health officers of local authorities?

Dr. Cunningham: I am grateful to my hon. Friend for his remarks. The agency will monitor and establish common standards that, of course, in a number of respects local authority officers will have to enforce. As I have made clear already in answer to questions from hon. Members on both sides of the House, local authority officers will continue to have a very important role in ensuring that those standards are implemented and that the public are properly safeguarded. That is an essential part of the approach of the Food Standards Agency.

Mr. David Curry (Skipton and Ripon): Who will be responsible for licensing genetically modified products and when will the Ministry reach a determination on the licence applications currently before it?

Dr. Cunningham: The overall authority for the licensing of novel foods will now pass to the Food Standards Agency, but the general processes will be exactly the same as they are now.

Mr. Charles Clarke (Norwich, South): Does my right hon. Friend accept that the credibility of the agency will depend entirely on the quality and independence of the scientific research that guides it? Can he confirm that, as I think he said in his statement, the agency will be entirely free to commission its research where it thinks fit in the interests of proper science? What ministerial guidelines, if any, will the agency have in respect of those issues of commissioning research?

Dr. Cunningham: My hon. Friend is absolutely right to say that the whole success of any agency of this sort would be completely undermined if it did not, from the outset, establish and sustain credibility about its independence. As for his specific question about research, I repeat that the agency will have the absolute right to decide where and on what terms it commissions its future scientific research programme. It will, of course, have available to it existing Government agencies, but, equally, it will have available to it options in the private sector; there will be no ministerial interference in the making of that sort of decision by the agency.

Mr. William Thompson (West Tyrone): The report seems to suggest that devolved Parliaments and Assemblies will be subject to a requirement to consult the agency. Surely a requirement for any devolved Parliament or Assembly to consult with an agency creates a dangerous precedent and strikes at the independence of that Parliament or Assembly.

Dr. Cunningham: I hope that when the hon. Gentleman reads the proposals in the White Paper, his concern will be assuaged. He will see that we carefully made separate arrangements under a UK umbrella body for Scotland, Wales and Northern Ireland; and we have anticipated, as far as we are able to, the possible changes that will occur following devolution to Scotland and Wales. In view of all he has said in the Chamber and elsewhere in the past, I am rather sorry that hon. Gentleman did not say a word of thanks about the decision on beef in Northern Ireland.

Mr. Robin Corbett (Birmingham, Erdington): In congratulating my right hon. Friend and our admirable and joint hon. Friend the Minister of State on the step toward a Food Standards Agency, may I say that it will be especially welcomed by environmental health officers in the city of Birmingham and elsewhere, as it will

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underpin the important work that they do on behalf of the public to enforce proper standards of food safety? In that context, may I urge my right hon. Friend to base the agency in the city of Birmingham?

Dr. Cunningham: That was the first of many bids, no doubt; but, as we have already made clear, the agency will be based in London. We think that that is the right decision, although I recognise the outstanding merits of Birmingham and my hon. Friend's ceaseless advocacy of them. I repeat that environmental health officers are an important part of the process. I have no doubt that they will want to give us their views on the White Paper officially, but I shall make it clear to them that my right hon. and hon. Friends and I will be happy to meet them for informal discussions about the way forward.

Mr. Robert Walter (North Dorset): In answer to an earlier question and in his statement, the Minister indicated that the agency would have responsibility in respect of nutrition, and he welcomes that inclusion. However, if we walk into any newsagent in this country, we find shelves laden with magazines that are full of good nutritional ideas; we can turn on daytime television and watch all sorts of programmes about good nutrition and cooking; and the largest-selling sector of the book market at Christmas time is cookery books, followed by gardening books telling us how to grow decent vegetables. Will the Minister tell us what else he thinks the agency will bring to the table in the field of nutrition?

Dr. Cunningham: As in other areas of its responsibility, the agency will bring independent advice—advice that is free of any commercial interest—and give that advice in a clear and consistent way which the public will be able to understand.

Mr. Tam Dalyell (Linlithgow): Against the background of the first E. coli 0157 outbreak at Redhouse dairy in my constituency and the anecdotal evidence given me on 6 January by the West Lothian and Midlothian farmers union, is there a policy on the increasing spreading of raw sludge, with all the phosphate and other consequences that there might be for disease? Will either the agency or the Department be able to do something about what may be an increasing practice and is certainly a potentially dangerous one?

Dr. Cunningham: We are aware of the concern in my hon. Friend's constituency and elsewhere; the issue is being pursued jointly with the Department of the Environment, Transport and the Regions. We recognise that there are important public health issues involved. Guidelines already exist and we are awaiting further expert advice that will be acted on as necessary to protect the public and, once again, put the public interest first.

Several hon. Members *rose—*

Madam Speaker: Order. Thank you. I am closing the questions on the statement now.

BILL PRESENTED

Warm Homes and Energy Conservation (Fifteen Year Programme)

Mrs. Linda Gilroy, supported by Mr. David Chaytor, Mr. Cynog Dafis, Mr. Alan Simpson, Mr. Peter Temple-Morris, Mr. Michael Colvin, Mr. Matthew Taylor, Mrs. Margaret Ewing, Angela Smith, Maria Eagle, Ms Joan Walley and Ms Linda Perham, presented a Bill to require the Secretary of State to draw up and facilitate the carrying out, over a period of 15 years, of a programme of action to provide at least 500,000 households per year with a comprehensive package of home insulation and other energy efficiency improvements; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon 6 February 1998, and to be printed [Bill 108].

Labelling of Products

4.30 pm

Mr. Vernon Coaker (Gedling): I beg to move,

That leave be given to bring in a Bill to make further provision with respect to the labelling and display of food and goods to assist the consumer in making choices on ethical grounds; and for connected purposes.

My Bill is topical on the day when we are discussing the setting up of a Food Standards Agency.

Today, we live in economies dominated by big businesses and giant corporations. Many of those companies have turnovers far in excess of the gross national product of many countries. The ability to influence those companies' decisions often seems to be beyond the power of ordinary people or, indeed, Governments, whether acting alone or together. Decisions to locate, to exploit the natural environment or its resources, to produce in a particular way or on how to treat a work force are often made by companies whose paramount aim is the need to make a profit.

At a national level, we see companies operating in ways that may not be beneficial to the local people. Such unbridled powers have often led people, locally, nationally and internationally, to feel defenceless and frustrated as they see decisions taken that they believe to be wrong but feel that they are unable to stop.

My Bill aims to help to address that problem by tapping the relatively under-used power of the consumer. The potential of consumer power to influence the decisions of big business is huge. What business could or would produce goods or services that it ultimately could not sell? As consumers, we make choices in our shops, offices and superstores that will directly influence those companies' decisions. We can influence them to take decisions to produce goods, grow crops or rear animals in ways that are ethically acceptable. They would not be able to make such decisions in a moral vacuum.

People can change the world without leaving the high street. We have a tool at our disposal through which we can directly influence events, not only locally or nationally, but globally. Every time people go shopping, they vote. They could vote for decent standards at work, for healthy foods with humane farming methods, for a better environment, for fair trade and for many other worthwhile objectives. The consumer is increasingly realising his power. We have seen the power that the consumer can wield in the not-too-distant past, with the consumer boycotts that were operated and helped to bring about the end of apartheid.

Those boycotts could be a small taste of the consumer power that could be unleashed. Television and newspaper pictures increasingly force us to confront the harsh realities of life. We see images of young children in the third world making cheap goods in appalling conditions, mainly for the west. We see companies exploiting the natural environment, with no regard for the future. We see the cruelty that is often involved in the rearing or transporting of animals. Those pictures come right into our homes, and it is here at home that we can begin to change things.

People's consciences are pricked by such images, and they want to take action to help to stop them, but they often wonder how. My Bill would give the consumer increased power to impose minimum acceptable standards on those practices through the decisions he makes.

However, my Bill recognises that, to take such decisions, consumers need information about the goods or services they are buying. Information given on labels at present is generally inadequate, and does not usually give people the opportunity to make a moral or ethical choice in their purchasing. More information to enable them to do so must be included on all labels and in all labelling.

In drawing up my Bill, I recognise that many companies act in ways that would command public support. Many take care of the environment, support fair trade and try to promote the humane treatment of animals and to improve working conditions. The Royal Society for the Prevention of Cruelty to Animals has a freedom food initiative. As a Co-operative party member with one share in the Co-op, I am proud of the Co-operative stores' honest labelling campaign, and of the ethical investment policy pursued by the Co-operative bank.

While promoting the Bill, I have discovered that many other companies, such as B and Q, seem to have good practices. Charities such as Save the Children, the United Nations Children's Fund and Christian Aid have pointed out that we can change things by our purchasing, as have Friends of the Earth and Greenpeace. Perhaps Oxfam has done most to highlight some of the things that we see around us.

My Bill would build on the work being done by those non-governmental organisations by bringing legislative force behind what are at the moment voluntary codes or simply the result of some companies' good business practice. It is essential for us to acknowledge, as my Bill does, that voluntary codes or good practice are no longer sufficient. The force of law is needed, with legislation passed by Parliament.

My Bill would ensure that labels made clear to consumers the key facts about the production of goods or services. For example, it would be clear to all consumers the conditions under which animals that provided the meat or other related products on sale in shops or superstores had been kept. Were they produced in factory forms or allowed to roam free? How were they slaughtered? It is not too much to ask that that information is provided in all places where meat is bought or consumed.

When purchasing clothes or other products, we should know the answers to the following questions. What were the conditions of the workers who produced them? Were they paid a reasonable wage? Were the goods produced by child labour? Were they produced by home or outworkers? Goods that may be cheap in the shops for us may have been paid for by the misery and exploitation of others. Often it is impossible from the labels to tell exactly how things have been produced; that information needs to be provided.

Similarly, we may ask ourselves, how have crops been grown? What chemicals have been used in their growing? Have they been genetically modified? What vitamins or additives have been included? Labels often fail to give that information in a way that is understandable and easily available.

It is often said that people would be unwilling to pay for the increased prices that may result from measures such as those that the Bill would introduce. I reject that argument, because I believe that the majority of consumers, if given the choice and the information, would shop in a morally acceptable way and make that choice to do their bit to improve the conditions of people in the United Kingdom and throughout the world.

[Mr. Vernon Coaker]

We have shown by our practice in the House of Commons that we believe that such pressure can work, with the adoption of a fair trade coffee in our Tea Rooms. The same principle might be followed on a range of products. Recent press reports, and what we heard earlier about the Food Standards Agency, show that the Government seem to be thinking along similar lines.

My Bill would mean that, increasingly, people could act as green consumers. When buying furniture made from wood, is it possible to tell whether that wood came from sustainable forests? What is the environmental record of the company responsible for those products?

My Bill will give people the power to influence for the good the policies of major companies. If we do not like the way that goods have been produced, we can refuse to buy them. We shall have the power in our pockets, rather than the multinationals having us in theirs. However, we can have that power only if the consumer has information—the information that my Bill would require to be provided by the labelling of goods process.

My Bill would also ensure that any claims made on a label were effectively monitored and policed. It would ensure that there was a Government sign to show that the claims made on a label were accurate and true. Stores selling these goods, or businesses offering these services, would have to ensure that all this information was easily available to consumers. Displays in stores should direct people towards ethically produced goods instead of shoppers having to hunt around for them.

We need to root out bad practices. We have the power to do that, but without the necessary information it is very hard to make ethical choices. My Bill sets out to provide consumers with the information they need to exercise that power and to be that force.

4.39 pm

Mr. Eric Forth (Bromley and Chislehurst): Ten-minute Bills afford the House the traditional opportunity for the eccentric and the bizarre; and we are used to that, and fairly tolerant of it. However, the opportunity is being used these days not just for the politically correct but—it gives me some encouragement to hear it—for examples of unreconstructed, old-style, old Labour, socialist bias against the capitalist process, and against large employers and profit makers. That is not a problem for me: it is a problem for the hon. Member for Gedling (Mr. Coaker) and his party.

Listening carefully to the hon. Gentleman, I was struck by the rather charming naivety of the Bill that he is offering us, and by its utter and total impracticality. I shall leave to one side all the usual arguments about the nanny state, elements of which were paraded throughout what the hon. Gentleman said. I shall also leave aside the patronising nature of his arguments. He seemed to assume that the consumer is a dumb animal being led by the nose by wicked multinational companies, completely unable to make his own decisions or choices or to seek his own information.

To keep my remarks as brief as possible, I will concentrate just on the practicalities—

Mr. Dennis Skinner (Bolsover): Will the hon. Gentleman divide the House?

Mr. Forth: I certainly will, and I hope that the hon. Gentleman will join me in seeking to do so.

Mr. Skinner: But I am on my hon. Friend's side.

Mr. Forth: I do not care which side the hon. Gentleman is on; he can join me as a Teller to make sure that there is a vote—*[Interruption.]* Does the hon. Gentleman want to intervene?

Mr. Skinner: I am not allowed to on a ten-minute Bill.

Mr. Forth: What a pity—I wish the hon. Gentleman could.

It surely cannot be right that the House should approve a measure which, however well motivated—and whether or not we all want political correctness in our lives—is utterly impractical.

In effect, the hon. Gentleman is asking that products be labelled in such a way as to inform consumers about their origins, the conditions in which they were made, the labour conditions of those who worked to produce them, and the environmental impact of their production. We already have comprehensive labelling to do with nutritional values. That, I suppose, is of some use to people concerned about their diets. But to expect all this additional information to be labelled on a product, however small the packaging, is patently absurd.

I hope that the House will not begin gesture voting for things that may sound superficially attractive but which are utterly nonsensical and unworkable.

What is worse, after the hon. Gentleman's rant against the wickedness of the multinationals, he seemed to suggest that they could be relied upon to provide the very information that would enable so-called ethical decisions to be made. That strikes me as an interesting proposition: I expect someone I thoroughly distrust to provide information on which I can make an ethical decision.

In other words, this is a well-meaning and well-motivated measure, but I believe it to be naive, ill founded, poorly thought out, impractical and absurd. For those reasons and many others, I hope that the House will reject it.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Vernon Coaker, Mr. John Heppell, Mr. Jonathan Shaw, Mrs. Fiona Jones, Gillian Merron, Liz Blackman, Mr. Paddy Tipping, Mr. Colin Pickthall, Mr. Derek Twigg, Mr. Alan Simpson, Ms Karen Buck and Dr. Nick Palmer.

LABELLING OF PRODUCTS

Mr. Vernon Coaker accordingly presented a Bill to make further provision with respect to the labelling and display of food and goods to assist the consumer in making choices on ethical grounds; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 6 February, and to be printed [Bill 109].

Orders of the Day

Regional Development Agencies Bill

[Relevant document: The First Report of the Environment, Transport and Regional Affairs Committee, Regional Development Agencies (HC 415).]

Order for Second Reading read.

Mr. Deputy Speaker (Mr. Michael Lord): I must inform the House that Madam Speaker has selected the amendment in the name of the Leader of the Opposition. I should also inform the House that Madam Speaker has decided that the 10-minute limit on speeches will apply today for Back Benchers' speeches.

4.45 pm

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): I beg to move, That the Bill be now read a Second time.

One of the commitments that we gave in our manifesto, which the British people overwhelmingly endorsed on 1 May last year, was to address the economic under-performance of the English regions. We promised each English region a strong development agency—agencies that would provide for effective and properly co-ordinated regional economic development, underpin the wider regeneration and enable the English regions to improve their competitiveness.

The Bill provides the means for doing that. The RDAs will play a major part in the future economic success of the United Kingdom. The Bill will give the regions the tools they need.

The success of the United Kingdom in improving its economic performance and its competitiveness depends on the success of all its regions. I can tell the House that, in our regions, there is an overwhelming desire for the opportunity to play a full part in revitalising the nation's economy. We must compete as a nation in the global marketplace, and to do that, all our regions must maximise their potential. That means finding more imaginative ways of tackling the problems they face.

For far too long, the English regions have been disadvantaged compared with Scotland, Wales and Northern Ireland. We need to put all the regions in a position to perform at the level of the best. Many of our regions are performing well below the European average, and that is simply not good enough. Out of the 10 English regions, only two marginally come up to the productive average of the European regions.

Since I became Minister for the Regions in May, I have visited the English regions and initiated a dialogue with the regional stakeholders. During my visits, it was evident to me that the regions are working hard to improve regional performance. Unfortunately, however, the previous Government gave them little support, for the Conservatives do not believe in regional autonomy. They centralised power and denied the regions the opportunity to prosper. They drove policy from the centre, as if the rest of the country did not exist. In effect, they put the regions off the map.

The Tories produced programmes that lacked coherence, particularly at the regional level. They consistently ignored the views and advice of those in the regions, who, after all, are best placed to find the solutions to their own problems.

[Mr. Richard Caborn]

My discussions with people in the regions have shown that now, more then ever, the English regions are looking for a new approach, and for the opportunity to shape their own future.

Sir Teddy Taylor (Rochford and Southend, East): Does the Minister agree that the reason why some regions do less well than others is simply that the European Commission will not permit aid to be given to a considerable part of this country? Southend-on-Sea, for example, was put forward for aid on two separate occasions by the previous Government, but both applications were cancelled by a Commissioner. Does not the Minister think that there is some ground for suspicion by hon. Members that the whole business is part of the exercise in regional government that is being pushed all the way by Brussels?

Mr. Caborn: That may be the hon. Gentleman's opinion, but I do not share it—and I do not think that the people in the regions do, either. They want to address the economic weaknesses in the regions.

We are facing a grave problem in this nation. I repeat that only two out of 10 English regions are approaching the average of the European regions in terms of gross domestic product per capita. If the hon. Gentleman thinks that the problems revolve around a few grants from the European Community, he under-estimates the real problems facing our English regions.

Our discussions with people in the regions have revealed that, more than ever, they wish to play a role in shaping their future. They have responded enthusiastically to our proposals for regional development agencies. For example, our consultation paper received more than 1,500 responses, which universally supported the case for development agencies in England to match those that have worked so successfully over many years in Scotland, Wales and Northern Ireland.

Only last week, the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Wallasey (Angela Eagle), and I visited the regions again, and we found the same enthusiasm for our White Paper proposals. Therefore, I hope that we will hear no nonsense from Opposition Members who seek to contradict the clear message that we are getting from the people of this country. I have seldom seen a more badly drafted reasoned amendment to a Second Reading than that which appears on today's Order Paper.

The people in the regions understand that RDAs will bring real added value to the United Kingdom's economic performance. They will build on the work that has been done at a regional level by local authorities, regional partners and the Government offices for the regions. For the first time, there will be an organisation in each English region that is strong enough and sufficiently broadly based to make a significant difference. The Bill is part of a radical new agenda for the English regions.

Regional policy is one of the Government's top priorities. One of our first acts when we came to government last May was to start to address the regional economic deficit. More generally, we made it clear that we are determined to bring a new dimension to policy making.

We have five guiding principles for taking forward our regional policies. The first is integration. That is at the heart of our proposals for RDAs. RDAs will bring together at the regional level our policies for jobs, growth and social cohesion. We want RDAs to take an integrated approach to all their work across the regions.

That will be particularly important in the case of rural areas. We want rural affairs to be part of the remit of RDAs, because we recognise that they, and the people who live in the countryside, have particular needs. We believe that those needs will be better addressed as part of an integrated regional approach than as a policy apart. That will avoid marginalising rural areas, as occurred under the previous Administration.

Mr. Tim Collins (Westmorland and Lonsdale): As to the importance of rural areas in the future of RDAs, will the Minister require even one of the RDAs to be headquartered in a rural area?

Mr. Caborn: The hon. Gentleman misses the point about devolution of power: it is about devolving power to those who will take the decisions in the regions. It is difficult for the centralist former Conservative Government to comprehend that we trust people in the regions to make decisions for themselves—but we shall try to convince Opposition Members.

Mr. Peter Luff (Mid-Worcestershire): Does the Minister understand that that is precisely what worries hon. Members who represent rural constituencies? We expect those in urban areas to take decisions that favour them, to the detriment of rural areas. If we make positive suggestions for improving the rural dimension of the regional development agencies, will the Minister consider them sympathetically?

Mr. Caborn: The answer is obviously yes. If the Opposition suggest reasoned amendments—I hope that they will not reflect the amendment on today's Order Paper—we shall consider them.

There is tremendous support for RDAs. As I have said, we received 1,500 responses to our consultation paper. The Local Government Association, the National Farmers Union, the Consortium for Rural TECs, the Council for the Protection of Rural England, and Action with Communities in Rural England support the Government's action in bringing the Rural Development Commission into the regional development agencies. All responses to the consultation process have been deposited in the Library; they are on the record. All major organisations that deal with rural affairs support the Government's position on RDAs. We have discussed it with them. My hon. Friend the Under-Secretary of State and I were discussing the matter with people in rural areas throughout the country last week.

The second principle is decentralisation. Regional development agencies are an important first step in decentralising decision making to the English regions. The Government offices were a welcome initiative on the part of the previous Administration, and that we acknowledge, but they are simply arms of Government in the regions. The RDAs will be led by regional people; they will be influenced by and take account of regional interests.

The Government are committed to directly elected regional government in the English regions where there is popular demand for it. That remains our intention for the longer term, as we stated in the Labour party manifesto.

Mr. Eric Forth (Bromley and Chislehurst): Nobody wants it.

Mr. Caborn: Does the hon. Gentleman want to rise to make his point? If what he says is correct, the regions will not be sanctioning what we have stated to be our intention. Our commitment will be with the will of the people in the regions. I understand that it is difficult for Conservative Members to understand consultation and trusting the people. Those concepts are foreign to them, but the Government believe them to be right.

Mr. Forth: In the context of accountability and the people's wishes, what reassurances can the Minister give local authorities, in the light of clauses 24 and 25, which deal with the designation and transfer of planning powers, that there will not be a move away from elected and accountable planning authorities to a quango dealing with important local planning? Surely that in itself would be enough to give rise to a great deal of apprehension among people in the regions and among Opposition Members.

Mr. Caborn: I shall be dealing with that specific point. However, it is not for the right hon. Gentleman to start lecturing the House about the democratic process and development corporations. If he reads the Bill carefully, he will find that all we have done is take the powers that the previous Administration vested in English Partnerships, and put them into the Bill.

As for planning powers, even English Partnerships, which has never used them, would have to receive the sanction of the Secretary of State. The issue would be decided by the House. That is the area of land use planning that we are talking about.

Mr. Forth *indicated dissent.*

Mr. Caborn: The right hon. Gentleman may shake his head, but if he reads the Bill and understands its relationship with English Partnerships, things may become a little clearer to him. As a general principle, I ask him not to lecture us about taking powers from local government.

In the short term, we shall make use of existing democratic structures—voluntary chambers—so that decisions taken by RDAs in the regions reflect regional priorities and are responsive to regional views.

The third principle is regeneration. No one who knows our country—our towns, cities and rural areas—can doubt the continuing need for regeneration. That is not simply physical regeneration, although that is important, but the regeneration of communities, to restore a sense of identity and pride.

Regional development agencies will inherit from Government offices the important role of administering the single regeneration budget challenge fund, or its successor programmes. They will take over the regional regeneration roles of English Partnerships, and the rural regeneration role of the Rural Development Commission. They will thus be well placed to take a coherent view of regeneration at regional level.

Mr. Paddy Tipping (Sherwood): I am delighted that one of the driving forces of RDAs will be the regeneration of inner-city areas. The single regeneration budget will clearly have a role in that. Will my hon. Friend assure me, and those who are striving to bring new investment into inner-city areas, that local partnerships will be formed, and local voices will still be heard? Will he assure me that the SRB will not be driven at regional level, but will meet local needs?

Mr. Caborn: I can give my hon. Friend that absolute assurance. We want to build on the best of the partnerships, but within a strategic framework. It has been made clear to us by all stakeholders in the 1,500 responses that in the past we have been trying to carry out regeneration in a strategic vacuum. There has been no overview. Indeed, money has been wasted that could have been targeted.

My hon. Friend knows the coalfield communities extremely well, and he will be aware of the initiative that my right hon. Friend the Deputy Prime Minister has taken in trying to co-ordinate activities across the areas that have been affected by mine closures. That is one of the areas in which we are trying to take a strategic overview to solve problems. We are trying to achieve that and to bring in partners on a bottom-up process. However, as I said, on regeneration the RDAs will not be able to act alone.

Our fourth and guiding principle is partnership, and it will certainly be a guiding principle of RDAs. There have been some spectacular successes in public-private partnerships in recent years. Co-operation between local authorities, training and enterprise councils, industry, business and voluntary groups has achieved much progress.

We want regional development agencies to build on existing partnerships, and create and foster new alliances too, to make our regions perform better, and to secure better value for money. This will be especially necessary in developing the skills agenda. RDAs will be responsible for developing a regional skills strategy within the regional economic strategy. That will help to ensure that regional economic and labour trends influence decisions about vocational education and training, and provide information to the purchasers and deliverers of education and training in the region.

RDAs will be pivotal in highlighting problems, and co-ordinating efforts to address them, but they will be able to do this successfully only with the involvement and co-operation of regional partners—in particular, the TECs and those involved in further and higher education.

Partnership will be the key to success in tackling the skills agenda. The announcement today by the British Chambers of Commerce clearly shows that we need such organisations to address the skills shortages that it predicts.

Last, but by no means least, is the objective of sustainability. Sustainable development must be a key objective of all our policies. One of the RDAs' five core objectives will be to contribute to the achievement of sustainable development in the United Kingdom. RDAs

[Mr. Caborn]

will need to demonstrate in their strategies what they are doing to contribute to sustainable development, and in encouraging others to do so. They will need to demonstrate in their day-to-day work that they are making a real contribution.

Against that background, a Bill to establish regional development agencies was included in the Queen's Speech. Following a major consultation exercise last summer, we published last month the White Paper "Building Partnerships for Prosperity", which set out a bold agenda for devolving decision making from the centre to new bodies in the regions. Our aim is that these new "agencies for change" in England will match the success of the Scottish, Welsh and Northern Ireland agencies.

We will not impose a single blueprint on the English regions. The previous Government tried the prescriptive route, and it did not work; it just created resentment and fruitless competition between the different players. We want to set the scene for an approach that builds on partnership and co-operation. The Bill provides a framework within which we can reflect the particular needs of individual regions, but our core objective is for the agencies to bring together a wide range of functions that are presently carried out by separate and diverse bodies.

The main purpose of RDAs is to address the economic deficit that has bedevilled the English regions for many years. That is the first priority in our regional agenda, and the Bill reflects that. It sets the legislative framework for setting up the agencies as non-departmental public bodies. RDAs will be funded for the most part from public funds, and they will be accountable to Ministers and to Parliament for their actions. It will be the responsibility of Ministers to approve RDA business plans and ensure that they conduct their business with propriety.

We want RDAs to be properly accountable to their regions, too, and the Bill makes provision for that. Consistent with our manifesto, it provides a mechanism for building on the voluntary chambers that local authorities and their regional partners have begun to develop. Specifically, clause 8 enables the Secretary of State to designate a regional chamber as the focus for regional consultation about the work of an RDA. Clause 18 allows the Secretary of State to direct RDAs to give an account of themselves to regional chambers, where they exist.

Voluntary chambers will therefore have a tangible and important role in the work of RDAs, and a real stake in ensuring that their work reflects the needs of the whole region.

I should say a word about London in particular. The Bill provides for a development agency for the capital, but, as the House knows, we aim to have a new strategic authority for London. Subject to the outcome of the London referendum, which we hope will take place in May, the relationship between the new authority and the London RDA will need to reflect the responsibilities of the new authority in London, and of the mayor, for economic development matters.

Our detailed proposals for the London development agency will be set out in the White Paper on London government, which we intend to publish before Easter.

Let me deal briefly with the remaining provisions of the Bill. Part I provides for us to establish the nine regional development agencies whose areas will correspond with those of the Government offices for the regions. The one difference is that there will be one RDA for the north-west, which will include Merseyside.

Clause 2 provides for the membership of the agencies. We envisage appointing 12 members to each board, although we could appoint up to 15. The boards will be business-led; they will also include people with experience and expertise from local government and further and higher education, as well as from trade unions, rural interests and the voluntary sector. The Secretary of State will be required to consult interested parties before making appointments.

The key criterion for membership will be experience relevant to the RDA's purpose. There will be no political fixers. Let me repeat that: the key criterion for membership will be experience relevant to the RDA's purposes.

Clause 4—not the original clause IV!—establishes RDAs as corporate bodies with five key purposes. Those purposes are to further the economic development and regeneration of their areas, to promote business efficiency, investment and competitiveness, to promote employment, to enhance the development and application of skills, and to contribute to the achievement of sustainable development. The clause specifically provides that a regional development agency's objectives will apply equally to rural and non-rural areas. That underlines the need for RDAs to take a coherent, integrated approach to their work, and recognises the interdependence of town and country.

RDAs will be specifically required by clause 7 to formulate regional strategies and keep them under review. Our aim is for those strategies to reflect a partnership approach involving all the region's stakeholders—as well as Government—in order to provide, in time, the framework for all relevant decision-making at regional level.

Mr. Andrew F. Bennett (Denton and Reddish): My hon. Friend will know of the Select Committee report, and, in particular, the concern about how the TECs will fit into the framework. Will he confirm that, as he told us when we were making our inquiries, he hopes that the process will evolve towards a point at which the TECs will be accountable to the new regional set-up?

Mr. Caborn: Yes. I have said very clearly that, under the Bill as it stands, the TECs will be part of the development of the skills strategy. Responsibility for the skills strategy for the regions will rest with the RDAs: that is clear, it is understood, and it was spelled out both in the White Paper and in what I said in my evidence to the Select Committee. The RDAs will be the lead organisations in regard to the skills strategy for their regions. They will also go further: as I said earlier, they will co-ordinate the strategy with further and higher education.

Clause 6 enables Ministers to delegate functions to RDAs—for example, the administration of the single regeneration budget funds. Part I also replicates for RDAs the statutory powers and duties of the Urban Regeneration Agency—for those who do not recognise the name, it is

now called English Partnerships—so that RDAs can take on the regional regeneration role of EP, which the last Administration put on the statute book.

We intend all EP's roles and functions to move in due course to the RDAs, which will themselves work in co-operation on issues that are cross-regional, and for which there is advantage in a combined approach. Meanwhile, EP's highly effective national capability and expertise will be retained in order to allow national projects such as the regeneration of the Greenwich peninsula and the coalfields initiative to continue.

Part II provides for the Rural Development Commission and EP to make schemes for transferring property, rights and liabilities to the RDAs. Part III contains general and technical provisions.

Mr. Barry Sheerman (Huddersfield): Will my hon. Friend emphasise what I know to be the truth, that the very good staff of English Partnerships, who have been so innovative, will have jobs in the new RDAs? Many hon. Members feel strongly that English Partnerships' staff have made a great contribution to the regions in which they work.

Mr. Caborn: I thank my hon. Friend for raising that issue. Last week, the Under-Secretary of State, and I went around the English regions and met the staff of English Partnerships and the Rural Development Commission. There is obviously uncertainty at a time of change, but they have been reassured—*[Interruption.]* Does the hon. Member for South Suffolk (Mr. Yeo) want to make a comment?

Mr. Tim Yeo (South Suffolk): There is no uncertainty about what you have done to the Rural Development Commission. You have taken away—*[Interruption.]*

Mr. Deputy Speaker: Order. I do not have responsibility for such matters.

Mr. Yeo: I only wish you did, Mr. Deputy Speaker.

The Minister referred to the Rural Development Commission, but the House knows that it has been completely dismembered, because his Department has failed to get a single penny of any other Department's budget into the RDAs. He has had to take away from the highly successful, well-respected Rural Development Commission its rural regeneration budget, which covers more than half its total programme. To add insult to injury, the Secretary of State—who I notice is not present—delivered, in extraordinarily ungracious terms, an unwarranted attack on the outgoing chairman, who resigned in protest at what has happened to his agency.

Mr. Caborn: I invite the hon. Gentleman to get out of London for a change and visit the English regions. He should speak to the staff of the Rural Development Commission, as we did last week. It would be a good idea if you went back to your constituency occasionally.

Mr. Deputy Speaker: Order. It is important to remind hon. Members to use the correct parliamentary language.

Mr. Caborn: I hope that the hon. Gentleman will go back to his constituency and discuss the matter with members of the Rural Development Commission, as my hon. Friend and I did last week. There is tremendous excitement about the development of a coherent strategy to replace the dog's breakfast that was left by the previous Administration.

Mr. David Ruffley (Bury St. Edmunds): The Rural Development Commission office for East Anglia is located in Bury St. Edmunds, and I spoke on the telephone to managers there this very morning. Although they did not discuss the merits of the Bill in policy terms, they expressed grave concern about their jobs. They are worried, because they have heard nothing about their future, whether it be with the RDA or on the dole. I should be grateful if the Minister would give some comfort to my constituents to whom I spoke this morning.

Mr. Caborn: More than that, I shall inquire immediately as to why those people were not contacted when we made our regional visit. We asked specifically for staff of the Rural Development Commission and English Partnerships to meet us as we went around the country. I shall ensure that they are contacted, and I shall find out why they were not given an invitation to the meetings that were organised last week.

Since we published our White Paper, the Select Committee on the Environment, Transport and Regional Affairs has carried out an inquiry into RDAs, and its report was published earlier this week. We are grateful for the work that the Committee has done in the short time available. We shall consider its conclusions and recommendations carefully.

That report will provide a useful background to the debate on the Bill. It was difficult for the Committee to complete its work in the short time available, but I hope that, like me, it feels that its inquiry was useful. The report will be helpful to the Government as we take the policy forward.

The debate will continue in the weeks ahead, but, as it gets under way, I stress that no one is more enthusiastic than I am for RDAs, except, perhaps, the Secretary of State for the Environment, Transport and the Regions. *[Interruption.]* Quite honestly, Conservative Members should have paid more attention to what the Labour party was doing in the past few years. That would have been instructive, because they would have realised that my right hon. Friend was the author of a number of documents on regional devolution, and has an honourable record. Indeed, he set up the Millan commission. His record is there for all to see. He is an enthusiast for devolution, and especially for RDAs. He presented the White Paper a few weeks ago, and was questioned by Conservative Members. He gave a full and frank explanation of the Government's position on the devolution of power. The Bill comes out of that White Paper, and was supported in consultations throughout the country.

We must be realistic about what we ask RDAs to do. They will be new bodies, and will have much to do to establish themselves and to develop their work programmes. In time, as their experience develops, there will be scope to extend their role, and the Bill allows us to delegate further functions without the need for additional legislation. For the time being at least, the package that we propose in the Bill strikes the right balance and provides the right critical mass.

[Mr. Caborn]

The Bill is an important first step in our regional agenda for England. Our vision is for the English regions to grow and prosper alongside Scotland, Wales and Northern Ireland, and within the European Union. For years, we have been dogged by a lack of co-ordination in the regions. Programmes did not work to the same goals, inward investment was lost through lack of co-ordination, and indigenous industries and small and medium-sized firms lost out because of the lack of a regional strategic approach.

The basic purpose of this exercise is to create sustainable growth and to improve our wealth-creating base in the regions: we want to bake a bigger cake. We must deal with the structural and cultural barriers to business success, and address the under-performance of the regions that we inherited from the previous Administration.

The so-called cohesion gap between the best and the rest in Europe is already widening. European monetary union and enlargement towards the east will require our regions to run a lot faster to compete with France, Germany and others.

The Bill will ensure that the United Kingdom has 12 strong development agencies. They will be economic powerhouses, and will work for the success of the whole of the United Kingdom. This country will, for the first time, be firing on all 12 cylinders, not just two.

5.16 pm

Sir Norman Fowler (Sutton Coldfield): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House declines to give a Second Reading to the Regional Development Agencies Bill because it deplores the enormous increase in ministerial power bestowed by this Bill and the accompanying erosion of the role of local authorities and because the Bill fails to reflect the concern expressed by many consultees, including local authorities of all political persuasions, about the lack of regional accountability of RDAs; regrets that policies which have successfully attracted record levels of inward investment into Britain are now being abandoned; fears that the interests of the rural community and the countryside have not been properly taken into account; and calls on the Government to withdraw this Bill until its true long-term plans for the creation of a new and additional tier of government in the form of regional assemblies have been clearly set out in detail for debate by the House and by the public. "

I shall be brief, given the truncated nature of the debate. I agree with the Minister for the Regions, Regeneration and Planning on one issue: the importance and vitality of the regions in England. My constituency is in the west midlands, which has the twin traditions of industrial and commercial power, and the tradition of strong local government going back to the Chamberlains. Those two forces—the strength of industry and commerce and the vital part played by accountable local government—govern my attitude to this proposal.

I need no persuasion of the suspicion in the regions that too much decision making is centred in London. I need no persuasion of the resentment in the regions that too many great national events are staged in London. I was an opponent of the Greenwich dome even before the Minister without Portfolio was put in charge of it. I need no persuasion that the continued development of the regions, such as the west midlands, is crucial.

A belief in the regions and their continued development does not automatically and by definition lead to support for the policy now being proposed by the Government, of which regional development agencies are but one part. For the Government to win support for RDAs, they must establish that the proposed organisations are necessary for the economic development of the regions. More than that, they must explain why those bodies will be unaccountable to the people whom they are supposed to serve. If regional government is their aim, why have the Government not set out their plans clearly? The House and the public have only one part of a picture that goes far beyond economic development.

Mr. Caborn: I remind the right hon. Gentleman of the response from his area to our consultation document. The response was from the West Midlands Regional Economic Consortium and its partners, which include the CBI and chambers of commerce—all the other major actors on the economic stage. It states that the consortium and its partners

"support the Government's proposals for the introduction of Regional Development Agencies . . . The West Midlands Regional Economic Consortium and regional partners see the introduction of the RDAs as a major opportunity to strengthen the regional competitive position in the global economy and, with this, address many of the social problems that exist in the West Midlands."

Sir Norman Fowler: The Minister does not believe—and certainly no one in the west midlands believes—that the organisation to which he refers remotely speaks for the west midlands. To suggest otherwise is nonsense. It is elected people such as councillors and hon. Members who speak for the area.

Beyond the issue of regional economic development, which is the Bill's stated purpose, we should recognise what has been achieved over the past 20 years. The Minister skated over that and at the end of his speech spoke about the inward investment that has been lost to this country. Under the previous Conservative Government, there was record inward investment, creating new jobs and new industries and leading to major exports. I shall describe that record not in the words of that Conservative Government, but in the words of the White Paper, which states on page 30:

"The cumulative value of foreign direct investment into the UK has risen from 28 billion dollars in 1975 to over 344 billion dollars in 1996. The United Kingdom receives the largest share of foreign direct investment in the European Union, including about 40 per cent. of United States and Japanese overseas investment. In manufacturing, foreign direct investment accounts for 18 per cent. of employment, 32 per cent. of capital spending and 40 per cent. of United Kingdom exports. Over the last decade foreign direct investment has not only created over 600,000 jobs but has helped to develop and modernise the industrial base."

That is the true record of the previous Conservative Government, and it is in the White Paper.

I shall put it another way. It is estimated that between 1979 and now, 172,000 jobs were created or safeguarded in the west midlands. The figure for the north-west is 92,000 jobs, for the north-east is 84,000 jobs, and for the south-west is nearly 40,000 jobs. In securing foreign inward investment, Britain has not been the laggard in Europe but the European leader, and that investment has brought employment and development to every English region. There is nothing in the record for which Conservatives need to apologise and everything to suggest

that the sort of organisation and structure that we set up have been remarkably successful in producing economic development and jobs in the English regions.

Mr. Sheerman: I spoke in Birmingham council house on Thursday, and the uniform picture that I got from local business, from the chamber of commerce and from elected representatives such as those from the European Parliament, the House and local authorities was that the past 18 years had been a disaster not only for the west midlands but for all the English regions. Since 1979, compared with the average in Europe, we have slumped down the competition league as regards the average wealth of our citizens in all the regions that the right hon. Gentleman can name.

Sir Norman Fowler: It is plain that the hon. Gentleman is totally unaware of what has happened in the west.

Mr. Bob Blizzard (Waveney): Will the right hon. Gentleman give way?

Sir Norman Fowler: I should like to reply to the intervention before I give way again.

The characteristic industry in the west midlands is the motor industry, which is experiencing record exports. We turned round companies such as Rover, which were brought to their knees by the last Labour Government because of appalling industrial relations. The hon. Gentleman should speak to people in Derby and in the east midlands about Toyota's investment and to people in the north-east about that of Nissan. The hon. Gentleman shows blind prejudice. More than that, he shows a total ignorance of what has taken place over the past 20 years.

Mr. Sheerman *rose—*

Sir Norman Fowler: I shall not give way again.

Conservatives do not need to apologise for anything. What was achieved was a remarkable revolution that was recognised by most industrialists in the west midlands to whom the hon. Gentleman has been speaking.

It is anything but clear that the English regions will be improved by the new development agencies. What is there to suggest that there will be an improvement? It is anything but clear that England will be better served by nine competing regional development agencies, each seeking to sell its own region and, of course, comparing unfavourably any competing region. It is anything but clear that the creation of nine new development agencies, each with its bureaucracy of a chairman, a deputy chairman, board members, a chief executive and executive directors and staff, doubtless each with his own office in Brussels, will help England overall to attract new investment.

At its mildest, the case is not proven. We shall carefully monitor the success of the new agencies and compare it with the kind of success that was achieved in the past by bodies such as English Partnerships.

Mrs. Louise Ellman (Liverpool, Riverside): Is the right hon. Gentleman aware that the Bill is as much about supporting existing businesses in the regions as it is about attracting new ones? That is why the Bill contains provisions for investment, for the development of property, premises and training. Is he further aware that the CBI in a letter to hon. Members within the past few days states:

"Second Reading of the Regional Development Agencies Bill takes place next week. This is an issue on which the CBI supports the Government's overall proposals for RDAs believing they can make an important contribution to enhancing the UK's growth and competitiveness."

Was the right hon. Gentleman not aware of that statement from the national CBI?

Sir Norman Fowler: I am sorry that the hon. Lady is obviously used to getting her instructions from organisations and not using her own judgment. Hon. Members are here to take an independent view. I shall come to the issue of consultation. The hon. Lady's argument is deeply unattractive. She says that one organisation supports the proposals so all hon. Members should immediately fall in behind that organisation. Of course that is exactly the way that the Labour party has gone, but it is not the way that Conservatives do things.

Mr. Blizzard: Will the right hon. Gentleman give way?

Sir Norman Fowler: No, I will not.

I come directly to the hon. Lady's point. The Government say that the consultation has shown overwhelming public support throughout the country for the agencies. They do not speak just about the CBI. We should be frank on these matters. The consultation was probably the most invisible process of all time. It was based on what was without doubt the flimsiest document that has ever been produced by any Government including this one. The document on which they consulted is precisely four pages long—I could almost read it out now. It was copied at the Department for the Environment, Transport and the Regions, but it left many of those lucky enough to get a copy in some bewilderment.

The hon. Lady referred to the CBI, but Ruth Lea, the head of the policy unit at the Institute of Directors—

Mr. Caborn: It was a qualified response.

Sir Norman Fowler: I see, we can quote only one organisation. I shall read Ruth Lea's response to the consultation as I do not think the Minister ever reads such responses, but only one or two headlines that are drawn to his attention. She said:

"I ought to say that we did have some difficulty in responding to the document because it was about issues for discussion as opposed to the usual type of consultation document which as you know comprises fairly well focused proposals."

In other words, the proposals set out were not remotely focused.

In the end, out of the 40 million people living in the English regions, only 1,500 responded.

Mr. Caborn *rose—*

Sir Norman Fowler: I shall put my argument and then the Minister can respond.

[Sir Norman Fowler]

Very few responses came from members of the public. I suspect that not as many as one person in 1,000 in England knows that there has been a consultation on regional development agencies. The responses have come predominantly from organisations of one sort or another, virtually all of which suffer from one defect. Whatever criticisms they had, in the final analysis—and here the Minister is right—those criticisms would always be qualified, for the very good reason that if RDAs were going to be set up, most of the respondents wanted to sit on the new boards. As the White Paper suggests, many of the responses were no more than collective job applications. I do not decry that. The Government have a massive majority and they will doubtless get their legislation through. The RDAs will be set up and there will be competition to sit around the boards' tables. If it is the only game in town provided by the Government, organisations will not want to be excluded.

Yet even in the muted consultation process, rather more criticisms have been made than is evident in the words of the copy writers who put together the White Paper text. Central to that criticism is the lack of accountability of the new agencies and the erosion of the power of local authorities.

Mr. Caborn: The right hon. Gentleman mentioned the IOD. Mr. Tim Melville-Ross came to my office to have a wide discussion—

Sir Norman Fowler: He wants to be on a board.

Mr. Caborn: He does not—he said that he did not want to be on the board. He said that now that the IOD understood what the RDAs were about, it would support the proposal—*[Interruption.]* If the right hon. Gentleman wants a note of the meeting, I can make that available to him. It does the Opposition no credit to make disparaging remarks about every major actor on the economic stage and say that they entered consultations in the manner that he suggested. They are responsible organisations that responded positively to a genuine Government consultation process. I do not think that 1,500 responses should be disparaged.

Sir Norman Fowler: I am quoting from the Government's White Paper. On page 49, paragraph 10.6, it says:

"The consultation process gave rise to many calls for individual interest groups to be represented on the boards of RDAs. It is quite clear that, even with boards much larger than those being proposed, there would always be too few seats to represent all such interest groups separately."

Those words are in the Minister's White Paper, just as the words I quoted previously on inward investment were in his White Paper.

I remind the House of what the Prime Minister said when he was Leader of the Opposition:

"We need to roll back the tide of quangos and to have a revival of proper democratic local government."

In Government, the reality is very different. RDAs represent the most powerful quangos ever seen in this country. Board members will be appointed by Ministers—they will be creatures of Whitehall, unaccountable to the local public. None of the board members will be directly elected. Only a third of the board will be councillors, but—this is an extraordinary provision—they will be able to remain on the board even if they are voted out of office as a direct protest against the action of the RDAs.

Mr. Hilton Dawson (Lancaster and Wyre): Will the right hon. Gentleman give way?

Sir Norman Fowler: I will not, if the hon. Gentleman does not mind.

It is that lack of accountability that runs through so many of the responses to the consultation process. As the Minister rightly said, the responses are set out. The City of Sunderland council said:

"The city council would like to point out that when in opposition the Labour party attacked the democratic deficit proposed by the creation of quangos at regional and local levels which were not accountable to local democratically elected local authorities."

Sheffield council—the Minister's council—said:

"It is imperative that RDAs are democratically accountable within their region."

Kingston upon Hull council said, on the issue of democratic accountability:

"It is crucial to the operation of RDAs if they are not to become just another quango."

Mr. Blizzard *rose—*

Sir Norman Fowler: No, I will not give way.

What should really concern local authorities is that the establishment of RDAs marks the start of a transfer of power away from elected local councils.

Mr. Forth: Including planning.

Sir Norman Fowler: I take my right hon. Friend's point about planning. The Bill contains powers for the Secretary of State and the RDAs together to exercise powers of compulsory purchase and to designate areas that they want developed. That point was put into a letter, on 9 January, to the Department from the chief executive of Bromley council. He referred to sections 24 to 27 relating to designation orders and said:

"In such circumstances, therefore, planning powers would be handed over to RDAs which are unelected appointed bodies."

The House should be concerned about that.

The House should also be concerned about the evidence showing how such powers have already been exercised by the Government. As it happens, that sort of development is being forced through on green-belt land on the edge of Birmingham in my constituency. In precis—I want to return to the issue more fully on another occasion—the existing West Midlands development agency applied for planning permission to develop 150 acres of green-belt land under active farming. It wanted the land for industrial use. In fact, the land is owned by Birmingham city council, which will receive a substantial capital settlement for the site.

The proposal was very hard fought locally. I, among others, appeared before the public inquiry and opposed it. We were faced with legal teams, headed by Queen's Counsel, from the agency and from Birmingham council. Nevertheless, we won our case with the inspector. The

report was with the then Department of the Environment on the day the Government took office on 1 May—but by some oversight, the issue was not decided until a week after the House went into recess in August. Then, on a Friday, the Minister announced that the Government had overruled the inspector and that the development of agricultural land for industrial use would go ahead. According to my recollection that has been the only speculative application affecting green-belt land in which an inspector's report has been overruled in recent years.

I therefore tell hon. Members that they need not speculate about what will happen. Given the Government's position, if regional development agencies decide that sites are required in green-belt land for industrial development, nothing will prevent those sites from being developed, for the good reason that the Secretary of State is the final arbiter of those issues.

Mr. Caborn: The powers in the Bill were vested by the previous Administration in English Partnerships, and the Bill simply moves those powers to the regional development agencies. The right hon. Gentleman knows as well as I do that, before any action can be taken on land acquisition or an application for compulsory purchase, the matter will have to return to the House via the Secretary of State. It would be wrong to infer that the Bill does not contain that protection.

Sir Norman Fowler: Is it not typical that, although the hon. Gentleman presumably listened to what I said, he absolutely failed to answer the point? The point is—

Mr. Caborn: It is irrelevant.

Sir Norman Fowler: The point is not irrelevant. It shows just what the Government will do. It shows that, even when a public inquiry finds for local people—*[Interruption.]* The Minister tells me not to get excited, but I do get excited about it. He took one of the most disgraceful actions that I have seen in my 25 years in the House. Therefore, I get excited, and I deplore what he has done. I warn the House and the public that, under the Government, the green belt is not safe from industrial development. If the Minister had the courage, I wonder why he left making his announcement until the first week of August, after the start of the summer recess?

Mr. Caborn: If the shadow Secretary of State wants to raise the issue of a specific green-belt application, he has every right to do so. However, he is doing it in the wrong place. The Government are transferring powers to the RDAs that the previous Administration bestowed on English Partnerships. The point that he is raising cannot be dealt with by the Bill. He is making a spurious and personal constituency point, and he is taking the opportunity to do so from the Opposition Front Bench. This debate is on the Regional Development Agencies Bill, and his point should be made in another debate.

Sir Norman Fowler: The point is not remotely spurious. It establishes a case of a development agency applying; it establishes a case of a council that owns the land; and, above all, it establishes the Government's attitude. As for the Bill, the point undoubtedly establishes that the Government will take no notice of the public, and that Ministers could not care less about accountability to the British public. The Minister has failed completely to answer the case that I have put.

Sir John Stanley (Tonbridge and Malling): Does my right hon. Friend agree that the point made by the Minister is spurious? Although the powers under the English Partnerships legislation may parallel the powers given in the Bill to the RDAs, the ambit of the English Partnerships powers is completely different from that in the Bill. This Bill, and this Bill alone, applies those powers to every square inch of England.

Sir Norman Fowler: I agree with my right hon. Friend, who has tremendous experience in this subject. In all conscience, I tell him—as I am sure hon. Members on both sides of the House will appreciate—that, because of the Minister's lack of response, we will develop the issues further, both in Committee and on the Floor of the House.

Some advocates of development agencies say that all the issues of accountability will be solved once there are either statutory regional chambers or, even better, regional government, but that is not the answer. The better course is not even to establish the RDAs. What is significant is the chronic confusion at the centre of government on the issues.

On 3 July 1997, the *Local Government Chronicle* reported that the Minister himself was urging councils to lobby the Government for statutory regional chambers to hold the regional development agencies to account. A chief executive who attended a meeting with the Minister was reported as saying:

"He is very keen for statutorily based chambers rather than voluntary ones and wants everyone to say this in the consultation."

A meeting in September between representatives of the Local Government Association and two members of the No. 10 policy unit revealed that the message from Downing street was slightly different. The No. 10 line was that regional governance was not on the agenda, and that a "minimalist" outcome was desired. In that debate with No. 10, the Minister, for some unaccountable reason, found himself to be the loser. There are therefore no statutory regional chambers, although there are lots of comforting words about trains coming along later.

The position on regional government for England is even more unsatisfactory. The definitive position—if it can be so described—is stated by the Deputy Prime Minister in the introduction to the White Paper. He states:

"The Government are committed to move to directly-elected regional Government in England, where there is demand for it, alongside devolution in Scotland and Wales and the creation of the Greater London Authority. But we are not in the business of imposing it."

What does that mean? First, it means that no regional government proposals will be made in this parliamentary Session. Therefore, any structure that the House approves today will be unchecked for as long as this Parliament continues. The only promise is that, if the Government remain the Government, they want to introduce regional government on a step-by-step basis.

How can that work? If regional government assemblies are established, they must have powers. Where will those powers come from? If they come from central Government, what will happen in areas where there is no demand for regional government? Will the powers be

[Sir Norman Fowler]

given to existing local authorities? Despite those inconsistencies, that is the path that the Government have deliberately chosen to take.

In his December interview with *The Scotsman*, the Minister was quite frank. He said, "We are managing transition." That transition is to regional assemblies and to regional government. Undoubtedly that is fine for those who support an England broken into regional assemblies. However, many more people do not want regional government, prefer a solution based on the existing structure of Westminster and local government, and reject the slide to regional government.

The Bill does not deserve support on its own terms. I do not believe that it will lead to increased inward investment, and there is a real danger that it will lead to a reduction in such investment. The Bill is not an exercise in devolution. It establishes ministerially appointed quangos, which, only a few months ago, the Labour party said were quite unacceptable. Even supporters of regional governance might think twice before supporting the creation of bodies that are unaccountable and show every prospect of being unsuccessful.

I believe even less that the Bill deserves support as part of a step-by-step process to regional government in England. The Government evidently want regional government, but Ministers and No. 10 Downing street know that, if they had a referendum on that proposition, they would lose. The public would reject the proposition. They have therefore come up with a half-baked proposal which is that, at some undefined stage in the future, if they are re-elected, they will introduce legislation that will introduce regional government to some parts of the country but not to others.

The proposals are not policies for the development of the English regions. Constitutionally they are objectionable; economically they do not add up; and I believe that the House should reject them.

5.54 pm

Mr. Derek Foster (Bishop Auckland): It is a bit rich for Labour Members to be lectured about taking powers away from local government by the party that emasculated local government over an 18-year period and put it in such a financial straitjacket that it became simply an agent of central Government. The industrial policies of the right hon. Member for Sutton Coldfield (Sir N. Fowler) sounded like an awfully tired trail through the failed policies of the 1980s. They reminded me of what Lord Healey used to say when we used to lose elections: the play was a huge success and the audience was a failure. There was an election in 1997 and some of us want to move on.

The Bill will have wide acclaim throughout the northern region. We have been campaigning for a regional development agency for 25 years. When I was chairman of the North of England development council in 1974, it was painfully obvious that we were at a distinct competitive disadvantage compared with the Scots and the Welsh in respect of inward investment.

The right hon. Gentleman seems to think that we are discussing only inward investment. The regional development agencies have a far wider agenda. We are talking about the regeneration of indigenous industry, the stimulation of small business, and regions trying to sharpen their competitive edge as we approach the 21st century when the information age will be upon us. The right hon. Gentleman's speech sounded like a tired tale and that is how it will appear to the entire country.

When I was chair of the NEDC, I learnt a great deal about economic development from the Washington development corporation. At the time, I was one of the lonely individuals in the Labour party who sought the transfer of new town development corporation powers to solve the urban regeneration problems; I was in favour of urban development corporations. In my view, the Tyne and Wear urban development corporation has been a great success. The Government are combining the powers of the existing agencies for inward investment with those of the urban development corporations and locating them on a regional basis.

In the north, we have a successful inward investment agency—the Northern Development Company. It was the successor to the body that I chaired and it has operated for a decade. It was set up on a tripartite basis with equal representation of the trade unions, the local authorities and business. It has enjoyed the support of the entire region throughout a decade of successful operation. It is a little sad that an organisation that was set up on a tripartite basis will be succeeded by an organisation with diluted trade union representation. My colleagues, Joe Mills, Tom Burlison—now in another place—and Bob Howard, the regional secretary of the TUC, worked extremely hard to make the NDC a success. The northern region could have had extra trade union representation, but I would not go to the wall over that.

For the entire 25 years that I have been involved in regional politics, Cumbria has been included in the northern region. I know that this is a sensitive issue—I shall not dwell on it—but we believe that Cumbria should remain in the northern region. We know that it will not happen immediately, but we shall return to the matter because most of the people in Cumbria want to belong to the northern region and not to the north-west, although that is not a universally held view.

I represent 600 sq miles of rural territory. The Rural Development Commission was a very successful organisation and I want to add my compliments to its effectiveness during the 70-odd years of its existence. Factories in Barnard Castle, Middleton in Teesdale, Evenwood, Cockfield and other parts of my constituency would not have existed without the far-sighted policies of the Rural Development Commission.

I hope that my hon. Friends have got it right and that they will ensure that in what will be an urban-dominated body—dominated by urban business people, urban local authority representatives and perhaps even urban academics and trade unionists—the interests of the rural areas will not lose focus.

As my hon. Friend the Minister said, there is a huge opportunity to integrate urban and rural policy. I look forward to that happening and, to that end, consideration might be given to the MAFF presence in our region being beefed up and given a locus in the regional office of the north-east. That would ensure that the Government can put some strong advice from a revamped MAFF into the regional development agencies.

I very much enjoyed reading the report of the Select Committee co-chaired by my hon. Friends the Members for Denton and Reddish (Mr. Bennett) and for Crewe and

Nantwich (Mrs. Dunwoody). I fully endorse all their recommendations. We are delighted with the regional development agency, but it deserves additional powers. We are also delighted that the Bill enables additional powers to be provided without the need to return to primary legislation.

In particular, I should like to endorse what my hon. Friend the Minister said about training. I do not think that he repeated in the House what he said in evidence to the Select Committee. We are bidding for a model rather like Scottish Enterprise where the training and enterprise councils or local enterprise companies in Scotland are overseen by the development agency which monitors their activities. I would advocate such a model and I hope that my hon. Friend will look favourably it as the policies develop.

It is just as important to co-ordinate the response of further and higher education to regional regeneration. Some universities in the north already make an outstanding contribution in that respect and I hope that they will continue to be encouraged in that role. I am envious of the 30,000 jobs at Cambridge university that resulted from the involvement of higher education in information technology. I hope that institutions in the northern region will enjoy such development over a period of time.

The structures of devolution are of secondary importance. Devolution is about releasing the skills, energies, commitment and creativity of the people of the regions. It has always been wrong that the man or woman in Whitehall knows best. I have held that view in great contempt although it originated from a Labour Cabinet Minister all those years ago. There is a great deal of wisdom in the regions and it is the business of Government to release that skill and talent.

These days, government is not about controlling: it is about enabling, facilitating and empowering. We want the regional development agencies to release all the skill and talent in business, universities, further education, local government and communities and galvanise it so that people themselves can renew their communities and regions. If we succeed in doing that—I dearly hope that we shall—the Bill will be the huge success that my hon. Friend the Minister and my right hon. Friend the Deputy Prime Minister wish and which all Labour Members look forward to.

6 pm

Sir John Stanley (Tonbridge and Malling): The Minister for the Regions, Regeneration and Planning and I have at least one thing in common, which he and I may find deeply amazing: we both became Ministers of State at the Department of the Environment shortly after a change of government. In the light of his comments about what he inherited, I mention to him that in 1979 I took a helicopter flight from Tower bridge virtually down to the Thames estuary. The vista from the air, which could never be fully appreciated from the ground, was mile upon mile of dereliction, emptiness and inactivity.

Less than 20 years later, the view from that same helicopter journey is the most staggering visual transformation. It is probably the most staggering transformation that has taken place in any urban area anywhere in western Europe. For that, enormous credit is due to the London Docklands development corporation and the previous Government, who created it.

I mention the London docklands not to make a party political point but to say that as someone who was responsible for the new town development corporations in England for four years, and from my experience in Northern Ireland of the excellent work of the Industrial Development Board there, I need no persuading that the setting up of development corporations and agencies, even on the basis set out in the Bill, is justified and can turn out to be a proven success where they have a limited job to do in a limited area. I am in no doubt about that.

My difficulty with the Bill is the Government's quantum jump from the proposition that it is valid and effective to create such bodies to the proposal that they should be imposed on the whole of the territory of England, which is the effect of the Bill. There may be parts of the regions of England in which hon. Members feel that such bodies are justified. As a Member from a south-east constituency, I feel that development agencies are least justified in the south-east, which for the purposes of the Bill excludes London. It is nonsense to suggest that an organisation that covers the area from my coastal county of Kent to as far west as Oxfordshire and from the Isle of Wight to Milton Keynes has some commonality of development and planning requirements.

Mr. Brian White (Milton Keynes, North-East): Will the right hon. Gentleman give way?

Sir John Stanley: I shall not give way, if the hon. Gentleman does not mind, in view of the shortage of time.

The Bill rests on a fundamentally false premise. The Government cannot be justified in taking such powers over the length and breadth of England unless they can demonstrate that the development and planning process was a failure, not only in specified areas but throughout England. I do not believe that that is demonstrable. I can speak only from my constituency and county experience. In my constituency, I have at Kings Hill one of the most important high-tech industrial park developments anywhere in western Europe. That has been achieved entirely without a regional development agency by the normal commercial process and the democratic planning system. I believe that that experience is true of the greater part of England.

The Bill takes enormous powers on the premise that the existing industrial development system and democratic planning process has failed throughout England. I simply do not believe that that premise is sustainable.

I have three specific, deep concerns about the Bill. Previously, where compulsory purchase powers and powers to override the normal democratic elected planning authorities have been taken, as they were in the new towns legislation by the post-war Labour Government and in the urban development corporation legislation by the previous Conservative Government, the bodies involved had a finite life. The bodies set up by the Bill are permanent. It is not justifiable to take such powers for a body which under statute will be permanent.

[Sir John Stanley]

Let us consider the ambit of the combination of compulsory purchase powers and designated area order-making powers given to the Secretary of State. They are powers of the most enormous geographical width. They extend through the whole of England. Indeed, no other legislation in the post-war period has given such wide powers to the Secretary of State to override and supplant the democratic planning process. That is the reality. The powers are given not merely on a wide geographical basis but with the maximum discretion as to how they can be used.

The House will be aware that in legislation the phrase

"in the opinion of the Secretary of State"

should always set the alarm bells going. *[Interruption.]* I fully acknowledge that the phrase is used by Governments of both parties. Clause 24—the critical clause on designation orders—begins:

"This section applies to any part of the area of a regional development agency which, in the opinion of the Secretary of State, is suitable for regeneration or development."

That is a huge discretionary power—the maximum that can be given by the parliamentary draftsman—and it covers the whole of England. I hope that it is clearly understood by hon. Members on both sides of the House and by people outside that the planning suspension powers, which is what they are, will become available not only in every constituency in England but in any part of every constituency.

My remaining point reinforces what my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) said. The protection given to rural areas is inadequate. I should be much less worried about the Bill if, for example, it were limited to urban areas or urban areas plus so-called brown-land areas. It is not. There is no protection against the use of the powers in rural areas. There is no protection against the use of the powers in the green belt. My right hon. Friend gave an alarming illustration of the use of such powers by the Government. There is no protection from the use of the powers in areas of outstanding natural beauty or national parks. That is not acceptable.

There is a significant omission from the Bill. It is having its Second Reading the day after the conclusion of the Second Reading debate on the Scotland Bill. In that debate, the Government failed—as always—to answer the West Lothian question. Their response is to offer the English part of the United Kingdom the mere sop of regionalism. The Scotland Bill contains reserved powers for the new Scottish Parliament to have exclusive legislative control over the main areas of domestic Scottish legislation. Reciprocal reserved powers should be contained in the Regional Development Agencies Bill so that non-Scottish Members of Parliament at Westminster have equal exclusive control over the same domestic legislation governing England and—

Mr. Deputy Speaker: Order. Time is up.

6.10 pm

Mr. Andrew F. Bennett (Denton and Reddish): I am disappointed to note the sour response of the official Opposition in their amendment and in their speeches so far. If they considered the corrosive effect that the rivalry of the past 50 years between Manchester and Liverpool has had on the north-west, they would appreciate that progress is now being made, partly as a result of the Millan commission, partly because of our manifesto commitment and partly because of the way in which discussions have taken place in recent months. There is now a much greater cohesiveness and willingness to act as a region in the area. That is a major triumph.

I congratulate my hon. Friend the Minister for the Regions, Regeneration and Planning on getting the Bill thus far. I should like to refer briefly to the inquiry held by the Environment, Transport and Regional Affairs Committee. The House made it clear when it set up the Modernisation Committee that it wants to improve the way in which it scrutinises legislation. Despite a limited timetable, the Select Committee has tried to look at the Government's proposals. I am grateful to our advisers, Professor Alan Harding, Bob Nicholson and Professor Michael Parkinson for their help, and to all the witnesses who submitted written and oral evidence to the Committee. The Committee itself worked hard for a week to go through that evidence and I believe that we have produced for the House a useful report that will do a lot to inform today's proceedings and the subsequent Standing Committee debates.

It was clear that the Committee was divided on party lines and that it would not be useful for it to look at the principles behind the Bill. Once the Committee had accepted, however, that we were to study the Bill on the basis that it would be introduced come what may, it was surprising to note the unanimity that became evident. We wanted the Bill to do the job well.

We stressed that we wanted the work of the training and enterprise councils, business links, the regional assistance areas and that connected with tourism and further and higher education to be co-ordinated in a single strategy. I stress to my hon. Friend the Minister that I hope that such an approach can evolve. He assured the Committee that that is possible. My one reservation is that if the regional bodies are to evolve, they must have high-calibre staff to start with. It is important that they are able to attract the right calibre of staff and that they understand that the process of evolution will take place.

To the doubters on the Opposition Benches, I recommend the evidence that the Select Committee took from Graham Meadows of the European Commission. He emphasised the way in which other regions in Europe were able to compete within the European framework. It is extremely important that we consider the Bill in that context and appreciate that as long as we are part of Europe, Britain must behave in the most effective way when lobbying to get resources from Brussels. The Bill will do a lot to improve that process.

That is all I have to say about the work of the Select Committee; I should like to spend the rest of my brief speech emphasising a few points. Regional chambers are extremely important, but I recognise the concern expressed by Conservative Members about the danger of a democratic deficit. It is important that when those regional chambers are established, the people appointed to them recognise that they must keep in contact with their constituent organisations, particularly the local authorities, and involve them in discussions. The sooner we can move to the establishment of elected bodies to take over from those chambers, the better.

If we have to wait until the next Parliament for those elected bodies, the House should consider whether it should set up regional Select Committees. It would be extremely difficult for the Environment, Transport and Regional Affairs Committee to examine what is going on in the nine regions. It would be possible, however, for the House to establish a Select Committee for each region, composed of Members from that area, to look at the rate of progress achieved.

Almost all the bodies that operate in the regions claim that they have a regional strategy, but it is no good having a planning strategy to deal with housing and industrial location and others to deal with transport and training. Those responsibilities should be integrated in one regional strategy.

Conservative Members have also expressed fears about competition. I accept that there may be problems as a result of competition between the nine regions and between Scotland, Wales and Northern Ireland. I do not believe, however, that that poses the major problem—the major problem is achieving regeneration within each region. The amount of footloose industry in the world is fairly limited. Some evidence suggests that although such industry can be attracted to a region by good grants and other influences, it stays for a short period only and never becomes a part of the given region. If we are to succeed in our regions, we must ensure that new business are created within them and that new small business can grow. Their growth should not be restricted by a lack of resources.

The Bill is the engine for the regeneration of our regions. I hope that it will reach the statute book soon and that it will be the first stage in the process leading to effective regional government that releases all the energies and excitement that exist in our regions.

6.16 pm

Mr. Nick Harvey (North Devon): I welcome the introduction of a Bill to establish regional development agencies. The Liberal Democrat party has long seen the need for them and we welcome the fact that the Government have introduced them in the context of the wider pattern of devolution to the regions. We hope that that will come about as soon as possible, although we respect the fact that it cannot happen immediately.

The need for strong strategic regional economic players must surely be beyond dispute. Many parts of the country are suffering from an economic deficit, as the Minister has said. My part of the country, the far south-west, which is also represented by many of my hon. Friends, suffers from low income levels, high unemployment and other serious economic problems. To date, the arrangements made to deal with those problems have been incapable of providing an answer.

The creation of strong strategic regional bodies must be a welcome development in trying to improve the economic prospects of regions such as the south-west. To date, confusion has been caused by too many players seeking to create economic development. They have duplicated each other's functions and the bureaucracy that supports them. The need to bring all those functions together so that there is one strong player in each region is beyond reasonable doubt.

If the new bodies are to have the ability to meet the ambitious targets that have been set for them they need the resources to do the job and the powers to go with those resources. My party has certain reservations about that. If the new regional bodies are to compete for inward investment and European grants within an increasingly tough global marketplace—more and more parts of the European Community and beyond have established strong economic marketing operations—they need the wherewithal to do so.

I deplore the fact that the RDAs are not to have at their disposal any new funds, but will simply recycle funds that are available through existing schemes, which are inadequate to the task set before them. We would have preferred the prospect of more grant from central Government. When, in the fulness of time, there are democratic assemblies in the regions, which should have their own tax-raising powers and which may determine that it is a political priority that there should be more work on economic development in their region, we want those bodies to be able to set aside additional funds for the RDAs. Given that they are partnerships that include the private sector, we also want RDAs to be able to go out and raise money on their own account. Unless some or all of those solutions are adopted, I seriously question what the RDAs will be able to do.

There are also confusion and contradictions surrounding the whole question of what the RDAs' powers are to be. It makes no sense for central Government, through the Department of Trade and Industry, to retain responsibility for the allocation of regional selective assistance. If RDAs are to be responsible for economic regeneration and given that there is a grant system that aims to help in that process, it makes no sense for RDAs not to be the bodies responsible for allocating those grants. I appreciate that the Minister has had to go out and argue this point with other Departments, but I hope that, as time goes on, the question can be revisited and progress made.

I echo the voices of those who have said that the work of the training and enterprise councils should come under the direction of the RDAs. I welcome the Minister's having said that the RDAs are to have a role in that respect, but if there is to be any sense in the arrangements, they need to have overarching responsibility in commissioning work from the training and enterprise councils and in setting out what they must achieve.

There is a contradiction in central Government Departments holding back certain powers while other bodies—for example, the Rural Development Commission—are expected to hand over theirs. I am concerned that most, if not all, of the new bodies will be dominated by urban interests. The new RDAs will be populated and therefore dominated by urban politicians, urban business men and urban academics and I wonder whether the rural voice can be heard when the organisation that has the experience in expressing rural interests is no longer the channel for those views. I would welcome some clarification from the Minister as to how a voice for rural interests on each of the RDAs is to be guaranteed and enshrined.

The accountability of the new chambers worries me greatly. I appreciate that the assemblies or chambers are not yet in place for accountability to be clearly defined at a regional level, but it is worrying that the new bodies are to be appointed by the Secretary of State and answerable to the Secretary of State. The Secretary of State will be answerable to the House for their work, but that does not seem to follow the principle of devolving power and

[Mr. Nick Harvey]

responsibility to the regions. It may not be long before there are directly elected regional assemblies that can govern and supervise the work of the RDAs; but if the interim measure is to be regional chambers of local authority representatives, the Government need to be more assertive in getting those bodies up and running, rather than passively waiting for that to happen. If the RDAs are to have democratic validity from the outset, the chambers need to be up and running from the word go, so that there can be accountability to the regions. Only then can the hopes articulated in the House this afternoon, that economic priorities will no longer be set in Whitehall but in the regions, be given some reality.

I welcome the fact that there are to be local authority representatives on the RDA boards. I hope that the political colour of those local authority representatives will reflect the political balance across the region as a whole and not simply represent the dominant party—whichever it may be—in the region. I note that the Secretary of State is to appoint those representatives rather than inviting the local authorities to elect them. That might result in domination by the Labour party in many areas and by the Liberal Democrats in others. In all cases, we must ensure plurality of political representation on these bodies.

I listened with some amazement as the right hon. Member for Sutton Coldfield (Sir N. Fowler) deplored the fact that people would be allowed to remain on the bodies after being voted off local authorities. He is quite right, of course, but I cannot help but remember that, when the Conservatives were in power, after people had been voted off local authorities they were appointed to quangos. In my constituency and in successive elections, one gentlemen was voted off a parish council, a district council and finally a county council; yet after each of his defeats, he was rewarded with yet another quango chairmanship. The right hon. Gentleman was right, but such views sounded a little odd coming from him.

The right hon. Gentleman's point about the planning powers that it is intended the RDAs should have was well made and was taken up by the right hon. Member for Tonbridge and Malling (Sir J. Stanley). I accept the Minister's point that that simply transfers English Partnerships' powers, but two wrongs do not make a right—English Partnerships should never have had those powers in the first place. We certainly want some qualification of the powers so as to ensure the involvement of local authorities.

My last point is that the boundaries of the new bodies worry me greatly. Existing economic boundaries are the product of central Government statisticians—a matter of convenience for the purposes of accounting and record keeping; they do not in any way, shape or form reflect true communities. To suggest that the south-west is a coherent region stretching from Penzance up to Gloucester and across to Christchurch is absolute nonsense. I welcome the signs from the Government that, as we go forward with this process, the Secretary of State will have the facility to vary the boundaries, but I deplore the fact that the number of regions cannot be increased as the regions in the south are far too big. Sensible and coherent regions can be achieved only if there is the facility, first, to change their boundaries and, secondly, slightly to increase their number.

If we are to embark on a process of developing a regional level of government in this country—a thoroughly good thing, which I entirely welcome and which cannot come soon enough—it will be a disastrous error if the foundations of that regional tier of government are phoney regions that do not reflect communities, cannot win people's loyalties and do not have economic, political or social coherence. I appeal to the Government to keep an open mind on that issue. It is right that the important functions that these bodies are to fulfil should be the priority of our debate—at this stage, we must not get locked into parochial arguments about where lines should be drawn—but there must be the flexibility to allow these issues to be revisited later in a proper and orderly manner.

I welcome the Bill, although we shall seek to make many amendments as it passes through its stages and hope to secure some improvements thereby. We are doing a good thing today and these changes cannot come soon enough.

6.27 pm

Mr. Gerry Sutcliffe (Bradford, South): I am saddened, but not surprised, by the Opposition's approach. The regional debate is not new and many of us who have been involved in regional organisations, such as the Yorkshire and Humberside Development Association and the Yorkshire and Humberside Regional Association in my own area, have sought to involve Conservative Members in debates about the regional approach and we have seen some positive contributions. I am therefore sad that, yet again, the Tories have been consistent.

The Tories want to rewrite history. Listening to what they say, one would not believe that they had lost an election; nor, when hearing them speak about how wonderful the Conservative Government were, would one believe that, as a result of their policies, the proportion of GDP supplied by manufacturing in this country went down from 30 per cent. in 1979 to less than 20 per cent. today, or that we are now a net exporter of investment. After their election defeat on 1 May, they have conveniently forgotten their legacy, but many of our communities cannot avoid that legacy in the form of high unemployment and deprivation.

I congratulate my right hon. Friend the Secretary of State for the Environment, Transport and the Regions and his ministerial team on their work and on bringing the Bill to the House today. I also congratulate my right hon. Friend on the work he carried out in opposition in consultation with organisations throughout the country. The Opposition have been carping about many of the leading organisations that have been involved in the consultation. They include organisations such as the Confederation of British Industry, the Trades Union Congress and, particularly, local government, which can see the elements that are needed.

In my area, we need jobs for people and we need to regenerate the communities—there are local, national and regional elements to that. In Bradford, we have to create 1,000 jobs a year just to stand still. We lost 22,000 jobs over a four-year period in the early 1980s, which was devastating to our communities. The Government did not want to do anything about that. They came forward with ideas such as city challenge and the single regeneration budget, but those ideas were piecemeal and left

communities competing with each other. There obviously needed to be a regional approach. There have been good practices and good examples of the regional approach elsewhere in Europe, but if we mentioned Europe to the previous Government, they did not want to know.

I was the leader of the council in Bradford when it became the second largest receiver of European grants in the United Kingdom. We considered the regional approaches in other countries such as France, Italy and Germany and realised that when communities in those countries lost their mainline industries, they could recycle and redevelop other industries, but the previous Government did not want to consider that. I believe that that approach is the way forward.

I am concerned that we are talking merely about regional development agencies. I am committed to regional government and I believe that the partnership approach that we shall see between organisations and communities within the regions will help to develop the long-term objective of getting people back to work.

In Yorkshire and Humberside, a regional assembly has recently been set up through local government—I accept that we shall have to get away from the confusion of titles among regional assemblies. The assembly has set out a framework for Yorkshire and Humberside for the next 10 years. It is a positive document which takes account of various organisations across the range.

I am not concerned about lack of accountability. I could not believe it when the right hon. Member for Sutton Coldfield (Sir N. Fowler) talked about accountability and tried to set himself up as the champion of local government. His Government, the Conservative Government, over-centralised government and decimated local government's ability to react to local needs. The assembly in Yorkshire is made up of all the organisations that want to contribute to a successful region.

We talk about the comparisons with Scotland and Wales; in Yorkshire, we have a population of 5 million people, a diverse community and a diverse geography in terms of urban and rural settings. We see that the organisations from those communities are able to come together and work together. I do not want to see the situation that occurred under the previous Government when we were competing against each other—Leeds against Bradford, and Leeds against Sheffield—not trying to promote the region's common objective.

National Government should set out the strategic plan and regional government should respond; local government should set forward their objectives. There is unemployment in the United Kingdom and in our regions, but there are skill shortages. Those shortages existed at a time when there should have been investment. The previous Government talked about inward investment; it is important, but so is the establishment and development of existing businesses within our communities.

I want the present Government to talk to people and organisations. I know that they will do so because, unlike the previous Government, they are willing to co-operate and to be accountable. It will have to be an evolutionary process; the Government will talk to organisations and people, and will not be deterred by the political dogma that prevented the previous Government from talking to organisations such as trade unions about how to develop.

Before I entered the House, I was a full-time officer in the printing industry. Towards the end of my time in the industry, printing companies were unable to compete because of regional variations and the problem of lack of support from central Government. The present Government recognise that the Government alone cannot create jobs. It is important that we set up a framework and promote the conditions in which employment can develop. I am sure that the Bill will go a long way towards that.

The organisations that have been consulted have some concerns, but I am sure that they will be met as the Bill progresses through Committee. The involvement of the Labour Government and Ministers over a long period has built up their credibility and trust among those organisations with which the previous Government could not get involved. The CBI, trade unions and local government are happy with the principles behind what we are trying to achieve. I have no doubt that the regional development agencies will benefit our constituents and will prove to be a benefit in the future. I applaud the Government for what they are trying to do.

6.35 pm

Mr. David Curry (Skipton and Ripon): I would be willing to give the new regional development agencies a chance, but I should have preferred it if the Front-Bench team had today answered some of the questions raised when the White Paper was presented. We have had no greater clarification today than we had then on a number of crucial issues.

The organisations will have a substantial competence, a lot of money and a hefty bureaucracy. We therefore need to know precisely how they will function and how they will look after the resources. The first question that has not been answered and which I asked specifically when the White Paper was presented is what the Government intend to do to manage the threat of subsidy wars between the regions, which is a real problem. The problem for England has been the incoherence of the English voice within the British ensemble. People have always spoken for Wales and Scotland with a single voice, but we now have a series of voices apparently competing to represent the English interest, and the present proposals contain a number of dangers.

The first danger is the risk of the fragmentation and dissipation of the programme to attract investment to England, which often leaves confusion in the minds of potential investors. If half a dozen people take the flight to Japan to bid for their regions, does that help or do other people think that we do not have a coherent strategy?

Secondly, the Government have not addressed the perennial problem of Wales and Scotland gazumping for investment. There is no doubt that that problem could get even worse under the Scottish Parliament and the Welsh Assembly which will be anxious to prove their virility. Three months ago, the Government said that they would deal with the problem, but as I understand it all we have is a sort of concordat without any idea of how it will work.

Under the previous Government, we had the monstrous situation of £247 million being lobbed in the direction of LG to bribe it into Wales. That resource would be beyond the scope of the English scene nationally, let alone a regional assembly in England. We would not spend that sum on the second coming, even were it to take place in the Dome, although it would be an experience and it would be religious.

[Mr. David Curry]

There is the risk of subsidy competition and it is likely to get worse. Japan is in stagnation and South Korea is in crisis. A large proportion of our inward investment has come from those two suppliers over recent years, so the problem of the situation in those two countries has to be addressed. When the White Paper was presented, the Deputy Prime Minister acknowledged that that important question needed addressing, but the Front-Bench team have said nothing about that today.

It is clear that the Department of Trade and Industry has won the turf war over the control of direct subsidy because regional selective assistance is to remain with it. But offers of land, infrastructure and training are also important material incentives and we need to know how they will be brought within a framework of fair competition—the level playing field which, I understand, is one of the Government's favourite expressions.

The next big question involves the future of regeneration policy. The fourth round of the SRB is currently being bid for—I think that the bids have to be in soon. But there is a great deal of speculation about the Government toying with the French concept of "Contrat de Ville". It is interesting that the Government should be tempted by that concept just as the French are becoming disenchanted with it. Do the Government intend to move towards a more targeted form of regeneration such as the city challenge model? Do they intend to retain competition? What will the funding be? What is the timing?

If the Government say that regeneration is at the heart of the development agencies, we need to know what that regeneration, which is to be at the heart of the strategy for the regions, is going to be. The Minister for the Regions, Regeneration and Planning is in charge of regeneration as well as regional strategies. It would be helpful if he would tell us what he is planning to do on the regeneration prospectus.

To continue with the same stream of thought, there is a possible link between regeneration, the development agencies and another Government initiative: the education action zones. I applaud the education action zones, but we all recognise that unless regeneration is comprehensive—the Minister repeatedly uses the concept of the comprehensiveness of the approach—and unless that education regeneration takes place in the context of a wider regeneration, it will not work.

Will the education action zones be incorporated within bids for the regeneration budget? Will wider social and economic regeneration take place alongside them to make them work? I asked that question of education Ministers when they presented their White Paper and there was no response whatever. I hope that the Minister is talking to his education colleagues and can explain how things will work.

There is an argument for maintaining English Partnerships to make the important process of land regeneration accountable and to ensure that there is an approximately level playing field. There is an argument for getting rid of English Partnerships, on the ground that those functions are being transferred elsewhere. I find it immensely difficult to see the validity of the present proposal, which is to get rid of the overwhelming majority of the functions of English Partnerships but to maintain it for things such as the millennium dome—which I believe is wittily described in the White Paper as a national asset. English Partnerships is being reduced to an ineffective rump to manage a limited number of programmes. The Minister must make up his mind whether to back it or get rid of it.

Then we have the problem of the representation of regional interests. The White Paper says that the ideal board numbers about 12. The hon. Member for North Devon (Mr. Harvey) spoke about the south-west. I have had enough experience of Cornwall to know that Cornwall recognises almost nothing that is this side of the Tamar, so it will be very difficult to link Cornwall with Bristol and rest of the south-west.

My region, Yorkshire and the Humber, will take in Hull, South Yorkshire, and the West Yorkshire conurbations—which are almost over the Lancashire border—and extends into the north of Yorkshire, which borders on Teesside. It will be difficult within a board of 12 to achieve a representation that not merely covers people's different functions and expertise but gives them geographical coverage. We need to know how that will work, especially given the demise of the Rural Development Corporation.

The Minister constantly uses the phrase, "They are going to be business-led". What does it mean to be business-led?

It is important that we explore the relationship between the Government offices and the regional development agencies because the agencies will draw staff from the Government offices, from English Partnerships and from the Rural Development Commission. How many staff will they draw? What is the Minister's concept of the officialdom that will be needed to run the regional development agencies?

I now raise a point raised by my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley). The Thames gateway development in the south-east has been crucial. Will the Minister ensure that, within the regional set-up for that part of the world, the specificity of the programmes for the Thames gateway is maintained so that we can maintain the momentum of a remarkable development programme based on common action and co-operation between people?

I am no fan of regional assemblies, but I congratulate the Deputy Prime Minister on creating—however reluctantly—a disjuncture between the creation of the development agencies and the regional assemblies. The idea that everyone is foaming at the mouth to get regional assemblies misreads the popular mood. The number of people who come to my constituency surgery and say, "Mr. Curry, I just wanted to tell you how eagerly I am waiting to have an elected regional assembly" compared with the number of people who come to me with worries about housing benefit or disability benefits is actually rather small.

The problem of accountability remains. If the regional offices are to be partly subsumed and if other currently accountable bodies are to be partly subsumed, we need to know how to get a handle on the regional development agencies. It is a very partial response to give them some sort of partial subordination to nominated bodies—the present assemblies that have set themselves up. Those embryonic shadow assemblies are not adequate regional representatives.

I hope that those issues will be seriously explored in Committee. I do not set off from the assumption that this is necessarily a wicked and silly proposal. I concede the argument for trying to get co-ordination, but it is easy to talk about co-ordination and an integrated approach, and to see a structure as answering a problem.

One must be sure that the structure is sufficiently responsive, sufficiently targeted, sufficiently accountable, able to use public money with sufficient responsibility and sufficiently cost-effective to give people the sense that it identifies local needs and can respond to local needs while being able to co-ordinate in a way that the same people do not regard as offensive—for example because of planning strategies, which may have to go against what a community wants. It is a difficult feat to pull off.

I hope that the regional development agencies succeed because I am as anxious about regional development as any hon. Member, but the Minister will help us greatly if in Committee he explains how in practice these bodies will work, so that we can get past some of the high-sounding phrases and into the nitty-gritty of the operations of bodies that will have immense power, immense influence and, one hopes, a large success.

6.44 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): The Opposition's arguments tonight have been extraordinary. The right hon. Member for Skipton and Ripon (Mr. Curry) criticised the proposals because they did not include training and school education. That is extraordinary, given that the right hon. Member for Tonbridge and Malling (Sir J. Stanley) criticised the Bill because a stray planning power, given to English Partnerships by the previous Government and never used, is incorporated in the Bill.

What an extraordinary contrast of criticisms: one type of criticism that says that a tiny power that has never been used has been incorporated into the Bill and another type that says that the Bill should have swept up into regional strategies, under the command of a regional development agency, even matters such as school education. It is absurd.

The right hon. Member for Skipton and Ripon gave the game away when he spoke about gazumping and competition between regions. That began under the previous Government. It all took place behind closed doors and was never rehearsed before the House of Commons. It was never brought under any political control. The Bill will enable those issues to come out into the open and to be dealt with openly and democratically, for the first time.

Perhaps the two most decisive arguments that were made in favour of the Bill were made by the right hon. Member for Sutton Coldfield (Sir N. Fowler) when he spoke about inward investment into regions and took the example of Nissan in my region, in the north-east of England. He is right: the north-east of England has been staggeringly successful at attracting inward investment. Nissan's was the first of those major investments. It was a spectacular achievement.

However, those inward investments were occurring in what was—and still is—one of the most disadvantaged regions in Europe and which, with Wales and Northern Ireland, bumps along at the bottom of the table of every social and economic indicator that one could mention, despite those spectacular inward investments. One could not have a better presentation of the case for a regional development strategy that would go wider of these spectacular jewels in the economic crown and really address the disadvantage of people—the dreadful cycle of low opportunities and low hopes that affects many people in regions such as my own.

Inward investment jewels in the crown of the type that the right hon. Member for Sutton Coldfield mentioned do not by themselves tackle those problems. A wider regional development strategy is needed.

We must address environmental problems that cannot sensitively be dealt with unless they are dealt with regionally. We must develop occupational health dimensions that cannot sensibly be developed unless they are developed regionally.

The right hon. Member for Sutton Coldfield mentioned that the agencies would be quangos. That is a peculiar argument to hear from the Conservative party. If any party created a massive number of quangos it was the Tory party. The Bill, for the first time, will bring out into the open political and economic processes which have hitherto been hidden. Indeed, it will begin a cull of quangos, because for the first time we shall be able to control the raft of economic development agencies that have been springing up on every side in a chaotic manner. For the first time, too, we shall be able to relate economic work to education and health matters, which are so important to economic success.

The Bill is a bold beginning, and I would have expected no less of the Minister of State and the Deputy Prime Minister. The Bill has great potential—but it is only a beginning. In the Government office for the north-east region of England, the tasks of economic regeneration, modernising the state and renewing democracy cannot be separated: they must be tackled together. The hopes of our people have been lowered by so many decades of systematic disinvestment, both in industry and in the social infrastructure. Aspirations in the area are not nearly as high as they could and should be.

The Bill cannot possibly attempt to solve these problems in their entirety—it does not aspire to do so—but it is at least a beginning. I have a great regard for the Minister of State's talents, but I repeat to him that the Bill must be seen only as a beginning. We must move decisively forward and set up the regional chambers that will facilitate open accountability as between the RDAs and stakeholders in the region.

We must then move beyond that and set a course that will lead, for the regions that want it—not for those that do not—to the possibility of democratically elected regional assemblies. They were part of the democratic renewal project offered by the Government when they came to power. I strongly believe in the idea; I hope that the Minister will assure us that that course is still open to the regions that want to pursue it.

More needs to be done. If we are to have regional development agencies, they must at first be built on current spending allocations by the Government. None of us argues with that. Looking to the future, however, we see two things: first, the need to examine regional spending across the board—health, education and environment programmes, not just economic development programmes. Secondly, we need proper assessments of the needs of the various English regions. Scotland and

[Mr. Jim Cousins]

Wales cannot be exempted from that process—although I know that my Liberal colleague on the Treasury Select Committee, hailing as he does from Scotland, fiercely opposes that idea. I take some comfort, however, from the fact that his colleague, the hon. Member for North Devon (Mr. Harvey), who is from England, shares my view, which is that we must scrutinise regional and national needs—including those of Scotland and Wales. I see the hon. Gentleman nodding in agreement with that, a gesture which I shall bring to the attention of the hon. Member for Gordon (Mr. Bruce), who happens to be the Liberal party's Treasury spokesman. It was once said of the Liberal party that it had two or three hearts that beat as one, although they voted as four or five.

One of the great advantages that Scotland and Wales have enjoyed—I do not seek to deny it to them; I want it for every English region, too—is a block allocation capable of being switched around to meet regional priorities. I hope that the Minister can offer us some hope of the Government's moving in that direction. Once we have achieved regional chambers and are closer to democratic assemblies, we should have block allocations which stakeholders and democratic regional assemblies can move around to suit regional priorities.

My one last hope—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Time is up.

6.54 pm

Mrs. Caroline Spelman (Meriden): My particular concern relates to rural interests. It is well illustrated by the geographical position of my constituency, which consists mainly of green belt land sandwiched between the urban centres of Birmingham and Coventry. Under the Government's proposals, it would fall into the west midlands regional development agency area. Although the RDA contains other rural areas such as those in Warwickshire, Staffordshire, Shropshire, and Hereford and Worcestershire, no one would deny that the vast majority of the population live in urban areas; and it is not clear from the White Paper how the Government can guarantee that rural areas such as Meriden will receive the attention and priority that they require from the RDA.

Even if a duty were placed on the Secretary of State to put rural appointees on the board of the RDA, they would be unlikely to constitute anything more than a minority voice in an urban-dominated region.

Allow me to illustrate the type of problem that my constituents anticipate from the new powers granted to the RDAs. Among the functions envisaged for them is the administration of the single regeneration budget. Until now, Meriden has benefited from substantial sums from that budget for the areas of deprivation in the north of the borough of Solihull. But those funds might be regarded from the standpoint of a different set of priorities in the west midlands region; the needs of inner-city Birmingham or Coventry might be regarded as more pressing, and the sheer size of the proposed RDAs will make it more difficult to accord priority to small pockets of deprivation in apparently sound semi-rural areas.

The role of the local authority—in my case, Solihull metropolitan borough council—has been vital in ensuring that regeneration resources are most effectively targeted. If it is undermined or overshadowed by its big brother, Birmingham city council, the refinement of accurate targeting of resources may be lost.

We have already seen that in other policy areas such as health. I know that health falls outside the remit of the RDA, but the problem is illustrative. Average health indices for the whole borough apparently show a high prevalence of good health, and the funding formula is calculated accordingly, but that disguises the fact that beneath the average figures are significant areas of poor health to which far more resources need to be directed.

A further risk involved in the functions to be attributed to the new RDAs concerns transport, planning and housing, areas in which the RDAs are to play a special consultative and advisory role. What my constituents most fear is that the rural voice will be drowned out on the RDA, and that that will result in a further erosion of the green belt by urban encroachment. That has already happened with the expansion of Birmingham international airport, the national exhibition centre and the Birmingham business park—all built on green belt land in my constituency. That reinforces the point made by my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) about the Padmore industrial development. It is the idea of that sort of decision being taken away from the local planning authority which we most fear. All these developments were justified on the ground of regional economic development, but they brought extra pressures to bear on the countryside, especially in the form of traffic congestion and demand for housing. That tension reveals how difficult it is on a regional basis to resolve the urban/rural balance. There are inherent tensions in the main purposes of the RDAs that may not be resolved to the benefit of rural areas.

There is a specific concern in my constituency about the provision in clause 20 for the RDAs to be given full powers of compulsory purchase of land. My constituency has seen many bad examples of the present compulsory purchase order system. People's homes have been blighted by the motorway and the airport expansion. The Bill may not be the right place to try to sort out the compulsory purchase order system, but paragraph (1) of schedule 5 would permit the Secretary of State to confirm part of the land in a compulsory order and to postpone consideration of whether to confirm the compulsory acquisition of the rest of the land. That would lead to confusion and controversy over which bits of land were blighted by the development.

Another illustration of the "poor cousin" position of the rural areas in the new RDAs concerns the aim to promote employment and enhance the development and application of skills. In an urban context, it is easier to provide training facilities and subsequent employment opportunities, as those are often to hand, whereas in more remote rural areas there are often no training facilities at all, and transport systems are often inadequate to help people living in the countryside to get to training centres or jobs. The unit cost of providing training for rural inhabitants is much higher, and they are often discriminated against when decisions are taken in a wider regional context.

The White Paper states that the RDAs will take on the regeneration programmes of the Rural Development Commission. I seek an assurance from the Secretary of State that the expertise and initiative of the RDC will not be lost as its functions and property are absorbed into

other public bodies. Over several years, the RDC conducted work of great value to the rural economy, which it would be a tragedy to lose. Can the Secretary of State assure Parliament that rural areas will receive the same level of resource in future as they did through the RDC?

My constituents fear that the creation of the regional development agencies will lead to the federalisation of the United Kingdom and ultimately to a Europe of the regions. When that risk was discussed by the West Midlands Economic Consortium, of which I am a member, representatives of all parties saw the danger of the region's losing the structural funding that it now receives from the European Union. As Europe is enlarged, our region may no longer qualify for structural support, as there will be other regions with greater needs.

Can we be assured by the Secretary of State that the Government will approach such negotiations as a nation state with real clout and voting power in a greater Europe? Subsidiarity should ensure that decision making will take place at the appropriate level. The strategic advantage of speaking for a population of 58 million and reserving the right to allocate funds secured on its behalf should not be traded for the delivery of an ill-conceived manifesto pledge to deliver regional government, which would undermine the national interest.

7.2 pm

Mr. Mohammad Sarwar (Glasgow, Govan): I start in the name of Allah, who is the most beneficent and the most merciful. I have taken the opportunity to prefix my maiden speech in the traditional Muslim custom by starting in the name of God. This, I believe, is a testament to the fact that Britain is now a multicultural and multi-religious society, of which we are all members.

I begin by paying tribute to the late Jimmy Dunnachie, the former Member of Parliament for Glasgow, Pollok, which includes a substantial part of my new constituency. Jimmy Dunnachie tragically passed away at the beginning of September 1997. He was a popular and well-respected Member of Parliament and will be sadly missed in Glasgow.

I am extremely grateful to the people of Govan for the privilege and honour that they have conferred on me by electing me as their Member of Parliament. They have subsequently stood by me through some difficult times.

Govan is a rainbow state representing Christians, Muslims, Hindus, Jews, Sikhs, Chinese, Africans and Caribbeans, who include professionals, academics, the self-employed, employees and employers. Some would say that the political spectrum in Govan is perhaps too awash with colour. We have right-wingers, old lefties, Blairites, liberals, communists, Militant, nationalists, and even the odd Tory can be seen early on a Sunday morning.

The early beginnings of Govan were as a centre of Christianity. During the mid-1800s, Govan grew to become a burgh and by the end of the century had developed into one of the world's industrial powerhouses. Between the war years, heavy engineering industries and the Clydeside shipyards continued to employ thousands of men and women. However, after the second world war the decline of shipbuilding and the consequent reduction in heavy engineering took their toll, and the economy of greater Govan went into decline.

For that reason, my constituents were disappointed by the recent decision of the Secretary of State for Defence not to site the royal yacht Britannia on the River Clyde, which is its natural home.

I hope that the future of shipbuilding on the Clyde and the problems faced by Kvaerner Shipbuilding at Govan Cross will be addressed satisfactorily by our Government.

It is interesting to note that even in its darkest days, Govan produced and nurtured people of the highest calibre. Bruce Millan, a successful politician who represented the people of Govan with dedication and diligence, became the Secretary of State for Scotland during the late 1970s and later became the second European Commissioner.

Alex Ferguson, the manager of Manchester United, is one of the greatest football managers in the world. He is leading British football in Europe and we wish him and Manchester United every success.

Who in the labour movement could ever forget the world's first work-in, orchestrated by Jimmy Airlie and Jimmy Reid, whose speech inspired the shipyard workers on the Clyde to stand up for their right to work?

Those individuals are well known, but the real heroes are the people of Govan, who have faced the challenges of a steady decline with dignity and passion. Those are the people whom I am proud to represent.

The people of Govan and Glasgow were delighted by the recent decision of the Millennium Commission and the Glasgow development agency to award a grant of more than £50 million towards Scotland's first national science park in my constituency. A further £19 million for the park still requires final approval from the European Commission in Brussels, but I am confident that approval will be granted and that the development can be concluded before the millennium. I hope that you, Mr. Deputy Speaker, and hon. Members will take the opportunity to visit the centre when it is up and running.

The national science park is a perfect example of the role that development agencies can play in attracting inward investment. Development agencies, in conjunction with local government and the private sector in Scotland, have played an extremely important role in tackling economic and social decay.

In Glasgow, for example, Scottish Enterprise and the Glasgow development agency, in partnership with Glasgow city council, Strathclyde regional council and Govan Initiative Ltd., have been successful in tackling the economic and social problems that the city experiences. The regeneration of the merchant city, the development of the Scottish exhibition centre, the Burrell gallery, the royal concert hall and the Kelvin hall all demonstrate the huge difference that development agencies have made in Glasgow, so much so that Glasgow is seen as a prime example of urban regeneration, and only last week was described by *The Big Issue* as the coolest city in Britain. That is why I believe that the Bill is an important element in the process of democratic renewal and local empowerment.

I believe that the success of our Government will be measured simply by the real actions that we initiate to combat poverty. My constituents look to the Government to deliver practical, real-life solutions. Unemployment in Govan, which stands at 14 per cent., is still far too high. Until last May, too many people had no hope of

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employment. Too many of our young people are involved in drug misuse and too many leave school without the right skills. Many people are still forced to live in intolerable housing conditions, while many pensioners must still make a choice between heating and food—especially during the cold winter months.

One development that has increased the level of poverty is low pay. The introduction of a national minimum wage is vital if we are to ensure that that level of poverty does not continue. Other countries, not least the United States, have shown that a reasonably set minimum wage helps to improve economic performance and productivity.

My constituents are also expecting significant progress in housing. The Scottish people rely more on public sector housing than those in the rest of Britain. More resources should be made available for building and, in particular, for renovating houses. Renovation is important, as merely concentrating on building further housing will shift attention away from areas such as Govan where demand for housing can be met adequately only by regenerating and renovating the existing stock.

Education is another area which is of great concern to the people of Govan. The schools in Govan do a tremendous job under severe financial pressures, but they need further support from the Government. The July Budget, which gave £2.3 billion for school repairs and raising literacy and numeracy standards, was greatly welcomed in my constituency.

An issue that has come to concern me increasingly over the years, and one which I hear about repeatedly from the Muslim community and her friends in Britain is the growth of Islamaphobia. The Runnymede Trust's report "Islamaphobia, a challenge for us all" is an excellent insight into that prejudice, and I trust that my right hon. Friend the Home Secretary will take on board the recommendations made in that report.

I should like to draw the attention of hon. Members and of the Government to the poor representation of ethnic minorities—including the total exclusion of Muslims—in the House of Lords. I trust that our Government will change that unacceptable situation.

I look forward to making my own contribution by working fully with the Labour Government and by realising our vision of a new Britain where power and resources are in the hands of the many and not the few.

7.12 pm

Mr. David Ruffley (Bury St. Edmunds): In speaking in support of the Opposition amendment, I draw particular attention to the way in which the logic of the Bill discriminates against rural areas. I shall address particularly the way in which it fatally undermines rural economic development and regeneration.

I acknowledge the speeches made so far—particularly that of the hon. Member for Glasgow, Govan (Mr. Sarwar), which I am sure hon. Members found very interesting.

The details of the Bill are very concerning. I think that I speak for all Opposition Members when I say that the legislation compounds the injury felt by rural constituency interests. The Minister for the Regions, Regeneration and Planning—who is not in his place at present—has a cavalier disregard for the green belt in England, which he describes as being up for grabs. The Government have certainly caused a great deal of concern in my constituency—one has only to read the local newspapers in Suffolk to see how much concern exists.

In addition, there is concern about the way in which the Government have handled the issue of beef on the bone and the continuing problems associated with BSE. There is further concern about the Government's refusal to seek adequate compensation for the revaluation of the green pound, and about the disgraceful way in which the United Kingdom presidency of the European Union has not been used to introduce common agricultural policy reforms, which Labour promised during the general election campaign to deliver.

If one seeks details of why the Bill is bad, one need look no further than the Rural Development Commission and what has been done to it. That commission is responsible in two ways for regeneration and redevelopment in rural areas. First, its budget of half the national total of £44 million is directed to specific projects. Its other function is national advisory and research work.

The Bill contains no safeguards that guarantee that both halves of the £44 million budget will go to rural areas and be devoted to rural regeneration and redevelopment when the commission is eventually subsumed into the RDAs' budget. I hope that the Minister will give specific assurances to those hon. Members with rural interests about the destination of that £44 million after the Bill is passed—which we may assume will occur. We look forward to her comments in that regard.

It is hardly surprising that the chairman of the Rural Development Commission resigned when he saw the contents of the Bill. It is also little wonder that he is not the only one to have problems with the legislation. Fears have been expressed also by the Consortium of Rural TECs, the National Farmers Union, the Country Landowners Association and many others. Such groups have welcomed minor parts of the Government's rural policy, but reject the details of the Bill.

The hon. Member for Stafford (Mr. Kidney) smirks, as is his wont. If he took the time to read the representations from the bodies that I have mentioned, he would know that they are concerned about the way in which rural areas and their interests are downgraded by the Bill and the way in which it is drafted.

It is little wonder that such groups say quite openly that the structure—the quango nature—of the RDAs will tend towards urban dominance of those bodies. We know why that is so. The political logic behind the RDAs' structure as proposed by the Bill is perfectly clear. The most visible deprivation occurs in towns that are more populous. Therefore, it is obvious that politicians who serve on RDAs will be more likely to listen to the clamour from urban areas simply because such areas are more populous. The Bill does nothing to protect rural interests against the political logic of a tendency for urban areas to get a bigger share of the action, as my hon. Friend the Member for Meriden (Mrs. Spelman) pointed out.

The Rural Development Commission was a dedicated body, with a long and distinguished history since its establishment in 1909. It was able to work at grassroots level to identify the fairly small pockets of privation that

often go unnoticed in rural areas. That is why the body was so effective. This Bill destroys that organisation's specific remit. Nothing in it suggests to the Opposition that RDAs will be able to re-create that function and that bespoke approach to alleviating poverty in rural areas, which is not always obvious.

The assurances we seek in respect of the £44 million budget must be delivered. In particular, the Minister must say what will happen to half of that budget as it relates to advisory and research work. We are told that the money is now part of the Treasury's comprehensive spending review. Those of us who know what that means realise that it is a kind of fiscal Bermuda triangle. I do not think that we shall see that money again.

We must understand what will happen to the individuals in the Rural Development Commission, who are in limbo. They do not know what will happen to the commission's national advisory work. The work is still there, but it has not been tackled. We do not know what will happen.

I wish to correct the Minister for the Regions, Regeneration and Planning—the hon. Gentleman is not in his place—on a comment that he alleged that I had made. I did not say that my constituents in the RDC office at Bury St. Edmunds had not been consulted. The Minister misinterpreted what I said. I said that they did not know whether they would have a job in a few months' time. The question is not whether they have been consulted but whether they will have a job.

I seek an answer to that question. My constituents will be grateful to receive an honest and straightforward reply, and I hope that that will be forthcoming when the Under-Secretary of State responds to the debate. Alternatively, the answer can come in written form after the end of the debate.

There are specific concerns about the lack of safeguards in the Bill. First, why does paragraph 4.22 of the White Paper make it clear that there should be rural representation, specifically on the RDA boards, when the Bill does not spell out that commitment? Surely the Bill should place an obligation on the Secretary of State to have rural interest representatives on the boards. Will the Under-Secretary please take up that point?

I ask the Minister also to explain why clause 7, which deals with the strategy of the RDAs, makes no specific reference to rural strategic interests. Let us have that in the Bill if the Government want to allay fears in rural areas about whether a strategic approach to rural matters will be observed and followed by the new RDAs.

I end by referring to the other fears of my constituents and the local media. It is all very well for Labour Members and Ministers to say that the CBI and this, that and the other body support the Bill. I can tell the House that a grassroots, non-partisan newspaper such as the *East Anglian Daily Times*, a not insignificant regional newspaper but not a partisan one, had a leader yesterday in which it described the structure set out in the Bill as bureaucratic nonsense. It accused the structure of duplication, of breaking up the United Kingdom and, furthermore, of being nonsense.

In what sense does anyone in the historic part of East Anglia believe that he or she has anything in common with Thurrock, Woburn and Peterborough, which are also in the relevant area? Why do so many people in my constituency, of no political persuasion, think that we have a dog's breakfast of a Bill and a concept?

Let us acknowledge that the Government are trying to create a false consciousness and a false regional identity that simply does not exist. It is for those reasons that I support the Opposition amendment, and will be doing so in the Lobby tonight.

7.22 pm

Mr. Barry Sheerman (Huddersfield): It is a great pleasure to be able to speak in the debate. I congratulate my hon. Friend the Member for Glasgow, Govan (Mr. Sarwar) on his maiden speech, to which the House listened with great attention. It was a multi-faceted contribution. My hon. Friend was generous in his remarks about his predecessors. His pride in his constituency shone through.

I am excited about the debate because I have been interested and involved for a long time in trying to make our country more competitive. The situation in most of the regions is dire. As my hon. Friend the Minister for the Regions, Regeneration and Planning said in his opening remarks, only two of the United Kingdom regions are above the European Union average in terms of the quality of life that our constituents enjoy. That is pretty disgraceful.

Interestingly enough, the Opposition Front-Bench spokesman, the right hon. Member for Sutton Coldfield (Sir N. Fowler), who had such a leading role in former Conservative Governments, could only crow about securing inward investment. What a sorry situation he left us in when we consider the average quality of life of our individual constituents in the various regions. That is not only because of the relative economic decline of our country and our failure to compete but because of the way in which misguided policies over 18 years destroyed the independent base of our regions.

Consider the way in which Conservative Governments changed the basis of the utilities. The electricity, water and many other utilities lost the bedrock of being independent organisations based in the regions. That has all gone. Most of the electricity companies are owned by the Americans, and water companies are owned by the French. Some of us are lucky that our local companies retain an allegiance to development in the region but many of the companies have much less of a commitment to the region than did the former public utilities.

Look at the way in which Conservative Governments allowed building societies to move into the private sector. They are now footloose financial institutions with little commitment to those places that grew them, invested in them and developed them over 120 years.

The basis of independent companies—large employers—in the regions with their headquarters in the regions has diminished dramatically over the past 18 years. We need the regional development agencies to try to turn back some of the dreadful things that have happened.

Who are the major players in most constituencies today? The major employers in my constituency and in many others that include the towns and cities of our country are the local university or universities, the hospital and health trust and the local authority. There are few large employers left in our constituencies and in the regions. That is partly due to the nature and industrial structure of modern Britain and of the global economy, but much of it is down to accelerated decline, and that is

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the responsibility of 18 years of a Conservative Government who did not, strangely enough, understand the need to be competitive.

It was interesting to listen to the right hon. Member for Sutton Coldfield, who had been a Cabinet Minister for so long. The only straw to which he could clutch was inward investment. The right hon. Gentleman argued that we were up there as the best in Europe as the home for the most inward investment. I give him that, but that is why he focused on inward investment. However, Conservative Governments failed to initiate the regeneration of our industries within our country, using the talents and skills of our people. That is what they failed to do over 18 years of Conservative rule. They failed to grow successfully the companies that we needed to create the good life, the quality of life that we in this place are elected to try to secure through governmental policies. Those Conservative Governments failed for 18 years.

The RDAs have the possibility of focusing upon and bringing together the tremendous efforts that are being made in every region that I visit in the United Kingdom. I meet people of tremendous ability in the private sector. Many of them are running their own businesses and are prepared to go that extra mile and to give up extra time to try to do something about improving the local regional economy.

I meet people who give of their time without charge. They are highly qualified people, including leading business people. When I talk to them, they say uniformly that they need a regional development agency. They say, "We are all doing very good things" but our effort is not properly focused. The strategic role of an RDA would be invaluable. That is the voice of people with whom Opposition Members have ceased to engage in conversation. I am talking of leading industrialists, entrepreneurs, people who are engaging in successful wealth creation in our towns and cities. They are excellent people. There are also the leading lights in local government and those who run our training and enterprise councils and universities.

The universities are key players. In looking to the future in considering where we create our wealth, we have underrated the universities. That is my one little criticism. We must bring in the universities and give them a powerful role. They have enormous potential for creating growth, development and enterprise and yet we have not begun tapping into that skill, knowledge and innovative base. There should not be just a token university representative on the RDAs. They should take on the university role. In Yorkshire and Humber, we have nine universities, which are crucial for the future of our economic development.

If hon. Members want to know about the success of the Conservative Government, the IBM consultancy report—"The True State of Britain's Manufacturing Industry"—with the London business school, said that, after 14 years of Conservative Government, only 1 to 1.5 per cent. of British companies were world class. There were 38 per cent. which, with a superhuman effort, could become so. One had to start praying for the rest.

We do not have enough world-class companies in this country. We have to tackle that, not by expecting some wonderful Japanese or Korean company to settle in our region. To compete we have to grow innovative, enterprising small and medium enterprises.

Seventy five per cent. of people who leave school today will work in small and medium enterprises—not ICI, Zeneca or BP, not the giants, not Rover, not the large companies, but for small, innovative companies. We have to grow them at a great rate. The regional development agencies will have the capacity to lead and focus that fight.

I like the Bill because it is enabling. If some regions do not want to move as fast as others, so be it, but if some of our regions want to run fast and hard, let us be allowed to do so. That is right. Our regions are diverse and different, and some of the less cohesive regions will run faster than those that traditionally see themselves as much more coherent, so there will be very real change there.

I also like the Bill because it will allow for growth. It is organic. Of course training and enterprise councils, business links, the universities and other sectors will have to be more absorbed into the RDA as time goes on.

We must also ensure that the democratic deficit is made up. There is one small gap in the measure: a parliamentary Select Committee system tailored for regional development and the regions. It is no secret that Labour Members have constituency weeks. There is a great, untapped potential for hon. Members to be involved in this great enterprise of regional development through a regional Select Committee that will close the democratic loop and be very valuable.

I entreat my hon. Friends on the Front Bench to be aware of that. It is a campaign that we on the Government Benches will run. I hope that Opposition Members will join us to ensure that we get such a Select Committee system.

We have the opportunity in the Bill to get it right. It is so important to get it right because the future well-being of our people in this country depends on realising the opportunity—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Time is up.

7.32 pm

Mr. Andrew Rowe (Faversham and Mid-Kent): I should, perhaps, begin by noting that it can never be easy to make a maiden speech, and to have done so under the difficulties that the hon. Member for Glasgow, Govan (Mr. Sarwar) is currently enduring is a tremendous additional effort. I learned more about Govan in 10 minutes than I could have imagined. I am sure that the House will feel that, if the difficulties are cleared away, the people of Govan will be represented by someone who is very knowledgeable about their interests.

The excitement of office after so long is very understandable. I sometimes feel that the Minister for the Regions, Regeneration and Planning, who moved the Bill, is like a traveller in an antique land: he is so thrilled with what he sees that he describes it in immortal prose in the White Paper. Who can fail to respond to insights such as:

"England's regions contain areas of cultural and historical significance as well as of natural beauty,"

or

"The regional economies are the building blocks of a prosperous economy."

With insights such as that, it is rather churlish in a way to doubt the contents of the Bill, but I remind the Minister of what travellers in antique lands encounter:

"Two vast and trunkless legs of stone

Stand in the desert."

For our current traveller, the names on the legs of this edifice might well be Redcliffe-Maud on one and Banham on the other. One of the great temptations for all reforming Governments is to imagine that, if one simply changes the boundaries of local government, one will somehow set free the talents of the nation. Neither Redcliffe-Maud nor Banham, set up by Governments to modernise Britain, produced changes that have made any serious long-term difference. The people of England, as report after report has shown, feel neither loyalty to, nor interest in, arbitrary groupings created by Governments for administrative convenience.

I remember when I was a civil servant in the Scottish Office—indeed, working with Bruce Millan—that Kilbrandon, the Scottish equivalent of Redcliffe-Maud, recommended, with perfect logic, that the banks of a river should be in the same local authority, but the people of Fife rose as one man, or woman, and rejected it. The result was that two of Scotland's great rivers remained with one bank in one local authority and one bank in the other.

It is no good the Government, trying to pretend that economic success can be achieved by the creation of new and artificial regions. The Government are obsessed with the German model of regional government. They cited it in support of their Scotland Bill, and no doubt they will cite it in support of this one. Why can they not understand that the German regions are older than Germany's central Government, and are not its creation? German Governments exercise powers given up to them, not the other way round.

Page 15 of the White Paper contained a revealing map of gross domestic product per head in the European Union. What it shows is an impressive concentration of the successful areas—coloured grey or black—in the heart of Europe. The only areas in the United Kingdom that compare are the two nearest the mainland, yet the Government quote the success of the Welsh and Scottish development agencies as the model for their new RDAs. If they are so successful, why are their regions not grey on the map as well?

The map suggests that it is national, not regional, policies that need to be overhauled. If Scotland has done better than many expected, is it not likely to be due at least as much to its extraordinary success in getting 50 per cent. of women graduates as to the operation of a development agency?

I start from a thoroughly sceptical position on the proposed agencies. I believe that their creation is driven by Labour's desire to balkanise England and dilute the risk that England will, in time, reject new Labour. We all know that, to guard against that day, the Government have insisted on giving no proper answer to the West Lothian question.

Let us look at the Bill. In my region we have Kent, the Isle of Wight, Portsmouth, Milton Keynes and Oxfordshire. We do not, of course, have London, yet all our main travel routes go to London. A huge percentage of our population commutes daily to London. We do not commute to Portsmouth or Oxford. Moreover, in my county we have made alliances, very profitably, across the channel. That is where our other centre lies. So why do we want this hybrid, artificial, incoherent region? We do not.

Regions will enhance the way in which we are governed. We know that, because the White Paper says so. They will modernise Britain and decentralise decision making. That is claptrap. In February 1997, the right hon. Member for Sedgefield (Mr. Blair), now Prime Minister, said:

"We need to roll back the tide of quangos and to have a revival of proper democratic local government."—[*Official Report*, 20 February 1997; Vol. 290, c. 1076.]

He then sets up the most powerful quango that he can devise, to be run by business leaders appointed by Government. Three or four local councillors will be added, but to ensure that they have no genuine local accountability, they will stay on the quango even if the electorate chucks them out. He then gives those quangos a host of powers. We have heard a great deal about the compulsory purchase powers in clause 20, for instance, and I will not say more about those just now; but they are pretty horrendous.

Who will be the business men and women? Will they genuinely be locally based? Most locally based companies consume too much of their people's time to allow for such service—but, if they are nationally or internationally based, why should they care especially about their region? Will those people be paid? If so, how much; and if not, will they be able to give the region the priority it requires?

In these bodies will be subsumed the powers and duties of the Development Commission. That is typical of the present Government, who claim to care about rural areas, but then destroy the only body that really focused on them.

It is interesting that, despite the determination to create an integrated policy to regenerate the regions, the proposal for the regional development agencies leaves out the national health service. We heard earlier how important it is for the health of the locality to be included. The NHS is a huge employer, a huge landowner and a massive purchaser, yet it remains wholly under the hand of central Government. I suppose I should be glad about that, however: otherwise, after the RDAs have got into their stride, the House would have very little to do.

The Bill is a further step in the downgrading of the House. Rather than establishing artificial, unwanted, unrecognisable regional assemblies, we should try to build up the position of an English Parliament. It is here in the House of Commons that English issues should be debated and resolved. The cranes across the street are now beginning to build a new office for the United Kingdom Parliament; but it is one of the truths of history that organisations only secure the premises they need in order to function effectively when they no longer have a function to perform.

7.41 pm

Mr. Bill O'Brien (Normanton): I am pleased that the Bill is before the House. I fully support it. As one who represents a constituency in the Yorkshire and Humberside region, I believe that the Bill will genuinely benefit that region; moreover, it is a further demonstration

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that the Labour Government are keeping promises that they made to the electorate in May. This was one of the promises in the manifesto, and I am glad that we are keeping it. Another pleasing feature of the Bill is that it will remove many of the quangos that were the hallmark of the most recent Tory Government. Under the Tories, we saw the introduction of a "new magistracy" of appointees who sat as members of public bodies, spent taxpayers' money and made decisions—often in private—that should properly have been the preserve of elected local politicians.

Elected councillors have been removed from bodies on which they used to sit as of right. Under the Tories, quangos spent more than £60 billion—about 20 per cent. of total public expenditure, and far in excess of what was allocated to local government in England and Wales in revenue support grant. Unelected people were spending more money than elected bodies throughout England and Wales. We must provide safeguards in the legislation: we must ensure that we do not set up further quangos, and that we adopt a democratic approach to RDAs.

Taking evidence on RDAs, the Select Committee—of which I am a member—obtained views from many interested bodies. We took evidence for a week, and interesting contributions were made. We would have liked to consult other organisations, but sadly, because of pressure of time, we did not have the opportunity to do so. I am sure, however, that those who wish to speak and to table amendments will have an opportunity to do so in Committee.

Decision making will be a significant factor in the RDAs' operation. The Confederation of British Industry—which supports the Bill—wants them to report to a Cabinet Committee whose members would be drawn from the Department for the Environment, Transport and the Regions, the Department for Education and Employment, the Department of Trade and Industry and the Treasury. The CBI suggests that RDAs should take account of the views of the partners in their regions, and involve them in the decision-making process. Clearly, the CBI has its views about how the RDAs should operate, but who the partners will be, and how they will be involved in decision making, will have to be considered by the Standing Committee. The local government representatives who gave evidence to the Select Committee consider that the aim in establishing the board should be to achieve a geographical coverage by business as well as the local government sector.

The appointment of the chairperson gave rise to concern, but it is now agreed that the chairperson should be the best person for the job, and should not come from a particular sector.

A significant aspect introduced to the discussions by the local authorities was the question of regional chambers. Such chambers now exist in many areas, having been set up with the encouragement of the Minister of State and paid for by local government. The regional chamber is the highest level of the new regional machinery. It will be in the best interests of the RDAs to work within the wider framework prepared by the regional chambers and their partners. In the Yorkshire region, all local authorities are represented on the regional chamber, and other organisations—including voluntary organisations—have an interest, and contribute to the chamber's work. Given the wide-ranging responsibilities of the boards for strategy and strategic co-ordination, it must be agreed that those responsibilities are set within the chamber's strategic framework—that its work should contribute significantly to the strategic operations of the board.

It is clear that the various roles should be defined in a way that prevents duplication and overlap with the regional chambers. If we do not get that right, we shall rightly be accused of generating additional bureaucracy and a lack of clear "value added". In Committee, it must be made abundantly clear that there will be no duplication, and that we will reduce bureaucracy wherever possible.

Local government says that regional chambers should be consulted, should endorse operational plans and should receive mid-year and annual reports. The work of the RDAs must be scrutinised, and the regional chambers are the most appropriate bodies to do that, given their involvement and their responsibilities in the regions.

The Yorkshire and Humberside region contains four sub-regions: South Yorkshire, West Yorkshire, North Yorkshire and Humberside. A fair political balance in the operation of the RDAs can be achieved only within the local government sector. Without a fair and honest balance of representation, we could have a turf war, which would not be to anyone's benefit.

The paper submitted by the British chambers of commerce to the Select Committee welcomed the creation of RDAs, and in particular the proposals for the regional skills agenda. It said that the Government should have gone further than the proposed role for RDAs in monitoring training and enterprise councils. It suggested that the responsibilities of the TECs and the resources channelled into them should be transferred to RDAs.

I support the view of the British Chambers of Commerce, given my experience of the Wakefield TEC. TECs have been operating in the Yorkshire and Humberside region for 10 years, but there is still a shortage of skilled labour. They have failed my constituents and many people in the Yorkshire and Humberside region.

Mr. Deputy Speaker: Order. The hon. Member's time is up.

7.51 pm

Mr. Brian Cotter (Weston–super–Mare): May I begin by joining my hon. Friend the Member for North Devon (Mr. Harvey) in his expression of support for the concept of the Bill. As he said, the Liberal Democrats, in broad principle, welcome the Government's proposal to create regional development agencies. We have long argued for a more devolved system of government. However, our view is tempered by several serious reservations about the Bill.

Many hon. Members would agree that strategic and sustainable economic regeneration through the regions is the key to a prosperous future for us all. However, attention must be paid to the detail of the Bill to ensure that real economic regeneration is achieved.

Regional development agencies can make an important contribution to United Kingdom growth and competitiveness. They should be business-led organisations which work closely with local government. They should intrinsically act as vital catalysts to regional development and investment.

The United Kingdom has lost out in the past decade owing to regional weakness. We have lost out within the European Union because of the deficiency of strong and properly resourced regions to which EU development funds can be routed and which are capable of raising matching funds.

The long-term success of RDAs depends on adequate funding and on their ability to pursue private finance. The Government's proposals have failed in that important respect. The relevant clause should be reconsidered, because it seems to allow only temporary borrowing in the form of an overdraft, and then only to a limited extent.

As the Bill stands, the agencies will be prevented from having access to all the functions and funding that they should have. That will be a waste of public resources, and the Government should expand the scheme further.

The Government seem to have missed a golden opportunity, in that it would make sense for the RDAs to be involved in the process of establishing a regional minimum wage. It seems logical that such an approach could deal with many of the concerns of small businesses.

The Government's proposals should be bold and daring, with much more consideration given to long-term strategy. As the Liberal Democrat spokesman on small businesses, I have a particular interest in the creation of RDAs. One of the declared primary purposes of the agencies is to help small and medium-sized enterprises. The future for all small firms is local, regional, national and even global. The emphasis on very large business organisations has rightly been reduced in recent times. Increasingly, more and more SMEs are contributing to our national competitiveness.

There is little doubt that initiative and innovation are to be found in small firms in great quantities, but many promising business plans founder due to lack of resources and support. I hope that the RDAs will deal with that problem.

Several hon. Members have mentioned the role of training and enterprise councils and business links. In the past, there has been an inordinate amount of duplication and unnecessary bureaucracy, and money has been wasted. The Department for Education and Employment will still run TECs, and the Department of Trade and Industry will still have control over economic development grants. Reference was made earlier to the system of local enterprise companies in Scotland, which should also be considered. It is my experience that many businesses are unaware of TECs and business links, so I hope that the RDA will address that problem.

The system for economic regeneration requires clarification and simplicity to maximise efficiency and to provide businesses with the first-class support that they deserve. That is why the Liberal Democrats support the one-stop approach.

Business links and TECs are driven by national Government programmes and targets. Conflicts will inevitably arise between RDAs and business links and TECs, which will create weaknesses in regional economic development and regeneration programmes that reflect regional needs. The Government's proposals do not fully take into account the vast differences between the regions. Regional diversity must be recognised.

As the Confederation of British Industry pointed out in its briefing on the Bill, staffing is a key issue. It said:

"RDAs must have high calibre boards and chief executives. Remuneration must be competitive to attract individuals from the private sector. During the first years of establishment . . . there will be a particularly large workload in bringing together the regional partners and establishing RDA leadership."

The big problem with the Bill is the lack of accountability. Too much power will be in the hands of the Secretary of State. The role of the regional chambers should be strengthened, so as to hold the RDAs to account. At the moment, the voluntary aspect of this proposal is most unsatisfactory. The Liberal Democrats believe that it should be statutory. The Local Government Association made that very point. It said:

"As bodies appointed by Ministers, they"—

the RDAs—

"need to be accountable at a regional level to ensure they are able to respond to regional needs."

Business organisations agree with that point. The association went on to say:

"As bodies that will be business-led, it is vital that they are held to account by a broad range of regional interests to ensure real coherence with strategies and programmes elsewhere in the region. Consultation is insufficient."

Regional interests are paramount, and unnecessary interference by central Government should be avoided at all costs. I hope that the Secretary of State will heed my comments, which will be repeated by my colleagues and me as the Bill proceeds. We agree in principle with the establishment of RDAs, but my points need to be addressed.

7.59 pm

Mr. Ian Pearson (Dudley, South): The establishment of regional development agencies in England is long overdue. As a former chief executive of a regional economic development company and a current non-executive director of Greater London Enterprise, I warmly welcome the Bill, which commands widespread support among economic development professionals. In the west midlands it has the full and enthusiastic backing of local authorities, the CBI, chambers of commerce, the TUC, further and higher education institutions and the voluntary sector.

There is a growing realisation that regions throughout Europe are competing against each other not just to attract inward investment, but to increase the capability of the business base and expand its capacity. Large towns and cities are increasingly becoming magnets for industries and industrial sectors and are developing strategies that focus on developing industrial and service sector clusters and increasing specialisation.

In the 21st century, the ability to innovate, the quality of the skills base and the quality and capacity of the infrastructure that links them will be the keys to economic success locally, regionally and nationally. It is vital for RDAs to be an effective tool to make sure that our regions are capable of competing throughout Europe and further afield. It is important for them to take a leading role in developing visions for their regions and formulating effective regional economic development strategies that set out a viable framework for economic development and regeneration. The RDAs must address such issues as the rivalry between towns and cities within regions and should recognise the need to balance economic development and rural and urban priorities.

[Mr. Ian Pearson]

We are starting from behind. We are late in developing regional development agencies, and the figures that have been given about income per head of population show that we are lagging behind. The west midlands competes head to head with Baden-Württemberg in Germany and Emilia Romagna in Italy, especially in the automotive sector. In the European prosperity league, Baden-Württemburg is ninth and Emilia Romagna is 11th, but the west midlands is a lowly 56th.

My home town of Dudley is twinned with Bremen in Germany; there are good reasons for that. They share similar characteristics, not the least of which is an excellent brewing industry—Becks in Germany and Batham's in my constituency. However, Dudley's living standard is 75 per cent. below that of Bremen. That shows how far we have to go to ensure that the fruits of economic prosperity do not just trickle down but are seen to benefit people in Dudley and the west midlands as a whole.

We have a great deal to learn from regional development agencies in Europe. The GOMs in Belgium; centres such as Storströms business centre in Denmark; the Spanish development agencies; and not just the German model but some of the Italian experiences should be considered. They have been at the game for longer than us and have been effective in arguing with the European Commission for resources. They seem to be able to get European programmes that many of us in the west midlands and further afield would like to have.

The west midlands, like the areas of many hon. Members who have spoken, would have preferred a single vote of resources and to have training and enterprise council budgets and regional selective assistance within the direct ambit of the RDAs. We in the west midlands certainly intend that the West Midlands development agency, which is one of the existing regional development agencies that are funded by the Department of Trade and Industry, should be folded into the new RDA. The Bill does not make provision for such regional development organisations, but I trust that there will be flexibility so that if regions decide that that is an effective way to proceed, they will be allowed to go ahead.

I have two brief points about the Bill's detail. Encouragingly, the White Paper refers to the RDAs taking the lead in developing regional strategies. However, that is not in the Bill. RDAs have a responsibility to develop strategies to meet the purpose for which they were set up, but the Bill does not give them a clear leadership role. It would be useful for the Bill to do that.

Secondly, clause 5 places restrictions on the operations of RDA powers and states that the Secretary of State's approval is required if an RDA wants to provide financial assistance to companies or to dispose of land at anything other than best value. It also places a restriction on the provision of housing. It is not difficult to imagine circumstances in which it might be entirely sensible and appropriate within the new state aid rules to provide financial assistance to companies. By the same token, disposing of land at less than best value could play an important part in an economic development package. Similarly, there are many mixed urban regeneration projects in which, as part of the package, it might make sense for RDAs to become involved in building new houses.

I do not know why the restrictions are needed in the Bill and we should consider taking account of these matters in clause 31, which provides for guidance and directions by the Secretary of State. We are needlessly restricting the powers of regional development agencies.

I welcome the fact that the single regeneration budget challenge fund will be part of the responsibilities of RDAs. I hope that there will be permission to take an axe to the labyrinthine bureaucracy that surrounds the programme. That is vital, and I am sure that RDAs can get better value for money out of the SRB than can be had at the moment.

The capability and calibre of the people who will be attracted to the RDA boards and those who will staff and run them will be crucial to their success. I want a strong, agile and effective regional development agency and it is essential to secure high quality board involvement. We are at risk of not attracting people of sufficient calibre. I do not want RDAs to be seen as relatively weak and therefore capable of attracting only second-rate managers from business to their boards. I am encouraged by the prospect of RDAs because they can provide enormous benefits and it is important to recruit the most able people. It is proposed that staff will be transferred from offices in the regions and from English Partnerships to the RDAs. I have many friends who work for English Partnerships and who work in Government offices. However, there will need to be an injection of new blood into the running of regional development agencies if they are to have the sort of culture and ambition necessary effectively to fulfil their remit.

RDAs have a tremendous potential. They can play an absolutely crucial role in increasing economic prosperity and promoting social cohesion in the west midlands and across the United Kingdom.

8.10 pm

Mr. Tim Collins (Westmorland and Lonsdale): Almost the first line of the explanatory and financial memorandum to the Bill reads:

"*Clause 1 and Schedule 1* provide for England to be split into nine areas."

Has there ever been a more grim and solemn line in a Bill? That is the effect and, to some extent, the purpose of the Bill.

If the new Welsh and Scottish institutions need to be balanced with the rest of the United Kingdom, the way to do so is to balance them with English institutions, not to split England into nine artificial regions. England is a nation with at least as much history and culture as Wales and Scotland. It should not be belittled and split asunder in ways that Labour Members would not have permitted in Wales or Scotland.

It is also clear, as we have heard from hon. Members on both sides of the House, that the proposed regions simply do not command the loyalty, assent or even the comprehension of many of the people who are supposed to live in them. The hon. Member for North Devon (Mr. Harvey), who spoke for the Liberal Democrats, said that the south-western region was absurd. My hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) and my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) said that the south-east region was absurd. The right hon. Member for Bishop Auckland (Mr. Foster) said that he was not in favour of the present

borders of the northern region and argued that Cumbria should be absorbed into the Newcastle-dominated area. As he is not a Cumbrian Member of Parliament, whereas I am, I can assure him that a large number of people in Cumbria do not wish to be run from Tyneside for any purposes whatsoever. However, he demonstrated—yet again—as hon. Members on both sides of the House have, that the proposed regions do not command widespread public consent.

My hon. Friend the Member for Meriden (Mrs. Spelman) gave another reason why splitting England into regions is dangerous and absurd. She said that the agenda behind the Bill is to split England—otherwise one of the strongest inherent nation states in Europe—into bite-sized chunks, each less able to resist the impulse of a centralising Brussels bureaucracy. It is precisely because the United Kingdom has been a strong, united, unitary state that we have been able to survive all the challenges of the 20th century, not least external challenges from Nazi Germany and Soviet Russia. We should be very careful before we split up the United Kingdom and, within that, split up England.

Yet another reason why the Bill is so absurd is that it harks back to the 1960s and 1970s. We heard from Labour Members about the importance of economic development and economic growth. Who would argue with that? However, they sound like old 1960s and 1970s politicians when they say, "How do we get economic growth? We will set up a committee, establish a new set of bureaucracies and produce a new strategy, and in that way we will generate wealth." Old Labour used to believe that the man in Whitehall knew best; new Labour believes that the bureaucrat in Newcastle or Manchester knows best. Most people recognise that no bureaucrat knows best and that the most successful and dynamic economies are not those with huge swathes of bureaucracy and extra tiers of government, but those that minimise them.

The White Paper contains an extremely misleading map at the front, which attempts to show that the UK is an exceedingly unsuccessful economy compared with the rest of Europe. The Labour party is schizophrenic. The Prime Minister lectures Europe that the UK is cool Britannia. He lectures Europe that it should learn from us on a whole range of issues, not least the need for labour market flexibility. He lectures that the United Kingdom represents the future for Europe because we have overcome many of the economic challenges that the rest of Europe still needs to overcome. Yet time and again in the debate we have heard Labour Members saying that the UK is the worst performing economy on a whole range of measures. That is patently absurd.

The hon. Member for Huddersfield (Mr. Sheerman), who has left his place, said that my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) was clutching at straws when he referred to inward investment—that, somehow, inward investment did not matter much. I had thought that that was the primary purpose of the Prime Minister's trip to Tokyo. The hon. Gentleman ignored the fact that of the 20 top companies in Europe, more than half are in the UK. He also ignored the fact that comparative employment rates, based on the map in the front of the White Paper, show that the UK is performing a great deal better than almost anywhere else on that map. That is a further demonstration of the flaw in the economic strategy behind the Government's approach—the idea that by setting up a new committee, bringing together some more bureaucrats, creating a new agency and putting up taxes to pay for it all will create wealth.

Who are the dynamic wealth creators who will transform the performance of our regional economies? The Bill tells us who they are—representatives from local government, from education and from trades unions. Only socialists could believe that a collection of some shop stewards, some National Union of Teachers members and some clapped-out councillors will suddenly produce a dynamic new economy. If the idea were not so sad, it would be hilarious.

We also heard from hon. Members on both sides of the House about the importance of rural areas. The Minister, who is chuntering away to himself, has dismissed the arguments on rural areas, but I ask him to pass on two concerns to the Minister who is to reply to the debate. Can we have an assurance that those who are appointed to the RDA governing boards as rural representatives will be genuinely rural people with their roots in rural areas? We are not interested in people who happen to have a holiday home in a rural area, where they spend a little time. We want people who were born and brought up on farms or who spend a large proportion of their lives in rural areas and villages. *[Laughter.]* Labour Members are laughing, but we need rural representatives who have genuine rural roots.

I hope that the Minister will take seriously the point that I made, when I intervened in his speech, about the symbolic importance, if nothing else, of ensuring that at least one RDA has its headquarters in a rural area. Frankly, out of sight is out of mind. If every RDA is headquartered in an urban area, urban areas will be first and foremost on their agenda.

We have heard a great deal from Labour Members and, to some extent, from Liberal Democrats, about their wish for training and enterprise councils to be brought under the operation of RDAs. I very strongly counsel the Minister against that. I hope that he will say firmly and clearly that the undertaking given in the last Parliament by the Labour Opposition, that they would not tamper with the structure, independence, financial autonomy or role of TECs, will be upheld.

My right hon. Friend the Member for Sutton Coldfield was instrumental in creating TECs. In fact, to a large extent they were his idea and I pay tribute to him for that. I had the great honour of serving as a special adviser to my right hon. Friend's successor, the present shadow Foreign Secretary—my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard)—and it was during his time at the Employment Department that most of the TECs were established.

The House will know that the essence of the success of TECs has been that the whole of their governing boards have been chief executives of businesses. Time and again, chief executives of businesses have said that they would take part in the operation of TECs only if they did not have to deal with all those people who, in the past, have stopped them achieving all that they have wanted to achieve for the local economies—in particular, local councillors, teachers and others, who are precisely those who will be put above them in the RDAs that will represent the absurd regions.

Mr. Hilton Dawson (Lancaster and Wyre) *rose—*

Mr. Collins: I do not have time to give way.

[Mr. Collins]

The Bill is bad because it splits up England; it represents a clapped-out, dated and archaic theory of how to generate wealth and economic growth and, above all, it threatens the success of genuinely local, genuinely business-led, successful organisations—the TECs. For all those reasons, it should be rejected.

8.19 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): Thank you, Mr. Deputy Speaker, for calling me to speak in this debate—a debate which is vital for the economic future of my constituency and of the Teesside region. I unreservedly welcome the central thrust of the Bill, although I should like to ask one or two questions about some of its provisions. The people of Teesside and of the north-east will also welcome it.

The Bill is necessary. Over the years, and especially in the past 18 years, the people of Teesside have suffered greatly from the Tory party's boom and bust policies. Many thousands of jobs were lost in the steel and chemical industries, and people on the Tees saw the end of shipbuilding. The wider local economy, which depended on the good health of Teesside's core industries, collapsed.

In 1977, the Cleveland county area was one of the more prosperous regions of the United Kingdom. It was third in the GDP per head table in the UK, behind only Greater London and Berkshire. By 1987, it was 34th. In 1989, according to the Royal Bank of Scotland's index of prosperity, it was the 61st poorest of the UK's 63 counties and regions.

The north-east's regional economy was the wider economic casualty of Thatcherite restructuring. Proportionately, the northern region lost more of its manufacturing base in the late 1970s and 1980s than any other UK region. In Teesside, we lost about 67,000 jobs in two to three years. Such facts show the necessity of the Bill and of the other important legislation that is now being steered through the House—to ensure that we have a coherent approach to development and a welcome concentration on policies that are in tune with what the people want, rather than with what the Tory party thought was good for them. It is because of such attitudes that the north will soon have a regional development agency.

My hon. Friend the Minister for the Regions, Regeneration and Planning will not need to be reminded that the north-east was in the vanguard of the movement for proper development agencies. The new RDAs will mean that, at long last, our demands will finally be met for a regionally based voice and a regionally controlled tool to ensure the creation and nurturing of sustainable development policies.

The northern region did not only demand RDAs; in the early 1980s, the north-east anticipated such agencies by establishing the Northern Development Company. That was a unique agency, based on a tripartite partnership between the region's local authorities, private business and trade unions. It has worked very hard to promote inward investment opportunities, to build good and lasting supply chain networks and to facilitate indigenous business growth across the region.

In recent years, the NDC's work has meant that much of the inward investment from the Pacific rim and elsewhere has located and prospered in the north-east. The names of those inward investors is a roll-call of the world's leading-edge companies: Fujitsu, Siemens, Samsung and, in my constituency, Caterpillar. The NDC's success shows that, from April 1999, the north-east is well placed to have the first fully fledged RDA. We will, after all, only be building on what we have already achieved.

Although we are geared up and ready to establish our new agency, we should ask one or two questions. There are specific concerns, particularly in the north-east, that have to be answered in this debate. We have to ensure, first, that each agency is allowed maximum autonomy in determining regional economic policy, because what may be right for Middlesbrough may not be right for Manchester, and vice versa. We must particularly ensure the growth, technological competence and diversification of our indigenous industries. Perhaps we should give those objectives far more weight, rather than merely compete to win the perceived goal that may lie at the end of the inward investment rainbow.

There is a need for well-developed and robust regional economic strategies that deal with the need for both economic and social regeneration. Those strategies must take account also of sectoral strength and not be afraid to take robust long-term decisions to encourage high technology and inward investment. We have to ensure that there is a correct balance between the pressing need for urban revitalisation and the equally pressing demands of deprived rural areas.

As an hon. Member who represents a partly rural constituency—Conservative Members have been talking about such constituencies throughout this debate—comprising former ironstone mining villages where unemployment has been a fact of life for far too long, I shall need particular reassurance that those demands will be met. I shall be very interested to hear my hon. Friend the Minister's comments on that matter.

I note that the RDA will subsume the work of the Rural Development Commission, and I do not dissent from that objective. I note also, however, that the Bill states explicitly that one of the RDA's core functions will be to promote rural regeneration and that at least one RDA board member must have specific knowledge and expertise in rural development issues.

The Cleveland area will have to know very soon whether the RDA will continue with the vital socially based work of the RDC. In our village communities, this work—based on initiatives such as providing volunteer-run nursery provision, local collective projects based on housing needs, and conservation and environmental activities with a specific rural remit—fits somewhat uncomfortably in the RDA's proposed portfolio.

Such activities underpin and complement the economic development work being done by the borough council and by other bodies. I should very much like my hon. Friend the Minister properly to reassure my constituents that the machinery for continuing those activities—within the ring-fenced boundaries of an RDA area that still has the highest unemployment of any such area in England and Wales—will be established with proper and democratic funding channels.

I should like also to be assured by my hon. Friend that there are proper safeguards for European funding arrangements. My constituency has been the beneficiary of many projects backed by structural and social funds,

which have been accessed by a variety of organisations and agencies. All those agencies have experienced problems with the previous Government's cherry picking and ruthless top slicing of European funds for their own pet schemes.

It is proposed that RDAs should distribute European funds. I welcome that, but I should like to be reassured that the funds will still be handled fairly and that arrangements will be made to prevent RDAs replicating those previous top-slicing practices.

I commend the Bill. Its success will ensure that my right hon. Friend the Deputy Prime Minister and my hon. Friend the Minister will gain a place in the United Kingdom's history books and a special place in the heart of the people of the north-east.

8.28 pm

Mr. Graham Brady (Altrincham and Sale, West): My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) said that Labour Members have had a somewhat schizophrenic approach to this debate, sometimes talking about the great success of the English regions and sometimes talking about their enormous poverty and failure. That schizophrenia has been highlighted by the hon. Member for Middlesbrough, South and Cleveland, East (Dr. Kumar).

In the past 10 to 15 years, inward investment has helped to create the important success enjoyed especially by the north-east. There is a telling contrast between the years in which the north-east's old industries declined and its recent development of new and successful industries. I know that from personal experience in the north-west in the years before prosperity spread to the north-east. The Conservative party and the previous Government can be justly proud not only of the inward investment that put Britain at the top of the league table for inward investment, but of the enormously successful regeneration of some of our great cities. Liverpool, Manchester and Newcastle are fine cities with a proud history and a great heritage and they are once again prosperous places where people love to live and work.

How do we take forward that success? That is a challenge which the new Government must face. I do not know whether it will be taken forward by a new breed of centrally appointed quangos. Nor do I believe that it can be taken forward by additional bureaucracy and the mistaken extrapolation of some of the successful enterprises of the previous Government to a new regional level. Although TECs and development corporations have achieved a great deal and have been effective in certain areas, that does not mean that a similar exercise will succeed at a regional level or, still less, across the whole of England. We risk developing a new generation of quangos too far removed from reality, too far away from any particular town or city and certainly too far removed from democratic control, as they will have no direct relationship with the elected local authorities.

We are told that local business men will be appointed to the boards. Local to where? In the north-west, will they be local to Liverpool, Manchester or Carlisle? It makes an important difference. The introduction of a new regional tier is a misguided attempt at economic planning over very large areas.

It may be appropriate to introduce a regional body for the north-east, where there has been a long-standing call for such a body and which has a far greater regional identity than most parts of England, but it is an absurd suggestion for the north-west. The north-west is not one region, but three or more. The previous Government recognised that by creating separate Government offices for Merseyside and for the rest of the north-west, but even that overestimated the extent to which the north-west can be coalesced into particular regional groupings. Merseyside and Liverpool, the Manchester area, the area north of Manchester and Cumbria all have completely different natures. There is a completely different feel to them and I see no logic in treating them as a single region.

My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) remarked on the wasteful competition that could be introduced between regions which may be competing for inward investment or companies to move into their areas. I shall focus on some of the difficulties that could arise within the regions. What planning and distribution of effort and benefit might there be within a region such as the north-west? Would a regional development agency have a role to perform in deciding what should go to Liverpool, Manchester or elsewhere? On what criteria would those decisions be based? The distribution of income, European grants, investment and the effort of marketing a region may differ greatly between urban and rural areas, but there are equally broad differences between the cities of Manchester and Liverpool and between those two great cities and the rest of the north-west.

Cumbria may be a special case. My hon. Friend the Member for Westmorland and Lonsdale said that in his constituency there was no clamour to be ruled from Newcastle. I can understand that, but nor is there any great desire to be tied to Manchester or Liverpool. Cumbria is a distinct area with its own interests and a far more rural heritage. There is no logic or sense in tying the north-west together under one regional development agency.

All that leads to a more important conclusion. If it is wrong to have a regional development agency for the north-west because the region has no collective identity, there must never be any suggestion of a new tier of regional government. If an RDA for the north-west is absurd, an elected assembly for the north-west is even more so. Nor is there any demand for it. Although I doubt that an RDA for the north-west will achieve very much for my constituents or the region, I very much hope that we will not have a further costly and unnecessary level of bureaucracy through the establishment of a regional chamber for the north-west.

8.35 pm

Ms Rosie Winterton (Doncaster, Central): My hon. Friend the Minister for the Regions, Regeneration and Planning has a personal commitment to developing an economic strategy for the English regions. I join my hon. Friends in congratulating him on introducing the Bill in the first Session of this Parliament. Like myself, the Minister represents a South Yorkshire constituency and the Bill will bring many benefits to our region.

At present, Britain is the only member of the European Union without regional decision making. In 1975, the Labour Government established development agencies in Scotland and Wales and the improved economic performance of those countries shows what can be achieved by development agencies. Even in the most severe days of Thatcherism there was no real effort to disband them. So in many senses the Bill is unfinished business from the 1975 Labour Government.

[Ms Rosie Winterton]

Recently, I visited Japan and spoke to business men who were considering locating factories in Britain. It was obvious that the Welsh Development Agency and Scottish Enterprise played a key role in shouting for their areas. I hope that hon. Members representing Scottish and Welsh constituencies will not mind my saying that my own area of South Yorkshire has just as much potential, but, without the resources of a development agency, finds it difficult to achieve the same profile with potential inward investors. That is why one of the strong messages from my region as a result of the consultation process carried out by my hon. Friend the Minister was that inward investment and the marketing of a region should be a core function of the regional development agency.

It is extraordinary that the Opposition's amendment states that the Bill will reduce inward investment when all the evidence is absolutely to the contrary. As other Labour Members have said, the Bill is not only about inward investment. Every region requires the tools to develop the potential of its indigenous economy. I believe that the Bill will be one of the key ways in which the Government can achieve their aim of full employment.

My region, Yorkshire and the Humber, has seen massive industrial and structural change in the past 20 years. South Yorkshire now achieves just 75 per cent. of the average European Union gross domestic product. That makes it eligible under current European laws for objective 1 status—the highest level of financial assistance available from the EU. As I am sure my hon. Friend the Minister is aware, there is concern that the change that is being considered by the EU may make areas such as South Yorkshire ineligible for objective 1 status. I wonder whether in her reply the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Wallasey (Angela Eagle) will assure me that the Government will do everything possible, especially during the United Kingdom presidency, to ensure that areas such as South Yorkshire can continue to achieve objective 1 status.

One of the major problems that will need to be tackled by the regional development agencies, and which is reflected in South Yorkshire's eligibility for objective 1 status is long-term unemployment. That is why I particularly welcome the fact that RDAs will be expected to develop a skills agenda within their regional economic strategies.

Huge industrial changes have occurred in my area, which means that the nature of work has changed. For example, in its heyday the rail engineering industry used to employ 5,000 people in Doncaster. Now it employs just a few hundred. British Rail Engineering Ltd. used to run a training school in conjunction with the local college which was recognised throughout Britain for the high level of skills training that it provided. That training supplied a skilled work force not only for Doncaster but for the whole of Yorkshire. I visited one of the plants of what remains of BREL the other week. Out of a work force of a few hundred, there were no apprentices. People can no longer rely on training for one industry and staying with one company for the whole of their working life. Technical advances mean that skills need constantly updating.

Yet employers complain that there is a skills shortage while unskilled and unemployed people lack opportunities for retraining and developing higher level skills. That problem has been highlighted today by the Association of British Chambers of Commerce. In any region, numerous organisations have responsibility for education and training. The problem is that there is often duplication of effort and lack of co-ordination in matching skills requirements to training. The RDAs will be able to provide a coherent strategic framework for skills development at regional level and bring together all the organisations that have responsibility for vocational training and education. That will enable a skills strategy to be drawn up to match training provision with skills required.

We are already seeing some move towards co-ordination of education and training organisations under the new deal proposals. Structures are being established to bring them together. Could the Minister comment on what role her Department could play in highlighting lessons that can be learnt from the success stories of the new deal? Certainly, the skills agenda will have to cater for those people who have been unemployed long term and those who have the lowest level of skills if the stated aims of reducing poverty and social exclusion are to be achieved.

In my constituency there are pockets of unemployment, some three times the national average, alongside fairly affluent areas. In the areas of unemployment, some 40 per cent. of people have been unemployed for more than a year. That is why it is extremely important to ensure that strategies for economic development link with skills strategies. Can the Minister tell us what types of powers will be granted to RDAs to ensure that economic strategies relieve local unemployment and improve local skills and prevent the importation of work forces, as has sometimes occurred under previous regeneration programmes?

One of the most positive developments to flow from the regional debate maintained by my hon. Friend the Minister for the Regions, Regeneration and Planning and my right hon. Friend the Deputy Prime Minister has been the coming together of local authorities and others in regional assemblies. As my hon. Friend the Member for Bradford, South (Mr. Sutcliffe) said, the regional assembly for Yorkshire and Humberside has carried out excellent work with other partners in the region and is drawing up a strategic framework for Yorkshire and Humberside for the next 10 years.

The assembly also hopes to be an integral part of the new regional chamber. There is a desire, however, as reflected in the report of the Select Committee on the Environment, Transport and Regional Affairs on RDAs, that regional government should be established as soon as possible. Perhaps the Under-Secretary can give us an idea of when the Government hope to be able to introduce it.

The establishment of the RDAs will bring considerable benefits to my area. It has great potential, but all its possibilities can be realised only within the framework of strategic regional planning. The Bill will enable that long-awaited strategic planning to take place at last.

8.44 pm

Mr. Andrew Lansley (South Cambridgeshire): It is always a pleasure to listen to such debates because there always comes a point, particularly when listening to

Labour Members, when one arrives at the reason for the introduction of legislation. The hon. Member for Doncaster, Central (Ms Winterton) finally gave us the answer—the Bill has been introduced to complete unfinished business from the Labour Government of 1975.

That thought had already occurred to me. I started work as a civil servant at the Department of Trade and Industry and I was introduced into a division called Industrial Planning. My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) said that the Bill represented the resuscitation of planning, in this case on a regional scale. I had the same feeling when the hon. Lady talked about the 1970s.

I have the same feeling about regional development grants because I worked in the branch that gave £110 million to Sullom Voe, and for what? The money was spent on a project that went ahead in any case. We abolished such grants.

My right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley) spoke about what the Conservative Government did to help the Thames corridor, Docklands and places such as Corby, which has been subject to long-term competitive decline. Because of the Conservative Government's efforts, an enormous amount of inward investment was attracted to those areas, although that was not the sole improvement introduced by our Government. The hon. Members for Middlesbrough, South and Cleveland, East (Dr. Kumar) and for Huddersfield (Mr. Sheerman) suggested that inward investment was the only saving grace of the previous Conservative Government, but that Government encouraged a great deal of indigenous activity that occurred alongside such investment, such as sub-contracting. Such efforts are part of the means of securing inward investment.

As time is short, I should like to talk about inward investment, not because I consider it is the only aspect worth mentioning, but because it reveals what is at the heart of one of the problems associated with the Bill. I am afraid that the Bill is a case of "not proven". In the introduction to the Government's White Paper, the Deputy Prime Minister offered a far from comprehensive and exhaustive set of reasons for why an inward investment project might come to the United Kingdom. He spoke about the co-ordination of potential sites, finance, training and services such as transport and power supplies. That begs the question about what causes inward investment to be awarded to United Kingdom projects.

I remember standing next to the then Secretary of State for Trade and Industry in 1984 when he signed the heads of agreement with Nissan. Many factors contributed to that deal. Let us consider how many of them will be changed in substance by the establishment of regional development agencies, which will replace existing structures and arrangements.

Let us consider regional selective assistance. Will it be provided by the RDAs and eventually determined by them? No. It will be determined by Government Departments as it has been in the past. As for the infrastructure, which we know is always important to the prospect of inward investment, will it be provided by the RDAs? No, in large part it will be provided at the behest of the Department for the Environment, Transport and the Regions through its borrowing approvals. It will also be provided by county and other local authorities in accordance with their local plans.

Is the planning framework that will determine which areas or zones are to be available for industrial or business use to be determined by the regional development agency? No it is not. As now, such decisions will be made under planning legislation—at least I hope they will, although there is some speculation to the contrary. They will essentially be the product of strategic planning guidance leading to structure plans and planning decisions via a democratic framework inside local government.

Is the training framework to be delivered by the regional development agency? No, it is not, because training and enterprise councils will remain outside the RDAs. Having created TECs, which my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) initiated, it would be a retrograde step for them now to be subordinated to a Government-controlled quango. That would run contrary to the principle of business-led skills and training that was always at the heart of TECs, so RDAs will not be delivering training. The hon. Member for Doncaster, Central says that the RDA can cause a region's training and education bodies to come together and talk to each other. That might not happen in Yorkshire, but in my part of the world training and education bodies already talk to one another and it does not require a regional development agency to make that happen.

There is a case for co-ordination in these matters and, although much of that co-ordination already takes place, there have been gaps. Members of Parliament representing the south-west have talked about what used to be called the Devon and Cornwall development company and we have heard about the Northern development company. In Scotland and Wales, bodies have been established that were designed specifically for the purposes of attracting inward investment and bringing together and co-ordinating activity to sustain inward investment projects.

In the east of England, there was a lack of such a body, although there was no lack of interest in inward investment. The hon. Member for Huddersfield talked about the importance of universities as a stimulus to development, but no part of the country is more aware than Cambridge of how a university can be a focus for investment. Our problem in East Anglia is not the availability of investment, but the availability of land for development. Sometimes, we have development projects that are not willing to travel an extra 10 or 15 miles and locate in a more distant and peripheral location, rather than in the specific location that they find desirable because of its proximity to markets, high-technology and infrastructure. Therefore, there was a case for looking at the regional mechanisms whereby infrastructure could be created and sites packaged so as to take the large amounts of inward investment wanting to come to East Anglia in support of the Cambridge phenomenon and spread that phenomenon to a greater extent.

The East of England Inward Investment Agency was created and I was interested to read the evidence of that agency. It said that it was happy with the prospect of a regional development agency; but it was happy because the RDA would, in effect, subcontract to the existing agency the business of co-ordinating a relationship with inward investment projects. Therefore, as we examine

[Mr. Andrew Lansley]

inward investment projects and consider what functions must be carried out in relation to them, we find that they are already being carried out by existing bodies, which were created for perfectly good reasons in different places and which are perfectly capable of co-ordinating with each other.

It is interesting to consider what caused all those bodies to tell Ministers that they thought that RDAs were a good idea. I would say first that Ministers should not believe their own propaganda. My right hon. Friend the Member for Sutton Coldfield made it clear that those who responded to the consultation exercise were collectively making job applications, but I would put it another way: just because people are kow-towing to him, the emperor should not conclude that he is wearing clothes. During the debate on the Greater London Authority (Referendum) Bill, the hon. Member for Brent, East (Mr. Livingstone) talked about the prospect of the terracotta army and people are responding to the prospect of RDAs in the same way. They know that the Bill will be passed and that RDAs will come into being and they do not want to be on the wrong side—but that does not mean that the emperor has clothes. It is our job, when the emperor does not have clothes, to expose the nakedness of the Government's intentions.

Our attitude is not negative to the legislation or to regional development activity. Our party supported the Welsh Development Agency, the Invest in Britain Bureau, Locate in Scotland, and the urban development corporations. As my right hon. Friend the Member for Tonbridge and Malling said so clearly, we have understood the case for focused activity where there is a defined need and we can add value.

The hon. Member for Liverpool, Riverside (Mrs. Ellman) mentioned the letter from the Confederation of British Industry. Later in that letter, the CBI said:

"the key test for RDAs will be whether they add value."

That is exactly my point: will they add value? I submit that the evidence so far suggests that they will not, and that the legislation is merely a stalking horse for regional government by Labour authorities, who will be able to point to a body with growing powers and say that it should be made more democratic—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman must resume his seat.

8.55 pm

Mrs. Louise Ellman (Liverpool, Riverside): Regional development agencies will breathe new life into the regions of England. They will provide a focus for integrated development, investing in companies and in skills training and retraining, developing appropriate property and sites, and supporting commerce and industry. They will do that to support and develop existing business as well as attracting new business.

I am an enthusiast for regional development agencies, because I have seen at first hand what they can do. Between 1981 and 1997, I was leader of Lancashire county council, and from 1982 I was the unpaid vice chairman and director of Lancashire Enterprises, the economic development company set up by the council in that year. It was set up originally as a company limited by guarantee, but following hostile legislation from the Conservative Government, in the form of the Local Government and Housing Act 1989, a plc was formed as well, with the county council-controlled company owning around 19.9 per cent. of the equity, the maximum allowed, to enable it to continue to operate effectively.

Over those years, I saw what Lancashire Enterprises, working as an economic development agency with the public and private sectors, could achieve. I saw thousands of jobs saved at Leyland Trucks after the collapse of Leyland DAF; defence diversification in partnership with British Aerospace; regeneration of the Leeds-Liverpool canal; inner-city regeneration at Whitecross in Lancaster; the setting up of 10 investment funds with the private sector, some of which—including the Rosebud fund, which raised £5 of private finance for every £1 of public finance invested—were particularly concerned with the needs of small businesses; more than £30 million of European funding coming directly to Lancashire businesses; support for hundreds of small and medium enterprises; and the setting up of a co-operative development agency.

In all, the company directly supported about 26,000 jobs, 24,000 training places and the building up of £40 million of public assets. It operated as an investment-led rather than a grant-giving agency.

In the north-west, there is widespread support for a regional development agency. That support comes from public, private and voluntary sector stakeholders throughout the region: stakeholders who have been working together on a regional basis for the past six years, through the North-West Regional Association and the North-West Partnership. They include local government; the Confederation of British Industry; the chambers of commerce; the business leadership team; Co-operative Enterprises North-West; the North-West Trades Union Congress; higher education; and training and enterprise councils.

All those stakeholders, working together, do not accept that it is right for the north-west to have a low gross domestic product per head. They do not accept that it is acceptable for the north-west to have a low rate of company formation and new company survival. They do not accept the record of poor inward investment to the north-west and they are extremely worried about reports of skill shortages in all sectors—including shortages of operatives, professionals and management.

All those stakeholders want to work with a regional development agency that can focus on developing the strengths of the region, an agency that can help the region to restructure from its industrial past to a new industrial future with regeneration. Those stakeholders want an agency to help manufacturing industry, to develop our strong science base and strong vehicle manufacturing base, to support the new industries in media and in culture, to build on the base of high technology and to ensure that the vast array of knowledge in our institutions of higher and further education is used and developed commercially to the maximum.

The regional development agency should continue working on technology transfer with such major companies as British Aerospace and British Nuclear Fuels, ensuring that the vast reservoir of skills and knowledge in major companies is used not only within those companies but, with the support of those companies, to support additional companies and enterprises.

Regeneration is taking place in the north-west. In my constituency, a great deal is happening, and much is happening locally with local people in local communities. However, the strength of a regional development agency is that it can act sometimes as a prime mover, sometimes as a partner, sometimes as an organisation putting together packages of public and private sector support to help individual companies or sectors of industry. A regional development agency is there to react when a problem arises and to anticipate problems in the regional economy.

One reason why there is such strong support for a north-west development agency throughout the north-west is that for six years, all the stakeholders that I have mentioned—in the public, private and voluntary sectors—working together, have developed an economic strategy that not only deals with the north-west region as a whole but identifies the specific needs of each part of the region. Although the north-west as a whole has major needs, including transport and environmental needs, there are also many differing needs in the Manchester area, the Lancashire area, Merseyside, Cumbria and Cheshire. The work that has been done in the past six years by all the stakeholders together has shown that it is possible to have an effective regional strategy that takes into account the specific needs of different parts of the region.

During the past six years, that strategy has developed into action. A major transport study has just been published based on the work that was done. A private sector-led working party is working now on regional innovation, ready for a regional development agency. A working party on social exclusion is about to report. The work that has taken place during the past six years with the North-West Regional Association and the North-West Partnership has shown how influence can be exerted.

There have been some specific achievements, such as the establishment of a north-west office in Brussels, bringing additional funding, and the creation of a network of technology centres, which are already starting to operate around the north-west—but how much more could be done with a regional development agency. The existing structure has influence and is starting to have effect, but we really need an executive authority working as the regional development agency. The White Paper and the Bill refer to the importance of a regional chamber. I believe that that is an essential part of the programme for a regional development agency.

In the work that has been done in the north-west with the North-West Partnership and the North-West Regional Association, we have demonstrated the very important role that a regional chamber can play. Therefore, it is extremely important that the Minister uses his powers to ensure that the regional development agency links with the proposed regional chambers.

We in the north-west are far advanced. Now we need to develop the regional chambers, based on current structures. Stakeholders have already said how they think they should operate, so there will be an interplay between those in the region—elected members, other stakeholders—and the RDA.

The proposal for RDAs has widespread national support. It has the support of the Local Government Association, representing local government across the country; of the private sector and the voluntary sector; and of the trade union movement. This is an excellent Bill, part of the process of revitalising the regions and of devolution. I support it and I urge the Minister—

Mr. Deputy Speaker: Order. The hon. Lady must resume her seat.

9.5 pm

Mr. Peter Luff (Mid-Worcestershire): I begin by declaring an interest as an adviser to the Rural Development Commission before I was elected to the House, and as a recently appointed member of my regional Country Landowners Association committee.

Having listened to the debate, I think that the Government are living in a fool's paradise. I wish that Labour Members were right in all their noble hopes and their aspirations for these regional development agencies, but the road to hell—on this occasion, perhaps, the electronic super-highway to hell—is paved with good intentions. I honestly believe that Labour hopes and aspirations are seriously misplaced. Although I wish that they were right, it is impossible to legislate for economic growth at 3 per cent. and inflation at less than 2 per cent. The real world is a messy and complicated place which cannot be resolved by simplistic, bureaucratic structures of the kind the Government seek to impose on the country.

The hon. Member for Liverpool, Riverside (Mrs. Ellman) made much of the fact that there has been support from outside bodies, but my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) spoke of the danger of the emperor believing that he had clothes just because people kow-towed to him. I urge the Minister and the Labour party to listen to what is really being said to the Government in the consultation period, because it is much more complicated than they believe. I am reminded of the words of Simon and Garfunkel in "The Boxer"—possibly an appropriate song for the Deputy Prime Minister:

"A man hears what he wants to hear and disregards the rest".

Listen to what the National Farmers Union says in its letter to hon. Members about the RDAs:

"There has been much concern in rural areas that the RDAs will be unduly biased towards urban concerns, and that the legitimate interests of the rural areas may be overlooked or sidelined."

That is hardly a robust statement of support.

It is true that the CLA, in its letter to Members, generally welcomed the Bill, but it went on to say:

"The CLA highlights outstanding concerns for rural communities and businesses which must be addressed in this Bill, its implementation and the day to day activities of the RDAs".

The Deputy Prime Minister made some highly regrettable remarks about the Rural Development Commission in his statement about the Bill to the House. Indeed, I wrote to him asking for an apology for what he had said about Lord Shuttleworth, but no such apology has been forthcoming. In any case, the CLA said:

"The Government must demonstrate at Second Reading and beyond that the RDAs will be at least as committed as the RDC to these programmes"—

of rural regeneration—

" and that the effect on rural areas will be a benefit, not a loss."

No such demonstration has been made today, and I am more concerned than ever about the negative impact that the RDAs will have on the rural areas of England.

[Mr. Peter Luff]

Listen to the rest of the CLA's letter:

"The Government should be pressed . . . the Government must confirm . . . the Government should be pressed . . . if these powers are to be justified . . . the Government should be pressed"—

hardly a ringing endorsement from an outside body, and I suspect that other representations that the Government have received are in the same terms, if they will only listen to them with an open mind, not the closed mind that they have exhibited so far.

The rural question is at the heart of the fundamental flaw in the Bill. The Bill may be fabulous for Birmingham, the west midlands, Dudley and the black country. If I represented those urban areas, I might well be arguing for the Bill myself, because it would offer me the opportunity to draw resources from rural areas into the urban heartland. But what about the rural question? I was grateful to the Minister when I intervened in his opening speech. He said that if specific ideas were proposed to improve the situation for the rural areas under the Bill, the Government would listen to them. Let me put forward four specific issues now. I appreciate that in the short winding-up speeches tonight, there will be no opportunity to reply to them in detail, so may I have a response in writing from the Minister on these four specific points?

First, clause 4 could be significantly strengthened in line with the commitment to the rural areas that the Government have expressed in the past, to make it clear that that commitment is not just words, but reality. A strengthening of the commitment in clause 4(2) would do much to reassure me that that was the case.

Secondly, membership of the RDA boards has been discussed extensively in the debate, and rightly so. How can the relatively small boards covering such large areas represent such a diversity of economic activity, special interests and the counties and authorities that comprise the regions? Each RDA board must include at least one rural member. That could be specified in the Bill, and would be a useful step forward.

Thirdly, what about the important work that the RDC has done in identifying rural needs, monitoring them and reporting back to the Department of the Environment, now the Department of the Environment, Transport and the Regions? It would be extremely helpful if the Government could say specifically how the RDAs will be expected to assess rural needs, and to monitor and report on rural conditions and on what they have done each year to address those rural needs. Will needy rural areas continue to be determined nationally on the advice of the RDC, if it still exists—we are waiting to hear whether it will or not—or by its successor body, or will that be left to individual RDAs to decide? If so, I fear for those rural areas.

Fourthly, what about funding? We have heard a lot about the desperate attempt to claw money into the RDAs from various pots around Whitehall. Will the funds transferred from the RDC for rural regeneration be ring-fenced for rural regeneration within the RDAs? If not, why not? Those are the issues which the Government must address if they are to reassure my constituents that the RDAs will not act against the interests of rural areas.

In addition, the Bill raises a series of worrying issues, such as the regional chamber concept, which makes matters worse for the rural areas. We have a very effective chamber of commerce in Hereford and Worcester, which was developed out of the TEC and merged with the local chamber, and is doing a first-rate job for the local economy.

Am I seriously hearing from the Treasury Bench that the Government want to merge such rural chambers into some super-regional chamber, where again the rural interest will be subsumed in the urban heartland of the regional chamber? The concept of a regional chamber is fundamentally flawed. Are we to have regional chambers, and local chambers as well? If so, no business men will serve on the local chambers, because they will constantly be overridden by the regional chambers. No business man worth his salt would serve on the local chamber. Again, the rural chambers will suffer.

Why, for heaven's sake, are the Government playing into the hands of the European Union's federal ambitions for Europe? A leaflet published two years ago by the European Commission was entitled "The west midlands—a region of the European Union." With respect, the west midlands—a concept which is useful in planning terms—has no historic or cultural tradition and no relevance to the people of Worcestershire. If it exists at all, it is a region not of the European Union, but of the United Kingdom.

Do the Government not understand that the Bill sidelines this place? It gives more power to Brussels, and it takes power away from Parliament and hands it to the placemen whom the Secretary of State will appoint to the RDAs.

Look at the duplication that already exists. Wychavon district council in my constituency has an economic regeneration function. Worcestershire county council has an economic section. The Government will still have the Department of Trade and Industry and the Department of the Environment, Transport and the Regions to decide some of the most important issues. Four tiers will be concerned with economic development and regeneration in my area. Where is the sense in that? It is just bureaucrats making jobs for bureaucrats and doing nothing for business.

Poor old Worcestershire is caught between the Government's "economic powerhouse for Wales"—to use the words in the White Paper—and the grandiose ambitions of Birmingham. Worcestershire does not belong to the west midlands or to anything else—it is sui generis: of its own. In that sense, it is rather like Gloucestershire next door. Perhaps the Government should consider being more flexible about the number of RDAs—after all, the Bill will pass and we will have these wretched things. Perhaps we should have a mid-west RDA, rather than a south-west or a west midlands RDA; it could take proper account of the interests of essentially rural counties such as Worcestershire, Herefordshire and Gloucestershire.

I accept the strictures from Labour Members about our attitude to local government. Perhaps the former Conservative Government made some mistakes in that area in the past 18 years; perhaps we did not do enough. However, if Labour Members were really concerned about helping local communities to develop their economic infrastructure, they would have given the

powers to county councils. Instead of doing that, the Government plan to impose them on RDAs that will do nothing except create a few jobs for bureaucrats. I wish the Bill every failure.

9.15 pm

Mr. John Gunnell (Morley and Rothwell): We have only to contrast the last two speeches—the hon. Member for Mid-Worcestershire (Mr. Luff) denied the existence of the regions and my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) pointed to the many achievements of Lancashire Enterprise and the great difference that it has made to the economy of Lancashire—to appreciate the balance of debate in the Chamber today.

After 18 years of Conservative government, whose economic mismanagement did so much to create the present disparity of income between the different English regions and which ensured that any initiatives to redress that at local government level were either frustrated or, in the case of metropolitan counties, abolished outright, it is a relief to have before us a Bill that vests some responsibility and some authority in the regions to tackle their economic development needs.

There is much that is very welcome in the Bill and in the White Paper, "Building Partnerships for Prosperity"—not least the RDAs' responsibility for drawing up a strategy for economic development that serves every region and is both economically and environmentally sustainable. I also look forward to a significant role for RDAs in the transport White Paper and to the leading role that RDAs have been promised under a new system of allocating EU structural funds from 2000.

However, I am concerned to ensure that RDAs are given sufficient flexibility and empowerment to make their economic strategy work to best effect. I am particularly concerned about that in the context of Scottish and Welsh devolution, which I strongly support. I fear that, in the context of a Scottish Parliament and a Welsh Assembly, the Bill may not go far enough to prevent England and its regions from falling further behind the Scots and the Welsh in promoting economic development.

A great deal has been said today about inward investment. I spent a number of years as the chair of the Yorkshire and Humberside regional development association, which had responsibility for inward investment. Regional selective assistance will remain the preserve of Whitehall and its offices in the regions, while the role of the RDAs will be to provide advice to the President of the Board of Trade to ensure that regional economic strategy is taken into account when support for individual companies is being considered. That will not be the position in Scotland and Wales.

Personal experience in seeking and securing Japanese investment in Yorkshire and Humberside tells me that, when faced with Scottish Enterprise or a Welsh Development Agency that is able to take decisions in house or an English RDA that must go to the Department of Trade and Industry for approval for any incentive packages, Japanese business men or other potential investors might prefer to deal with those parts of the United Kingdom that are directly empowered to act. We are committed to providing a level playing field for inward investment. I hope that there will be clear answers about how we shall achieve that aim in the context of the Bill and those powers granted by other legislation.

I am concerned about the way in which regional skills are developed, and I support the comments about training and enterprise councils and about RDAs and higher education matters. I am also concerned that Treasury restraint on regional development agencies may be responsible for some disparity of powers. As the YHDA was very successful in securing a large amount of private sector investment, has any thought been given to the way in which RDAs might acquire private investment? In those circumstances, the way in which the Treasury dealt with their expenditure might mean that they would be less dependent on the public sector borrowing requirement.

I welcome the proposal that RDA boards will draw in all the regional stakeholders, including local councillors. I would not want local government figures to dominate RDAs or to exercise control over their work, but it is important that there is some regional accountability. I believe strongly, as does my hon. Friend the Member for Liverpool, Riverside, that the regional chambers must represent all stakeholders and that ultimately we must give responsibility to directly elected regional assemblies.

It is important to ensure that the needs of the regions are being properly met by both direct access and by the accountability of the democratically elected representatives of the regions and their distinct parts. More needs to be done to build on the good work of the Northern regional assembly, the parallel organisations that exist in the north-west, and, more lately, the Yorkshire and Humberside regional assembly. It is important that they are more than bodies that are merely listened to. I hope that the time will come when they have greater significance, or when their successors have greater significance.

If we deny RDAs adequate power by giving them insufficient control over regional development purse strings, they may not be seen to be successful. If we give them power without responsibility, they may fail to be the efficient and rational promoters of economic development that we would wish. If that were to happen, the cause of regional accountability would be set back, along with our hopes of securing genuine democratisation of the regions.

The best policy must surely be to give RDAs the opportunity at least to secure powers that are adequate to their brief, including some of the jealously guarded powers of the Department of Trade and Industry. We must make them accountable to the regional chambers but not their playthings. That will help to ensure that the chambers serve as a bridgehead to directly elected regional assemblies.

9.22 pm

Mr. Gerald Howarth (Aldershot): It is an irony that the debate should follow two days of consideration of the Scotland Bill. That measure was accurately described by the hon. Member for Linlithgow (Mr. Dalyell), who has been in his place for most of this debate about English matters. The hon. Gentleman described the Scotland Bill in a devastating indictment of the devolution cause as

"the paving Bill for the dissolution of the United Kingdom.—[*Official Report*, 12 January 1998; Vol. 95, c. 85.]

I agree with him entirely.

The essential hallmark of the Government's programme is a raft of policies that are designed to break up the United Kingdom. Devolution, regional government and closer integration with Europe all lead inexorably to that destination. At its core is Scottish devolution.

[Mr. Gerald Howarth]

I have three key objections to the Bill. The first is that it is irrelevant to the needs of England. Secondly, it is ill considered. It substantially extends the power of central Government to control powerful regional quangos and it threatens the currently democratically elected councils. Thirdly, and perhaps most important, it significantly increases the prospect of European federalism by dividing England into bite-sized chunks for European federalism to be swallowed up by Brussels.

I shall briefly deal with each of the issues that I have mentioned.

Mr. Caborn: It is only an RDA Bill.

Mr. Howarth: The Minister says from a sedentary position that it is only an RDA Bill, but it confers on him and his colleagues in the Government substantial powers of patronage, and paves the way for further organisations, such as elected regional assemblies, which will be the instruments of the break-up of the Kingdom.

The Bill's principal purpose is to give a spurious legitimacy to the transfer of powers exercised by Westminster to Edinburgh. Proposals that England should suffer the same affliction arising out of Scottish devolution are not new. As the hon. Member for Doncaster, Central (Ms Winterton) said earlier, that was part of the agenda of the last Labour Government, who, in 1976, issued a Green Paper, "Devolution: the English Dimension", which considered the implications for England of Scottish and Welsh devolution and suggested a number of options for devolution in England. None of the options was pursued, but, as she rightly pointed out, the Bill is picking up a 1970s agenda.

Today, there remains no enthusiasm for devolution in England, save, as has been suggested, in some parts of the north of England. I do not have constituents beating a path to my door in Aldershot, saying, "What we must have, Mr. Howarth, is a regional assembly for Aldershot and the south-east." It is not an issue for them. The hon. Member for Liverpool, Riverside (Mrs. Ellman) made the point that there is already substantial voluntary activity between the public and private sector to promote the cause for that particular region, so there is no necessity to have an RDA for that purpose.

While some in the north may be in favour, I can tell the Minister that my own county council in Hampshire has declared its outright hostility to the outline proposals for regional government in England that the Bill foreshadows; many others have expressed grave reservations about the proposals, although these are not included in the White Paper, of course. The British chambers of commerce; those representing rural interests; even Labour councils concerned at the democratic deficit resulting from the massive extension of "quangoland" created by the Bill: they have all made it clear that they have reservations. Indeed, the Local Government Association has expressed reservations about the Bill.

There has been an extraordinary rewriting of history by the Government, as though nothing happened in the 18 years of Conservative government, during which we saw the most massive investment in industrial and manufacturing jobs in the United Kingdom, including, for example, Honda, Nissan and Toyota. None of those required an RDA to bring them to the United Kingdom. What brought them here were the policies pursued by central Government for labour market flexibility, control of inflation and for good infrastructure and the best communications in the world. *[Interruption.]*

The Minister says, "What about Scotland?" I am pointing out that much of that great investment in this country came here notwithstanding the fact that there was no development agency. That brings me to my second point about the Bill's intrinsic defects.

Although the Government's real agenda is to create directly elected regional assemblies, they cannot do so in the Bill because they have no mandate for that. In the absence of such a mandate, they plan to create a series of massive quangos giving Ministers vast powers of patronage.

Recognising that interest in regional government is largely confined to the north of England, and that there is outright hostility elsewhere, the Deputy Prime Minister intends to create a patchwork of constitutional confusion throughout England. Parts of the north will have regional assemblies, the south will have no truck with it, and the south-west will be locked in permanent argument about which side of the Tamar the Assembly is to be located—assuming that they can agree that one is in their interests.

The forerunners of regional assemblies will add a further expensive tier of bureaucracy to this country. We face the prospect of powers going to these authorities. None of those powers will come from central Government, but they will have to come from somewhere—from local authorities, which are already working responsibly in this area.

Hampshire county council has made the point that it is working voluntarily with other organisations to achieve some of the strategic objectives that the Bill seeks to formalise under the RDAs. For example, it is co-operating with organisations such as Serplan, and recently the south-east regional forum. Hampshire county council says that the establishment by the Government of additional bodies to replace that activity would be both unnecessary and expensive. I agree with the county about that.

Let me return to the third point that I raised. I believe that, whether by design—I do not know whether it is by design—or by inadvertence or, indeed, by incompetence, these proposals will give heart to those who want the sovereignty of these islands to be diminished, and the United Kingdom to be consumed by a federal European structure. My hon. Friend the Member for Mid-Worcestershire (Mr. Luff) referred to a document. This is a serious issue, and I do not believe that the people of England realise what is happening.

The people do not realise that this Parliament will be dominated by constitutional change—and one of the constitutional changes will be the Bill, which will split up the United Kingdom into chunks that are convenient for the administrative purposes of the European Union. Only Christopher Booker, in *The Sunday Telegraph*, has made that point, but it poses a real danger to the people of Britain, and the Bill represents the key to that danger.

9.30 pm

Mr. Tim Yeo (South Suffolk): We have had an excellent debate, in which hon. Members from all quarters have raised many questions. I hope that, in the time available, the Minister will answer some of them.

The debate was, in my view, marred only by the extraordinary and rather churlish refusal by some Labour Members to acknowledge the superb economic inheritance that the present Government have enjoyed, uniquely among post-war Administrations. It made it clear that this is a Bill for which there is little public demand and no rational case. It is a Bill which creates nine new quangos that are unlikely to attract a single pound of new investment. It is a Bill which—as the Chairman of the Select Committee, who is not present now, and the hon. Member for Huddersfield (Mr. Sheerman) both recognised—conspicuously fails to make those quangos accountable. It is a Bill which—as my hon. Friend the Member for Aldershot (Mr. Howarth) just pointed out—massively increases the powers of the Secretary of State and the role of central Government, and erodes the powers of local authorities. It is a Bill which reflects the Government's continuing hostility to the countryside.

It is also a Bill which—as my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) and other Conservative Members pointed out—has been presented solely because the Government remain totally unable to answer the East Lothian question. [HON. MEMBERS: "West Lothian."] All right, the West Lothian question, but I prefer East Lothian, myself.

As my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) explained, this is a Bill which creates regions whose boundaries have no logical basis. It is a Bill whose premises ignore the recent history of investment growth in England's regions, as my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) so knowledgeably demonstrated.

This Government have inherited the control of a country which is enjoying record levels of inward investment. One might think, "If it ain't broke, don't fix it," but this Government are very uncomfortable when they see an unrivalled success story that stems solely and directly from Conservative policies, so they decide to meddle. They are, after all, the Government who sent the hon. Member for Coventry, North-West (Mr. Robinson) to abolish personal equity plans and tax-exempt special savings accounts—and it is the right hon. Member for Hull, East (Mr. Prescott), whom I welcome to the debate, who is now ending the policies that have made our country the envy of the European Union because of our ability to attract inward investment at a greater rate than any other European country.

For a decade, this country has enjoyed new investment at a rate of £200 million a week. As my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) asked so powerfully, how and why do the Government think that the nine new quangos will increase new investment? By how much will our record share of foreign investment increase as a result of the creation of regional development agencies? How, indeed, will the Government prevent the kind of damaging competition between the individual RDAs that was described so clearly by my right hon. Friend the Member for Skipton and Ripon (Mr. Curry)?

Hon. Members on both sides of the House have stressed the lack of accountability of the proposed RDAs, and that is one of the most serious weaknesses of the Bill. The only reference to parliamentary scrutiny is in clause 17, which requires the Secretary of State to lay each RDA's annual report before the House. What will that document contain? The Bill states that the report will contain

"such information as the Secretary of State may specify by directions to the agency".

There we have it. The Government, who have often boasted of their commitment to greater openness, are establishing nine new, unaccountable bodies which will wield considerable powers and control significant budgets, and are apparently intended to achieve great things. That same Government have decided that all that Parliament can be told about those bodies is what the Secretary of State decides it is safe to disclose. Clause 17 makes the Minister without Portfolio's approach to the running of the millennium dome look like a shining example of transparency.

The use to which regional development agencies put their compulsory purchase powers, the dangers of which were trenchantly exposed by my right hon. Friend the Member for Tonbridge and Malling (Sir J. Stanley), will be described to the House of Commons only in terms specified by the Secretary of State.

Sadly, these quangos will be no more accountable to the regions. Clause 18, which is hilariously entitled "Regional accountability", says that if there is a regional chamber, the Secretary of State can specify, through directions, what information the RDA can give it. If that chamber asks any questions, the Secretary of State will specify in what manner the agencies will answer them. The Secretary of State will even specify where RDAs should hold their public meetings. He will give guidance and direction about how those meetings are to be conducted.

Is that what the Secretary of State meant—I am not sure where he has just gone—when he wrote in his introduction to the White Paper that the Government were elected to democratise decision making? Is it what he meant when he claimed:

"We believe that these tasks cannot all be directed from London"?

Will the Minister tell us whether she agrees with the views of the North Durham Labour party in its response to the consultation document? It said:

"We believe that the mechanisms of accountability proposed in the Consultation Document are palpably inadequate".

The truth is that the Bill involves a huge increase in the powers of the Secretary of State. Although the Minister for the Regions, Regeneration and Planning said that the Government trusted the people, clause 2 gives the Secretary of State the sole power to appoint the regional development agency boards. Clause 7 enables the Secretary of State alone to dictate the strategies that RDAs should follow. Clause 8 allows the Secretary of State alone to decide whom the regional development agencies should consult. Clauses 9 to 13 give the Secretary of State total financial control over the RDAs, even to the point of telling them how they should keep their books—and so on throughout every part of the Bill.

A great deal of the parliamentary draftsmen's time could have been saved if the Bill had been cut to a single clause saying that the Secretary of State shall have the power to establish and run RDAs as he sees fit without the tedious inconvenience of informing Parliament of what he is doing.

Furthermore, the Bill shows how comprehensively the Secretary of State and his ministerial team were routed in the interdepartmental war inside Whitehall. His colleagues in the Department of Trade and Industry must

[Mr. Tim Yeo]

be laughing up their sleeves. They conceded nothing: not a single power, nor a penny of their budget. Even regional selective assistance remains under DTI control.

More serious than that is the fact that some of the powers that the Secretary of State will exercise—or will tell the RDAs how to exercise—will have been seized directly from local authorities. As my right hon. Friend the Member for Tonbridge and Malling said, they include planning powers, which is a flagrant breach of the commitment in the White Paper published only weeks before the Bill. It said that planning would remain clearly under local democratic control, so that is another promise which Labour has broken.

In response to my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), the Minister for the Regions, Regeneration and Planning tried to claim that the planning powers proposed for the regional development agencies are no different from those currently exercised by English Partnerships. Will the Under-Secretary confirm in her winding-up speech that section 159 of the Leasehold Reform, Housing and Urban Development Act 1993 severely circumscribes the kind of land over which English Partnerships may exercise those powers? Will she amend the Bill so that it contains similar limits on regional development agencies, and will she admit that the Minister of State was misleading the House when he claimed that the powers to be given to RDAs were the same as those that were already exercised? *[Interruption.]*

Will the Minister also confirm that the press have been invited to the Department for a private briefing tomorrow afternoon on planning issues? Will that briefing cover the use of planning powers by regional development agencies?

Mr. Bennett: On a point of order, Mr. Deputy Speaker. Is it in order for the Opposition spokesman to accuse my hon. Friend the Minister of misleading the House?

Mr. Deputy Speaker: To my hearing, he did it indirectly and not in an infamous way, so I let it pass.

Mr. Yeo: I shall now turn to another of the Bill's glaring weaknesses—the relationship of RDAs to rural communities, an issue eloquently highlighted by my hon. Friend the Member for Meriden (Mrs. Spelman).

As the Secretary of State was unable to persuade any other Department to contribute a penny to the RDA budgets, he plundered the budgets of an agency that is under his direct control. His attack on the Rural Development Commission provoked the resignation of its chairman, my noble Friend Lord Shuttleworth. As my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) said, the Secretary of State literally added insult to injury by his extraordinarily ungracious slur on the work of my noble Friend.

I welcome the fact that the right hon. Member for Bishop Auckland (Mr. Foster) at least paid tribute in his speech to the work of the Rural Development Commission. Unfortunately, it is the right hon. Gentleman's party which has effectively dismembered that commission. It has seized the commission's rural regeneration programme, which constitutes more than half the commission's budget, and that renders the RDC rump scarcely viable.

My hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley) rightly raised the concern about how the cash that was taken from the RDC will be used. Will the Minister confirm that that money from the RDC budget will go back into rural areas, and will not be diverted into towns?

The White Paper states that the regional development agency boards will have 12 members, although the Bill provides for up to 15. The White Paper says:

"each RDA Board will include at least one member who can contribute a strong rural perspective,".

That is an extraordinary insight into the Government's attitude to the countryside. Never mind that one person in five lives there and that four fifths of the land area is rural: in the Government's mind, a token board member is sufficient to discharge their responsibilities to the rural community.

In its response to the consultation paper, the Consortium of Rural TECs stated:

"There are concerns that the Regional Development Agency model may increase the focus on inner cities and fail to address the needs of the communities in the rural areas."

There are widespread fears that the RDAs will be urban-based bodies that will focus on urban issues. Like many of my hon. Friends, I represent a rural seat. I live in a small village, and the fear in that rural community is that RDAs are another plank in the Government's strategy to urbanise Britain, first through the planning system, and secondly by starving the rural areas of resources by changes to the revenue support grant and in other ways. Thirdly, they will change the character of the countryside by banning traditional recreations.

As my right hon. Friend the Member for Sutton Coldfield said when he opened for the Opposition, the Government have a longer-term agenda. Behind a smokescreen of claims that they favour decentralisation and want bodies that are accountable to the regions, they are conducting an exercise whose long-term aim seems to be to increase ministerial control, expand quangos, empower bureaucrats and undermine local government.

The Government's plans for the eventual creation of regional assemblies remain hazy, perhaps because they have not yet decided how those bodies will fit into what remains of this United Kingdom after the Labour party, pursuing its own narrow party political interests, has finished trying to smash the Union. Perhaps it is waiting to see whether the European Union evolves into a Europe of regions rather than a Europe of nation states. Whatever the reason, the confusion, the secrecy and the deceit that characterise the way in which the Government are edging towards regional assemblies should be ended forthwith.

This is a bad Bill. It implements a mistaken policy; it inhibits rather than encourages investment; it increases the power of Ministers; it reduces the accountability of Government; it cuts back on the role of local authorities—in short, it has nothing to recommend it. I commend the Opposition amendment, and I invite the House to reject the Bill.

9.44 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I congratulate my hon. Friend the

Member for Glasgow, Govan (Mr. Sarwar) on his maiden speech. I agree with him when he abhors racial prejudice and the development of Islamaphobia. I also agree with his desire to ensure that ethnic minorities are treated equally and given a fair chance.

This has been an interesting debate, but there has not been a consensus across the Floor on what the Bill is about. Indeed, I wonder whether Tory Members live in the same world as the rest of us. It has been an interesting spectacle. The Tory militants now occupy the Front Bench as well as parts of the Back Benches. The hon. Member for Westmorland and Lonsdale (Mr. Collins) was quite hysterical—he made Baroness Thatcher look like a wet liberal. He and the hon. Members for Bury St. Edmunds (Mr. Ruffley), for Mid–Worcestershire (Mr. Luff) and for Altrincham and Sale, West (Mr. Brady) demonstrated a Eurosceptical paranoia of epic proportions, putting all sorts of connotations on the Bill—*[Interruption.]* How could I forget the hon. Member for Aldershot (Mr. Howarth)? I shall put him in with the rest of them. They were joined—worryingly for the future of the Tory party, but it has to resolve its own difficulties—by the right hon. Member for Sutton Coldfield (Sir N. Fowler) and, as ever, the hon. Member for South Suffolk (Mr. Yeo).

We should contrast the hysterical meanderings of those hon. Members with the extremely interesting and thoughtful speech by the right hon. Member for Skipton and Ripon (Mr. Curry), who brings a great deal of expertise to these matters—*[Interruption.]* I am sorry to embarrass the right hon. Gentleman, but his contribution was thoughtful and full of the expertise he has gained from being in office. It is a problem for the Tory party that, in the extreme party that it has become, the right hon. Gentleman is unable to take a seat on the Front Bench. I hope that the Opposition will allow him his voice and that he will serve on the Standing Committee, so that we can have some constructive discussions.

The right hon. Member for Sutton Coldfield could not decide whether the Bill was the end of democracy as we know it or a damp squib. He asked why the RDAs were not accountable, while also saying that we had gone too far in creating them. He cannot have it both ways. The Bill is essentially evolutionary. It is not the final say on regional government; it is the beginning of what we hope will be an evolutionary process that will lead to the creation of regional government that will make our regional economies more focused strategically and more able to act efficiently, thereby giving to the people of the regions the higher living standards that this Government believe they deserve.

The right hon. Gentleman read out a long list of figures for inward investment, but failed to mention that the Bill is about the English regions. Most of the figures that he quoted included Scotland and Wales. The issue is not only about inward investment, important though that is; it is about creating a structure that allows us to foster our own local businesses so that we can be more dependent on our own resources and have a flexible economy that can react to the economic cycles that occur in a global economy.

The right hon. Member for Sutton Coldfield talked so much about the remarkable revolution of the Conservatives' 18 years in office that I wondered why they suffered a landslide loss in the general election and face a 178-seat Labour majority in the House. They enjoyed the worst electoral result since 1906, and the worst performance in seats since 1832. If that is a remarkable revolution, let us hope that there are more of them, particularly when we get round to holding the next general election.

A difficult part of the right hon. Gentleman's speech was when he said that the 1,500 responses to our consultation process—which was genuine, despite his scepticism—agreed with the Government views because they were merely collective job applications. That comment is more revealing of his thought process than it is of the way in which people responded to a genuine consultation process. The comment displayed unbelievable cynicism.

The right hon. Gentleman seemed to say that the Institute of Directors was somehow against the Bill. On 25 November, my hon. Friend the Minister for the Regions, Regeneration and Planning met Tim Melville-Ross, of the IOD. The minutes state that, at the end of the meeting, Mr. Melville-Ross

"was much more reassured by the Minister's explanation of the rationale for the RDAs"—

and that

"He would reflect this accordingly at the meeting of his regional chairmen on 26 November, and would write a positive piece in a forthcoming issue of *Director* magazine."

Therefore, the IOD—with many of the other organisations that we consulted, which is something that the previous Government rarely did when in power—approves of what we are trying to do in the Bill.

We have heard some interesting speeches. What struck me about many of them was the breadth of experience of the regions displayed by many of the hon. Members—not only Labour Members but Liberal Members—who spoke. Their speeches demonstrated what is already known by those of us who bother to go out into the regions and talk to people: the Bill will create a strategic focus in making progress on the regional agenda.

Conservative Members seem to think that the United Kingdom's economic performance is acceptable because two of the current 10 regions are close to the European average gross domestic product per head, but the Government are not satisfied with that performance. The Bill is about baking a bigger cake so that we can better distribute and increase prosperity. It is evolutionary legislation that will create partnerships, to ensure that we can effectively accomplish those goals.

Mr. Yeo: Will the hon. Lady confirm that the figures for regional GDP per head in the White Paper are extremely misleading, because they relate to 1993? Since 1993, the United Kingdom has enjoyed four years of outstanding economic growth, in which national GDP growth has been substantially above the EU average, has beaten every other major European country and has been substantially above the Organisation for Economic Co-operation and Development average. If up-to-date figures had been used in the White Paper, the picture would have been completely different.

Angela Eagle: The hon. Gentleman again displays his complacency. The Government are not as complacent about what is happening in the economy as the previous Government were in their 18 years in power. If anything, we believe that the position is getting worse. We know that we have to create efficient regional economies, so

[Angela Eagle]

that we can react to increasing competition in the global market. The Bill is intended to accomplish those objectives.

My hon. Friend the Member for Denton and Reddish (Mr. Bennett) welcomed the Bill and was kind enough to say a few words about the report of the Environment, Transport and Regional Affairs Committee. The Government welcome the Select Committee's report and the work that it did in producing it so quickly. We shall respond in due course to the individual points in the conclusion of the report.

We recognise the democratic deficit argument, but the Bill is evolutionary. It is the first stage and, with the consent of those at regional level, we hope to pursue the accountability argument and, where the regional electorate wants it, create directly elected chambers. In the meantime, it is quite right that the RDAs should be accountable directly to Ministers for the money that they spend. Ministers will ensure that RDAs are involved in the shadow regional chambers that are being formed in every English region so that we can ensure that the partnership that is the key to making the idea work develops.

I should mention the rural dimension, as there has been much scaremongering about the alleged urban bias of RDAs. It relates to the old language about urban domination, but RDAs are about partnership and building co-operation—creating a strategy at regional level that will ensure that the needs of all the communities involved are taken account of, planned for and met. I reject the idea that rural areas will be dominated by urban areas when, in many cases, their needs are pretty similar and can often be met in a strategic way. We are not creating RDAs so that rural areas will be dominated by urban areas. Opposition Members who fear that or go around talking about it are simply scaremongering. Quite rightly, there will be a strong rural dimension to all the economic work that we undertake.

The hon. Member for Bury St. Edmunds is one of the main perpetrators of the rural alarm myth that has been much quoted by Conservative Members. The hon. Gentleman failed to congratulate my hon. Friend the Member for Glasgow, Govan on his maiden speech. He then did not wait to hear the whole of the next speech by my hon. Friend the Member for Huddersfield (Mr. Sheerman). When the hon. Gentleman observes the courtesies of the House, I shall give him the courtesy of a reply to his questions.

The Bill is evolutionary. It is the beginning of a process for which the English regions have waited a very long time. My hon. Friend the Member for Doncaster, Central (Ms Winterton) made an eloquent case for RDAs. I can assure her that we are taking a very robust approach to the negotiations on European structural funds and that we shall do our best for her area, but she must also recognise that they are tough negotiations.

My hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) made an extremely eloquent speech demonstrating her wide understanding and experience of these complex issues, and showed what a difference development agencies can make. I recognised her descriptions of what was happening in my own area much more than I recognised those by the hon. Member for Altrincham and Sale, West, who did not seem to be living in the same region.

RDAs will bring positive added value at regional level. They will have an executive role in administering the single regeneration budget challenge fund and they will take over the regional regeneration role of English Partnerships and the rural regeneration role of the Rural Development Commission. They will ensure better value for money for the public sector funds that we invest in the regions.

A key objective of the Government is to ensure that the best use is made of existing programmes and resources. RDAs will provide the means of securing better value for money for existing spending by taking a more focused approach to delivering services, improving output and enhancing job opportunities, and it is with a great deal of pride that I commend the Bill to the House.

Question put, That the amendment be made:—

The House divided: Ayes 148, Noes 388.

Division No. 127] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John

Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Oliver Heald.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Durnwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona

McWalter, Tony
McWilliam, John
Maginnis, Ken
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. David Jamieson.

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 383, Noes 147.

Division No. 128] **[10.15 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*

Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Maginnis, Ken
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Thompson, William
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. David Jamieson.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*

Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. Oliver Heald.

Question accordingly agreed to.

Bill read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

REGIONAL DEVELOPMENT AGENCIES BILL [MONEY]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a),

That for the purposes of any Act resulting from the Regional Development Agencies Bill it is expedient to authorise—

(1) the payment out of the National Loans Fund of any sums required by the Secretary of State for making loans under the Act to a development agency established under the Act;

(2) the payment out of money provided by Parliament of—

(a) any sums required by the Secretary of State—

(i) for making grants under the Act, or

(ii) for fulfilling guarantees given under the Act, and

(b) any administrative expenses of a Minister of the Crown (as defined in the Ministers of the Crown Act 1975) which are attributable to the Act;

(3) the reduction of the assets of the National Loans Fund by amounts corresponding to such liabilities of the Development Commission or the Urban Regeneration Agency as the Secretary of State may extinguish by virtue of the Act;

(4) the payment of sums into the National Loans Fund or the Consolidated Fund.—*[Mr. Allen.]*

Question agreed to.

NORTHERN IRELAND GRAND COMMITTEE

Ordered,

That—

(1) the matter of priorities in education in Northern Ireland, being a matter relating exclusively to Northern Ireland, be referred to the Northern Ireland Grand Committee for its consideration.

(2) At the sitting on Thursday 29th January:

(i) the Committee shall take questions for oral answer pursuant to Standing Order No. 110 (Northern Ireland Grand Committee (questions for oral answer)) and shall then consider, pursuant to Standing Order No. 114 (Northern Ireland Grand Committee (legislative proposals and other matters relating exclusively to Northern Ireland)) the matter referred to it under paragraph (1) above; and

(ii) at the completion of those proceedings, a Motion for the adjournment of the Committee may be made by a Minister of the Crown, pursuant to Standing Order No. 116(1)(H) (Northern Ireland Grand Committee (Sittings)).—*[Mr. Allen.]*

Teesside Development Corporation

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

10.30 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): I am grateful for the opportunity of this short debate. One of the flagships of the so-called Thatcher revolution was the creation of the urban development corporations. They were designed to re-create the industrial strength and vitality of Britain's manufacturing heartland and to recast the nation's self-image along impeccably Thatcherite lines.

Now, 10 years on, we can see that they were, if anything, what could be called Potemkin flagships—a glossy and frequently imposing facade hiding a history of often inappropriate and threadbare achievement. The picture is becoming apparent only now, as those bodies come to the end of their lives and the reality of audit and actual achievement are laid bare.

I have asked for the debate because the urban development corporation covering my area, Teesside, is coming to the end of its life. Many of us are concerned that there are skeletons in the cupboard of the Teesside development corporation—skeletons of possible liabilities and possible problems for our local authorities and the residuary body. We must calm those fears or take action to deal with the problems.

Among a number of damning reports that have been made public in the past year were the findings of the National Audit Office when it investigated the affairs of the now defunct Bristol and Leeds UDCs. In both cases the National Audit Office found serious problems: in the case of Leeds, problems with land deals in the Kirkstall area that led to accusations of double standards and murky behaviour on the part of individuals in the Leeds UDC; in the case of Bristol, problems relating to standards of infrastructure provision, the late processing of compulsory purchase orders, bad record keeping and cost monitoring and a bill to the then Department of the Environment for £4.9 million to clear up the mess.

As a result of that debacle, the National Audit Office submitted a report dated 28 February last year to the House of Commons and the then Secretary of State for the Environment in which it recommended a number of actions that it considered essential in all future wind-ups of UDCs.

The NAO recommended, in summary, that all UDCs should provide the Department of the Environment, Transport and the Regions with a risk assessment examining the likelihood of winding-up tasks not being completed and identifying strategies for the management of outstanding tasks; that all existing UDCs should ensure that document storage and retrieval systems are of a high standard, that files should not be destroyed and that after wind-up reliable records should be available for the location of every file; and that UDCs should consult widely on future regeneration proposals and pay more attention to the transfer of knowledge on the development opportunities of each site.

I mention those recommendations because they are central to my concerns about the present situation in regard to the winding up of what has been called Mrs. Thatcher's favourite UDC, the Teesside urban development corporation.

The TDC is, in terms of the land that it covers, the largest of the urban development corporations. In its decade of existence, it has sponsored many schemes and it has certainly made its mark locally through its lavish advertising and public relations budget. I do not want to be entirely negative about the TDC and the projects that it has sponsored. Some projects, such as the one that set up the joint university college of Teesside and Durham universities at a site in Stockton and the creation of the Hartlepool marina have been welcomed in Hartlepool, Stockton and elsewhere on Teesside.

However, once the PR hype and the trumpet fanfares ceased to echo, other schemes failed to emerge or were highly controversial and faced opposition. In that context, I cite three developments. The first is the massive Teesside Park out-of-town shopping centre. It was vigorously opposed by the local authorities at the time and has had to be countered by the use of state funds through city challenge to safeguard high street shopping in Stockton.

Secondly, plans for a massive hypermarket on the old Middlesbrough dockside—which created much hostility among planners, a neighbouring local authority and other town centre retailers—have now been called in by my right hon. Friend the Deputy Prime Minister. Prior to the call-in, the promotion of the scheme at the planning stage was so badly handled by the TDC that a successful appeal to the High Court found that the corporation was, in the words of Mr. Justice Sedley, guilty of

"a pervasive departure from the requirement of law that a planning authority must evaluate an application objectively, and without prejudgment of its merits."

Referring to the fact that he would have to direct the TDC to reassess the application, Mr. Justice Sedley said:

"if it were a bench of justices that had erred, I would direct that the decision be taken by a fresh bench."

Mr. Justice Sedley regretted that that was not possible in this context.

Thirdly, it is widely known in the region that the TDC was unwilling or unable to produce a full business plan to support Millennium Commission funding for a proposed tall ships centre for the Middlesbrough docks area. That has led to considerable delays to a scheme that has much public support.

It is a well-known fact of life on Teesside that the TDC and particularly the corporation's chief executive, Duncan Hall, are difficult to deal with. It is also a well-known fact that many Teesside local authorities, both past and present, have found it difficult to work constructively with the TDC. It is well known in the corridors of power and in the Teesside business community that it is difficult to achieve joint working with the corporation unless it is on its terms. It is well known among the local media that it is well nigh impossible to obtain detailed information from the TDC—indeed, a regional Sunday newspaper recently described the TDC as a "secretive" body.

I must inform the House that there is an almost complete lack of confidence on Teesside in the Teesside development corporation's willingness to achieve, or interest in achieving, a wind-up in the spirit of the advice from the National Audit Office. The secrecy of the corporation is also giving rise to fears among local authorities on Teesside that many cash liabilities may be hidden in the woodwork. Those liabilities may become apparent only long after the corporation has been consigned to its grave and the present

[Dr. Ashok Kumar]

massive PR campaign is long forgotten. I would like to know the cost of the "long goodbye" that we seem to see every half hour on regional television at present.

The National Audit Office argued persuasively that there should be full and wide disclosure of regeneration possibilities with legatee bodies—principally the local authorities of the area that the UDC covers—and the designated residuary body, the revamped Commission for the New Towns. Those arguments have been accepted by the Labour Government—they were also accepted by the previous Government—and they have been incorporated in the advice of the Department of the Environment and that of the Department of the Environment, Transport and the Regions to the urban development corporations. I understand that, unfortunately, to date, there have been only minor discussions with many of the local authorities on Teesside. I understand also that they have been mainly technical, relating to the transfer of planning applications files, planning agreements and details of highway adaptations.

There has been little or no discussion on important issues such as key regeneration matters—issues our local authorities have had to dovetail with their own work. These are issues that I have written about in letters to my hon. Friend the Minister for the Regions, Regeneration and Planning.

The scale of the refusal to deal in a meaningful way with Teesside's local authorities is summed up in a report that went to members of Middlesbrough borough council on 16 December last year. The report, written by the council's chief economic development planning officer, stated:

"The TDC will not reveal information on current land deals and site development proposals because of client confidentiality, and the Council is therefore not aware of the TDC's intentions."

The report adds, astonishingly, that the council's officers

"have been unable to obtain any detailed information of plans or proposals that may have been drawn up by the TDC for future regeneration as this is being handled exclusively by the TDC's Chief Executive."

This is a level of secrecy that smacks more of the inner chambers of a Medici princeling than of a public body set up by statute and spending public money.

The report continues in terms of the council's future policy plan. It states:

"therefore it is probable that the Tees Corridor Study, being prepared by consultants on behalf of both Middlesbrough and Stockton Councils, and also English Partnerships, will differ from ideas that the TDC might have, and any proposals it may be working up or have implemented by the wide-up date."

I am told by senior council officers on Teesside that the secrecy of the TDC on these matters is affecting the ability of our local authorities to bid properly and effectively for European structural fund cash for the preparation of strategic sites for new, or potential, inward investors. That is money that will now go elsewhere.

It could be said that Middlesbrough council has been somewhat lucky in having the TDC talk to it at all. Another local authority body on Teesside, the Tees Valley joint strategy committee—a body set up by statute following the passing of the statutory order for local government reorganisation for Teesside—has been entirely ignored. The JSC is not a local government body of whim. I repeat that it is a creature of statute that is made up of serving councillors from all the boroughs in the former Cleveland area and from Darlington, and it is entrusted with all matters relating to strategic planning issues.

The JSC has been trying to set up meetings with the TDC for over a year now to discuss winding-up matters in the overarching strategic context. It has had its requests constantly and adamantly refused by the TDC's chief executive and no logical reasons given for the refusals.

The need for consultation with the JSC is vital. It is now in the midst of preparations for the drafting of the new Tees Valley structure plan which, to be robust, needs to be based on knowledge of, and insight into, the development proposals of the TDC.

There are other matters that need to be discussed with Teesside's local authorities. Above all, we need from the Department an honest statement on the risk assessment of the TDC projects. I am particularly concerned about completed large infrastructure projects such as the river Tees barrage.

Ms Dari Taylor (Stockton, South): I am most grateful to my hon. Friend for allowing me to intervene. He has mentioned that there has been no exit policy and that we have received no information from the TDC. In my patch, we are left not just with the Tees barrage, where there could be serious maintenance problems, but with the imposition of a scheme that no local person wants in a part of rural Stockton that is beautiful and for which there is lottery money. These are serious problems for local people and they have no recourse; they cannot discuss it because nobody from the TDC will discuss it with them or with the council.

I am most grateful to my hon. Friend for taking these issues on board and for bringing them to the attention of the Government and, I hope, the wider media and people. I thank him for that.

Dr. Kumar: My hon. Friend is absolutely right. She just reminded me that the River Tees barrage is in her constituency, but it is nevertheless a Teesside issue. This is a very important issue involving environmental problems that we might encounter, which might need a lot of cash to solve. Local councils need very early notice regarding those problems.

The other issue identified by the National Audit Office is the keeping of accurate audit records and files. Again, there has long been suspicion on Teesside that the standard of record keeping and file systems in the TDC does not meet the National Audit Office's demands.

In the Middlesbrough borough council report to which I referred earlier, the council's chief officer said that although files relating to statutory matters will be kept and handed over, the TDC

"has indicated that it will destroy files relating to completed or aborted projects".

A modern "Bonfire of the Vanities" perhaps. That flies in the face of National Audit Office recommendations and can give rise only to fears that the TDC has something to hide. I have to say that, having regard to, and in view of knowledge of, the history and ethos of the TDC, I share those fears.

The TDC is notoriously secretive. It meets in secret behind closed doors, with no printed public minutes and without any scrutiny of its decision-making process by the

local media or by local people. That is contrary to the spirit of the Nolan committee. The TDC announces decisions by way of press releases and often refuses to take part in debates on the merits or otherwise of its schemes—and it is funded by public money. I believe that the House would rightly condemn such behaviour.

In this context, I must mention recent press reports in the regional media that pose questions about successor companies set up by the TDC—companies which, it is said, apparently involved, at a salaried level, prominent figures associated with the existing TDC. I shall pass on these cuttings to my hon. Friend the Minister and ask her to look at them and to make the appropriate inquiries within the Department for which she is responsible.

I wish to put a number of concrete suggestions to my hon. Friend about the winding up of the TDC. There are actions that my hon. Friend can undertake: that the TDC be immediately charged to set up a committee, chaired by the regional government office, comprising the TDC, the Commission for the New Towns, the Tees Valley joint strategy committee and the four boroughs; that it be made clear to the TDC that the committee will operate within the access to information legislation currently applicable to local authorities; that the committee operates to a strict calendar of meetings and that that calendar is adhered to; that the TDC produce for the committee an inventory of all the sites in its ownership, current development proposals, actual and potential private sector partners and potential prospects for development by 31 March; that the TDC produce for the committee a list of all projects that will not be finished by the end of March this year and proposals for their funding; and that the TDC produce for the committee a list of liabilities, a programme for the transfer of liability and proposals for the amelioration of the total weight of the potential debt burden. I also ask that the TDC produce a complete list of files concerning key sites with information on ground conditions, means of access, financial evaluation and financial proposals. *[Interruption.]*

I will leave it at that. I could go on, but I want to hear what the Minister has to say.

10.50 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I congratulate my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) on securing the debate, and on the way in which he presented the issues that concern him and his constituents. In the nine minutes left to me, I shall do my best to give him at least some reassurance.

As my hon. Friend knows, we are coming to the end of an era with the development corporations. We are now concerned with their wind-up processes and exit strategies. Urban development corporations were established by the last Administration, and I remember the considerable resentment that accompanied their establishment, particularly in local government. Some councils felt that they were being excluded from the process of regeneration, and in some cases they were portrayed as being hostile to regeneration. Although the development corporations were expected to work with the local authorities in their areas, I accept that practice varied across the country. Some were better than others at working in partnership with local government. Of course, most of that is now history, or fast becoming so.

The Government recently set out their vision for economic development and regeneration in the English regions—which we have just been debating—and we hope that that will provide a better framework for the regeneration programmes that we hope to see in place by October this year.

Before I deal with the specific issues raised by my hon. Friend, let me say something about the Teesside development corporation. When it was established in May 1987, it was the largest of the urban development corporations, covering an area of more than 4,500 hectares. Its aim was the regeneration of that area, and it was given substantial public funds for the purpose. The public money was used to "lever in" private-sector investment on Teesside, focused on specific projects. We now take that approach for granted, but, at the time, given the problems that existed in the urban development areas, it was a novel approach.

As my hon. Friend has acknowledged, some of the developments that have been sponsored by the Teesside development corporation have been welcomed by the people and the local authorities on Teesside. It would be pointless to deny that the development corporation has achieved a significant transformation of its area, and brought considerable benefits to Teesside—not least over £1 billion of new investment.

The position was different in 1987. Teesside was experiencing decline in all four of the principal industrial sectors on which the local economy and local employment depended. Many people recognised at the time that those sectors—iron and steel, chemicals, heavy engineering and the port—needed to change, either through growth or through restructuring; but they recognised that the change could not take place overnight. More important, they recognised that new investment had to be attracted to Teesside, either in similar or associated businesses or in entirely new businesses.

Decline of the traditional industries on Teesside was not the only problem. Teesside was not seen as a place in which to invest. In 1987, it was seen as a centre of industrial decline, severe environmental dereliction and an unduly heavy concentration on what were seen as "bad neighbours"—industries such as steel and chemicals. Creating a new image for Teesside was the priority for the development corporation. There was a need to break from the past, and to be at the forefront of environmental change, improvement and rehabilitation. There is no doubt that Teesside development corporation approached the task with enthusiasm and skill. It felt the need to be bold and imaginative, and it is not surprising that, in the process, some feathers were ruffled.

I must say to my hon. Friend that I would have preferred there to be less tension; but, as I have said, development corporations will soon be a thing of the past, and I look forward to more effective partnerships as the new regional development agencies are established.

As a result of the corporation's activities, an unprecedented amount of private-sector investment has been attracted to Teesside. Much has been achieved in the last 10 years to transform what were some of the worst areas, and few today would deny that their perception of Teesside has changed. In particular, I would mention the new marina and historic quay at Hartlepool, the Teesside site between Middlesbrough and Stockton-on-Tees that is now the location for new business, housing and education

[Angela Eagle]

development, the Teesside Park retail and leisure development at the former Stockton race course site, the new business park at Preston Farm and the developments on the River Tees itself, including the offshore base and the Tees barrage.

Of course, it has not all been plain sailing, and not everything the corporation has tried to do has been successful. My hon. Friend referred to the planning application for a major retail development at the Middlehaven site that has been called in by the Secretary of State. We are both aware of what the High Court said about the way in which the corporation handled the application. For obvious reasons, I cannot say anything about the application. We shall have to wait for the outcome of the public inquiry.

My hon. Friend mentioned the Teesside Park retail development. I think that it is going too far to suggest that it was the only reason for the Stockton city challenge bid for funds. At that time, Stockton had many other problems that the city challenge bid identified for urgent action, and the developments then being undertaken by the corporation made those problems more obvious. He may recall that the bid submitted to my Department included the Teesside development corporation as one of the partners.

I should now like to turn to the specific issues that my hon. Friend raised about the wind-up of Teesside development corporation. On the general issue of exit strategy, my Department has given guidance to all development corporations on how they should wind up their affairs. That guidance has taken account of the recommendations made by the National Audit Office in its report on the wind-up of the Leeds and Bristol development corporations. Each corporation is responsible for preparing its own exit strategy, and for consulting as necessary with the appropriate Government office, local authorities and others.

The main task now falling to Teesside development corporation is the disposal of its remaining land holdings and other assets to public and private sector organisations, to enable further development to take place and to continue the momentum of regeneration. The corporation is quite properly talking to individual local authorities on Teesside about their taking over certain infrastructure projects. However, I am surprised that, unlike other development corporations, Teesside development corporation has decided not to enter into any agreements with the local authorities on Teesside for them to take on packages of assets and liabilities. The guidance given by my Department does not dictate succession strategies, but it is concerned that all available options should be considered. Development corporations are encouraged to discuss their succession arrangements with local authorities and with English Partnerships, as they are ready-made vehicles for continuing regeneration work.

I am concerned that the local authorities on Teesside feel that the corporation has not considered it necessary to discuss its strategy in detail with them. I can understand why that approach has not been well received by either the authorities or by my hon. Friend, and I would have liked to see wider discussions than those that have so far taken place.

In line with the guidance that my Department has given, the corporation has identified all the assets and liabilities that must be disposed of by 31 March, and has prepared detailed risk assessments. While I understand my hon. Friend's concern that this information is not in the public domain, I am sure that he will appreciate that it often includes commercially confidential, and therefore private, information. However I can assure him that it is available to my Department and is being carefully monitored by my officials in the Government office for the north-east. Regular meetings are held with the corporation's officers, and I can assure him that action is taken when it is required.

My hon. Friend will know that the Secretary of State has power to give directions to development corporations, and although rarely used, the power is available if required. The exit plans prepared by the corporation form the basis for discussions with the Commission for New Towns, which is the designated residuary body that will inherit any assets and liabilities not disposed of by 31 March. I assure my hon. Friend that there is no question of the local authorities on Teesside receiving any liabilities that they have not agreed to take on before 1 April. Any of the corporation's liabilities that have not been disposed of by the end of March will automatically transfer to the Commission for New Towns.

My hon. Friend has raised the issue of the destruction of files by the corporation, which implies that essential records will not be available to successor bodies or to the National Audit Office. The Minister for the Regions, Regeneration and Planning has recently written to him on that specific issue. My Department's advice is that development corporations are not required to retain all their files: it recognises that corporations will have accumulated many thousands of them. However, it advises that they should be cautious about destroying files unless they are sure that they will not be of future use. We expect all corporations to err on the side of caution in that respect.

I have no reason to believe that Teesside development corporation is not following departmental guidance on these matters. If it does have any doubts about whether a file or other records should be retained or destroyed, it knows that my Department's staff in the Government office for the north-east are always available to advise.

I have listened carefully to the suggestions made by my hon. Friend about the wind-up of the corporation. As I have said, officials in the Government office for the north-east are already closely monitoring the exit plans. I am willing to stay in touch with him on the development of that process.

I know that my hon. Friend is concerned about the future of regeneration on Teesside once the development corporation is wound up. He has referred to concerns expressed by at least one of the local authorities. One of the tasks that my Department has given to all development corporations as they approach the end of their lives is the preparation of a regeneration statement, which will help inform future policy.

I hope that I have given my hon. Friend some of the reassurances that he sought.

Question put and agreed to.

Adjourned accordingly at Eleven o'clock.

House of Commons

Thursday 15 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

TAMAR BRIDGE BILL

Considered; to be read the Third time.

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Windfall Tax

1. **Mr. Coaker:** What representations he has received on his policy to spend the proceeds of the windfall tax on a welfare-to-work programme. [21051]

14. **Mr. Plaskitt:** What representations he has received from employees' representatives on his policy to spend the proceeds of the windfall tax on a welfare-to-work programme. [21065]

The Paymaster General (Mr. Geoffrey Robinson): I am pleased to tell the House that we have had widespread positive acceptance of our welfare-to-work programme from employers, from employees and their representatives and throughout the voluntary sector. In particular, I am most encouraged by the firm support of British industry. I am pleased to say that many Members of the House are acting as positive ambassadors for the programme, and that is having a very good effect locally.

Mr. Coaker: I thank the Minister for that reply. Can he confirm that the many positive replies that we have had on the welfare-to-work programme include those from employers in my constituency in the Greater Nottingham area, such as Boots, Experian and East Midlands Electricity? Can he also confirm that not only big employers but many ordinary people are pleased to have a Government determined to tackle unemployment and the scourges of social exclusion and poverty that it brings with it?

Mr. Robinson: I agree with my hon. Friend on all those specific points. The three companies that he mentioned—East Midlands Electricity, Experian and Boots—are all active in his area, which, as he is aware, with 4,000 new dealers passing through the programme in the first year, is the biggest in the east midlands. We are very encouraged by the work that is being done there and by the initial response to the pathfinder programme, which is not operating in his area but which, I am pleased to tell the House, is off to a flying start.

Mr. Plaskitt: I also welcome the introduction of the welfare-to-work scheme in the pilot areas. However, looking forward to the time when the scheme goes nationwide, can my hon. Friend confirm that many substantial employers in my constituency, Warwick and Leamington, have expressed a commitment to participate in the scheme, and that their involvement will be vital to bring opportunities for work and training to the many young unemployed people in my constituency?

Mr. Robinson: Again, I can agree with all that. My hon. Friend will be aware that, in particular, Ford and Christian Salvesen are very active in the programme in his local area and I am sure that when it gets under way in April 1998, when we roll out the programme nationwide, he will rapidly become aware of considerable benefits accruing from that to those who have previously been denied the opportunity to work. One of the most positive aspects of the pathfinders is that the new dealers are responding extremely well, and especially those given a personal adviser.

Mr. Forth: Given that unemployment has now been falling for about five years and is at an all-time low, at least in living memory, and given that the numbers of both the long-term unemployed and the young unemployed have been falling dramatically and continue to fall, why does not the hon. Gentleman review this ridiculous gesture programme, which is costing so much money, and give the money back to, for example, the pensioners who have been mugged by his Department?

Mr. Robinson: I think the whole House and the country—and perhaps, on reflection, the right hon. Gentleman—will be dismayed at the terms in which he tried to dismiss this very important initiative. It is true that young unemployed 18 to 24-year-olds are fewer than they were. It is also true, however, that many are still coming on to the programme, and will be coming on to the programme, who have been out of work for six months or more, and we, as a Government—unlike the Conservatives when in government—intend to do something about it.

Dr. Cable: Does the Minister accept that in some parts of the country there is a growing labour shortage, especially of young people, and that there is some impatience that the resources of the welfare-to-work programme cannot be redeployed more quickly for older workers who have been out of work for a long time?

Mr. Robinson: As the hon. Gentleman knows, within the welfare-to-work programme £350 million has been put to one side for those who have been out of work long term, and that will have good effect. We also have a separate skills shortage programme to put that problem right.

Mr. Blizzard: May I say how welcome the new deal scheme is in my constituency of Waveney? In answer to the right hon. Member for Bromley and Chislehurst (Mr. Forth), the virtue of the scheme is that, by its very

nature, it involves precise targeting. In my constituency, there are pockets of unemployment within a relatively prosperous area and the scheme will attack those pockets. The unemployed in those areas will benefit most from the scheme because it directs resources where they are needed most. My constituents are looking forward to the scheme getting under way in April and preparations for it are well advanced. Does my hon. Friend agree that this policy proves the Government's commitment to social justice and economic efficiency?

Mr. Robinson: Indeed. It is a £3½ billion project that will last for four years—unlike some of the tinpot schemes that were dreamt up by the Conservatives when they were in government. My hon. Friend will also be pleased to know that the gateway programme targets specifically particular pockets of unemployment in otherwise relatively prosperous areas. That is one of the scheme's innovations that will make it a success.

Mr. Heathcoat-Amory: How can the Paymaster General plausibly promote a welfare-to-work programme that involves cutting welfare to the poorest people and raising taxes for ordinary savers while, at the same time, he is dodging taxes through the use of an offshore trust that he now admits that he controls? If the Paymaster General wants to retain a shred of credibility for himself and the programme, he should belatedly make a full disclosure about how his welfare is being looked after and how his windfall is being protected by the use of an offshore tax-avoiding trust, which the Labour party said before the election that it was committed to removing.

Mr. Robinson: The right hon. Gentleman seeks to hide the fact that the Tory party opposed the money and voted against the programme. I am pleased to say that many Opposition Members are now taking a positive interest in the programme and are playing a positive role. However, the right hon. Gentleman seeks to hide the fact that he voted against the measure. While the Opposition will the end, they refuse to vote the means.

Mr. Alan W. Williams: Does the Minister agree that the welfare-to-work programme not only tackles poverty but, by expanding the available work force, increases the capacity of the economy and will play a very important role in tackling inflation in a much more positive and beneficial way than by raising interest rates, for example?

Mr. Robinson: My hon. Friend is absolutely correct. The welfare-to-work programme will play a particularly important role in Wales. As to the question of skills shortages and the tightening of the labour market generally, all sectors of British industry firmly support the programme because they have begun to see that it could be the smart way of easing existing skills shortages.

High-technology Industries

2. **Mr. Garnier:** What is his policy on providing financial support to high-technology industries. [21052]

The Chancellor of the Exchequer (Mr. Gordon Brown): The essential policies for high-technology firms are those that promote stability and prevent stop-go. In addition, in order to encourage investment, we have reduced the corporation tax rate for businesses from 33p to 31p. We propose to reduce corporation tax to 30p in 1999. We have produced a small and medium business tax relief by doubling capital allowances and we are reviewing capital gains tax. Dr. Keith McCullagh and senior figures from high-tech companies are also producing a report about how to stimulate high-tech investment, especially in research and development-based firms.

Mr. Garnier: Do the Chancellor and his Treasury team plan to assist high-tech industries by exempting them from capital gains tax on share issues? Is that not precisely what the Paymaster General managed to do by transferring £10 million-worth of shares to do with his high-tech company into his offshore trust? Why should the Treasury team, which contains a Minister who seems intent on avoiding tax, be so keen to impress upon other lesser mortals that they should pay every penny of tax?

Mr. Brown: I might have known that the hon. and learned Gentleman was not at all interested in high-technology firms. The Conservative party should start talking to businesses that have welcomed the cut in corporation tax from 33p to 31p—the lowest rate of corporation tax in our history. They have also welcomed the fact that we plan to cut corporation tax to 30p and that we are reviewing capital gains tax. It is a measure of the Government's success that we have persuaded senior figures from the high-technology industries to come together in a working party that will report soon, with a view to the Budget, on how we can help specifically some of the most modern, high-technology firms in our country.

Mr. Sheerman: Does my right hon. Friend agree that many high-tech companies spin out of universities and university research? Is there a way in which he could introduce a tax break for companies and individuals who give back to universities specifically for high-tech innovation? We in Britain—individuals as well as big corporations in the private sector—are small givers to universities, and that could be a new form of resource.

Mr. Brown: We have already made available for small and medium companies, including those that have spun off from universities, an enhanced capital investment tax relief that they can use in this financial year to expand their investment. In addition to that, by cutting corporation tax we are creating the environment in which long-term investment can take place. For university-based and other firms, the McCullagh committee is looking at how we can increase the venture capital industry's input into investment in these areas.

We are struck by the fact that there is 40 per cent. more investment of the national income in high-technology firms in the United States than in Britain—£4.5 billion is invested in high-technology companies there, and only one tenth of that in this country. That situation was not rectified under the previous Government, but we hope to rectify it.

Tax Avoidance

3. **Mr. Letwin:** What discussions he has had with his EU counterparts on tax avoidance issues. [21053]

Mr. Gordon Brown: On 1 December 1997 the ECOFIN group of Finance Ministers agreed a code of

conduct on business taxation. The code of conduct is aimed at eliminating special business tax regime loopholes, and we are working closely with our European partners and have persuaded the Commission to adopt a more rigorous and thorough application of the state aid rules in this area. In relation to multinational companies, we will keep our European partners, the G7 and the Organisation for Economic Co-operation and Development in touch with our discussion on how we modernise the tax rules on transfer pricing for multinationals and the existence of controlled foreign companies. We are publishing our proposals in these areas.

Mr. Letwin: I thank the Chancellor for that illuminating reply. In the light of the helpful comments that the Financial Secretary to the Treasury made to European Standing Committee B, when she told us that

"Countries engage in unfair competition when they adopt zero or near-zero tax rates for special niche areas"—[*Official Report, European Standing Committee B*, 26 November 1997; c. 2.],

would the Chancellor class the Paymaster General as a special niche area?

Mr. Brown: Again, it is a measure of the modern Conservative party that Conservative Members cannot now even address the issues of Europe and taxation without reducing them to trivia.

We made an important breakthrough in December in dealing with harmful tax competition. We persuaded other countries, which had been reluctant to support those measures, to support them. We are tackling the problem of multinationals and transfer pricing in a way that the previous Government never did. I should have thought that the hon. Gentleman would welcome the measures that we are taking in all those areas.

Mr. Gapes: Does my right hon. Friend agree that the Government's measures are tough and are in the country's interests, and that it is a bit rich for Conservative Members to come out with all that criticism now, when they did nothing about the situation for 18 years?

Mr. Brown: Yes. We took measures in the first Budget to close a number of tax loopholes. We have done what the previous Government failed to do, and by doing so have raised more than £1.5 billion for the Treasury. Conservative Members who raise questions about these matters now seem to support taking action in areas where, when they were in government, they took no significant action for 18 years.

Mr. Wilkinson: Can the Chancellor give the House an assurance, following his meetings at ECOFIN and with his counterparts in other forums, that the European Union will not require the United Kingdom to extend the scope of value added tax, and that he will effectively prevent any such extension?

Mr. Brown: We have made it absolutely clear that these are matters for vetoes and for the House.

Exports

4. **Mr. Gordon Prentice:** What representations he has received from manufacturing industry about the effect on exports of the value of sterling. [21054]

The Economic Secretary to the Treasury (Mrs. Helen Liddell): Treasury Ministers receive numerous representations from business on a wide range of issues, including the impact of the strength of sterling. The Government are committed to open discussion of our economic performance with a view to achieving a shared sense of economic purpose. We take seriously the views that have been made available to us.

Mr. Prentice: I thank my hon. Friend for that reply, but is she aware that in my constituency of Pendle, 44 per cent. of employees work in manufacturing industry, as against a national average of about 19 per cent., and there are real concerns about the appreciation of sterling against other currencies? In the past year, the pound sterling has risen by 21 per cent. against the deutschmark, 16 per cent. against the yen, 16 per cent. against the ecu and 5 per cent. against the American dollar. Firms are cutting prices and profit margins just to maintain market share, and that cannot continue indefinitely. Can my hon. Friend give manufacturing industry any encouragement that matters will improve in the short term?

Mrs. Liddell: I take on board my hon. Friend's point about the difficulties being experienced in his constituency, but the CBI and British Chambers of Commerce have pointed to manufacturing industry's strong performance throughout the north-west. I welcome the fact that throughout the north-west firms are performing strongly in a range of industries, including chemicals, pharmaceuticals and food and drink. But it is important to ensure that companies face macro-economic stability so that they can plan ahead for the future, and since the Government were elected on 1 May our policies have been designed to provide the kind of economic climate that allows manufacturing industries to be competitive and to plan ahead for the future.

Mr. Clifton-Brown: Does the Economic Secretary agree that the current strength of sterling is the forgotten factor in the Government's economic and particularly monetary policy? Does she agree with the old City maxim that a 10 per cent. appreciation of the pound is equivalent to an increase of about 1 per cent. in interest rates? Will not this excessively tight monetary policy lead to one of the lowest growth rates in the European Community in two years' time? The National Institute of Economic and Social Research has calculated that we will have a growth rate of about 2 per cent. in two years' time, which will be the lowest of all 15 member states of the EU, in contrast with one of the highest growth rates under the previous Government's economic management.

Mrs. Liddell: The hon. Gentleman seems committed to trying to return Britain to the kind of stop-go, boom and bust economic policies of the previous Government—a Government who made sure that this Government inherited an economy with an inflation problem. The most sensible course of action for this economy is to obtain the climate of stability that the Government seek to achieve. We are conscious of the many pressures on manufacturing industry, and the hon. Gentleman is talking rubbish if he suggests that our attitude to sterling is to make it a forgotten problem.

Mr. John D. Taylor: Is the Minister aware that since the Dublin Government announced three months ago that

they would join the euro, the punt in southern Ireland has declined by 20 per cent. against sterling which operates in Northern Ireland, and that that is now a major barrier to trade between Northern Ireland and the Republic? Will the Government, in their role as President of the European Finance Ministers and in the context of the joint statement by both Governments on Monday on the creation of a council of the various devolved assemblies and Governments within these islands so that we can act in co-operation, approach the Dublin Government to see whether it would be possible for the pound sterling to join the euro at the same time as the Republic of Ireland?

Mrs. Liddell: The UK Government's responsibility, in their role as President of the EU, is to be open and fair in the negotiations that will take place during the next few months. Those are critical negotiations for the future of the EU and its economies. In that setting, it is appropriate to pay tribute to the extent to which the EU is contributing to the process of peace and reconciliation in Northern Ireland.

I assure the right hon. Gentleman that we shall discharge our responsibilities, as part of the presidency, with fairness and justice, and shall take into account the difficulties that different countries experience. However, when the Council of Finance Ministers meets to discuss those matters it must take into account the overall impact on all the economies of the European Union, both individually and collectively.

Mr. Sheldon: Is it not clear that the high level of the pound and of interest rates is affecting manufacturing industry much more than service industries? Will my hon. Friend therefore consider further assistance to the manufacturing industry?

Mrs. Liddell: My right hon. Friend makes a good point. There is a differential between the performance of the service sector and the manufacturing sector. Notwithstanding that, official estimates still point to continued growth in exports from the manufacturing sector. We take on board the point that my right hon. Friend makes about assistance to manufacturing industry. Indeed, the Minister for Trade has already established arrangements to assist companies in their marketing operations abroad. We have also embarked on a research programme to find the means whereby we can encourage especially small and medium enterprises to promote exports abroad and we shall continue to look closely at the matter to ensure that we create the most propitious circumstances for our manufacturing industry throughout the United Kingdom.

Research Grants

5. **Mr. Woodward:** What plans he has to impose VAT on research grants by charitable trusts; and if he will make a statement. [21055]

The Financial Secretary to the Treasury (Dawn Primarolo): There are no plans to impose VAT on research grants made by charitable trusts.

Mr. Woodward: I declare an interest in this subject. In the wake of the report by the National Council for Voluntary Organisations, which says that the impact of the Government's Budget will be to impose on charities an additional £350 million because of the changes to advance corporation tax, will the Minister take this opportunity to rule out definitively an attempt by Customs and Excise to impose VAT on research grants for scientific purposes?

Dawn Primarolo: I made it clear to the hon. Gentleman that VAT on research grants will not be imposed on charitable trusts. With regard to the ACT changes, which the Government made on the basis of economic and long-term planning, the Chancellor recognised the special position of charities and transitional arrangements were put in place—a total of £1 billion will be spent over seven years on that issue. I am surprised that the hon. Gentleman did not go on to mention, given his commitment and involvement in charities, the Government's review of charities taxation, which is widely welcomed by all concerned in the charitable sector. When I was at the annual general meeting yesterday of the charitable taxation reform group, we had a positive discussion about the future of charities.

Job Creation

6. **Mr. Bayley:** What his priorities are for job creation at the ECOFIN meeting in York during the UK presidency. [21056]

Mr. Gordon Brown: I look forward to holding the informal ECOFIN in my hon. Friend's constituency in two months' time. I shall use the UK's presidency of the European Union to advance policies that help the unemployed to find work, ensure that we have a skilled, adaptable labour force and increase flexibility and adaptability in the labour market, to which we are committed, thereby raising the sustainable level of employment in Britain and Europe. I expect to discuss those issues at several ECOFIN meetings during the course of the next few months.

Mr. Bayley: Just over a year ago, R. R. Donnelley, which has a large print works in my constituency employing several hundred people, was teetering on the brink of closure. It has now secured a contract to print all the telephone directories for the Netherlands for the next seven years and those jobs have been secured. Does my right hon. Friend agree that that experience shows that Britain benefits from involvement in the European Union? Will he be using our presidency further to ensure that we play a full part in Europe so that this country benefits from jobs from that source?

Mr. Brown: I agree entirely with my hon. Friend. Sixty per cent. of our trade is with European Union countries: both imports and exports. We are trying to expand the single market into areas where it has not been effective in the past: not just telephone directories, but telecommunications and the energy and utilities industries. I hope that we shall make advances during the European presidency. It would, of course, be better if we had the support of the Conservative party.

Sir Michael Spicer: If the Government are really serious about giving advice at ECOFIN on reducing unemployment in European Union countries, will they tell

the French Government to uncouple their currency from the deutschmark, even if that means getting out of the exchange rate mechanism?

Mr. Brown: We have already discussed joint measures to tackle unemployment throughout Europe. At the Luxembourg summit in November, British proposals to help young people who have been unemployed for more than six months and long-term unemployed men and women who have been unemployed for more than a year throughout Europe—exactly the policies that we are pursuing in Britain—commended themselves to our European partners. Those measures will create job opportunities and give people the skills that will be effective in reducing the unacceptably high level of unemployment in Europe. Britain is leading the way in those areas.

Economic and Monetary Union

7. **Mr. Timms:** What representations he has received about the steps he is taking to prepare business for EMU. [21057]

Mr. Gordon Brown: We received a large number of representations as a result of our decision in October on economic and monetary union. We have set up a business advisory committee, and a Treasury committee is examining the preparations for EMU. The president of the Confederation of British Industry, the Governor of the Bank of England and the president of the chambers of commerce are involved in discussions on these matters. This country is committed to making those preparations now.

Mr. Timms: I thank my right hon. Friend for that answer. Does he agree that it would be wholly contrary to the British national interest for this Government or any future British Government to rule out for ever taking part in the single European currency? That is what Mr. Michael Portillo proposed yesterday, and he was apparently reflecting the views of many Conservative Members.

Mr. Brown: There are two positions that can be understood and are credible, and neither of them is held by the Conservative party. The first is to support the principle of monetary union, and the second is to oppose it. This side, supported by Lord Howe and many others, supports the principle of monetary union, whereas the other side cannot tell us what it supports. At least we now know what Mr. Portillo supports: he is totally against the principle.

Mr. St. Aubyn: Will the Chancellor tell us what he would support if there were a conflict, perhaps in the near future, between the needs of monetary policy in this country and the need for a sensible and competitive exchange rate? Which need would come first for him?

Mr. Brown: The steps that we are taking are right for Britain. The tests of economic and monetary union that I set out, and which were contained in a Treasury paper that was put before the House, will be applied by the Government according to what is in the national economic interest. The problem with the Conservative party's position is that it cannot tell us whether it would support joining the single currency if that were in the national interest. Even if the economic consequences were entirely beneficial, the Conservative party would probably oppose it.

Mr. Grocott: The Chancellor's clear statement that our decision on membership of the single currency would be made on the basis of what was in this country's economic interests was derided by Conservative Members. Surely my right hon. Friend's view is self-evident to anyone who has examined this issue from a neutral position, and is shared by most people in this country. Does my right hon. Friend share my concern that anyone in the modern Conservative party who takes that view, including senior members such as former Chancellors, former Prime Ministers and former Deputy Prime Ministers, is described by the current Tory leadership as a has-been?

Mr. Brown: I agree with my hon. Friend. Lord Howe's letter was signed by many others, including several hon. Members, a former Prime Minister, a former Deputy Prime Minister and a former Chancellor in the last Conservative Government. They said that they

"support Tony Blair and his colleagues in making the right decisions on the difficult challenges which lie ahead."

A large number of senior members of the Conservative party support the principle of monetary union and the Government's policy. Mr. Michael Portillo now says that he is totally against it as a matter of principle, and the Conservative Front-Bench spokesmen cannot tell us whether they are in favour of it or against it in principle: they say that they will wait 10 years before making their decision. That is typical of the utter opportunism of the Conservative Opposition. They were not fit for government, and they are not fit for opposition.

Taxation

8. **Mr. Baldry:** If he will make a statement on the number of *(a)* new taxes introduced and *(b)* increases in tax rates since 1 May. [21058]

The Chief Secretary to the Treasury (Mr. Alistair Darling): At the election, we made a clear promise not to increase the basic or the top rate of income tax. We have kept that promise and we will continue to keep it.

We also promised to introduce a new tax—the windfall tax on the privatised utilities. We introduced it and, as a result, we are spending just over £3 billion on the new deal for young people; we are spending £350 million on the new deal for the long-term unemployed; we are spending more than £200 million on the new deal for lone parents; and we are spending £1.3 billion on repairing the fabric of our schools. None of those things would have happened but for the change of Government.

Mr. Baldry: That is patently not an answer to my question. Anyone listening to it would have assumed that there would be only one new tax and no tax increases. We know that not to be true. There have been some 17 tax increases since the Government came to office, although before the election they sought to give the impression that

they would not increase the tax burden. Is not the simple truth that, month on month, the tax burden on the people of Britain is increasing under the present Government?

Mr. Darling: The hon. Gentleman should recall that, during the general election—I should have thought that Opposition Members might remember the general election, as I believe it left something of an impression on them—when those who presented our tax policies were rigorously examined and cross-examined by Conservative Members and by commentators, we made a promise in relation to the top and basic rates of income tax, which we have kept.

I am surprised that the hon. Gentleman did not return to the subject of advance corporation tax, as I rather thought he might. I wonder whether he noticed that in 1997 the overall return to pension funds was 16 per cent., whereas in 1996 it was only 10 per cent.

Jacqui Smith: Has my right hon. Friend found, as I have, that the Government's decision to cut VAT on fuel has been greeted with pleasure by families and by older people, and with some surprise by our constituents who are used to Governments' pledging to keep VAT at the same rate and then increasing it rather than keeping their tax promises as this Government have done?

Mr. Darling: My hon. Friend is quite right. Not only did we cut VAT on domestic fuel—in contrast to the actions of the previous Government—which has been greatly appreciated by elderly people in particular, my right hon. Friend the Chancellor announced a £200 million package to help poorer pensioners with their winter fuel bills and, of course, pensioners generally. None of that help would have been possible but for the change of Government last May.

Mr. Lilley: We might have hoped that the Chancellor himself would answer a question allowing him to defend his breach of a clear promise not to increase taxes in any way at all—the promise given by the Labour party before the election. The Chancellor, however, dodges questions about taxes just as the Paymaster General dodges taxes on his income. How do the Government justify imposing a tax of £5 billion a year on pension funds? How do they justify imposing taxes on those who have saved £50,000? Will they not make the situation worse by imposing an affluence tax on pensioners?

Does the Chancellor recall telling his predecessor that, before doing anything that would affect pensioners, he should tackle the taxation of offshore trusts?

Mr. Darling: A moment ago, my right hon. Friend the Chancellor and I were wondering why the right hon. Gentleman had not asked a supplementary question on Europe, when he might have clarified one or two points for us. For some reason he chose to say absolutely nothing.

I shall deal with the points that the right hon. Gentleman raised. The first and, perhaps, most important related to changes in advance corporation tax. We believe that it is for managers, not the tax man, to make investment decisions, and that the distortion in the corporation tax system ought to be removed. That has been widely welcomed by many people. We reduced the corporation tax rate to a lower rate than those of any of our major competitors and there is a further reduction to come in 1999.

On the subject of pension funds, perhaps I may repeat what I said to the hon. Member for Banbury (Mr. Baldry). Overall returns to pension funds last year were 16 per cent. and were only 10 per cent. in the year before that. Abolition of payable tax credits on dividends is estimated to have affected average performance last year by about 0.4 per cent. The overall judgment is that pension funds did well last year—in no small part due to the long-term view that the Government are taking. The half-hearted attack on us by the right hon. Member for Hitchin and Harpenden (Mr. Lilley) does not have any weight, especially when one remembers what the Conservative Government did in the last Parliament and the 22 tax rises that they imposed when they had promised not to do any of that.

Casino Industry

9. **Mr. Dismore:** If he will make a statement concerning the taxation of the casino industry. [21059]

Dawn Primarolo: The gross gaming yield of a casino is liable to gaming duty.

Gaming duty is a tiered duty which ranges from 2½ per cent. to 33⅓ per cent. The duty receipts for 1996–97 from casinos were £79 million.

Mr. Dismore: Does my hon. Friend agree that there has been no major review of casino taxation for 20 years, since the royal commission? Does she agree that we should try as far as possible to ensure a level playing field between different forms of gambling? If casinos were taxed on the same basis as bookmakers—6.75 per cent. of bets placed, rather than the sliding scale that she mentioned, which is based on bets less winnings—instead of the £79 million that she mentioned for last year, the Exchequer would have recovered £175 million out of total bets of £2.6 billion. Is it not time that we examined the matter to ensure fair play between the casino industry and the country?

Dawn Primarolo: Gaming duty was introduced on 1 October 1997 after a period of consultation. The tiered rate on casinos is based on the tax set before the new regime to ensure a fair return to the Exchequer. The gross gaming yield is the most efficient way to tax the industry. So far this year, with a quarter to go, £70 million has been raised. My right hon. Friend the Chancellor constantly reviews the relationship of all the taxes to ensure that they are set at a level that is acceptable to the industry and the Exchequer.

Alcohol and Tobacco Duties

10. **Mr. Mullin:** What recent discussions he has had with other European Community countries regarding the convergence of excise on alcohol and tobacco; and if he will make a statement. [21060]

Dawn Primarolo: I have had no discussions with representatives of other EU member states regarding the convergence of excise duties on alcohol and tobacco

products. The mechanism for progressing convergence is through the European Commission's biennial reviews of the minimum rates of excise duties. The reports on the current alcohol and tobacco reviews are overdue.

Mr. Mullin: Is my hon. Friend aware—I am sure that she is—that a vast black market has grown up in cheap booze and tobacco from the continent and that much of it is sold out of front doors and car boots to under-age youths who then cause mayhem in the communities where they live? That black market is also doing tremendous damage to our domestic brewing and tobacco industries. I appreciate that there are no easy answers to the problem, but will my hon. Friend give an assurance—I am not sure that I detected it in her first answer—that the problem is being seriously addressed?

Dawn Primarolo: I can assure my hon. Friend that in their negotiations in the European Union, the Government continue to press the case in relation to minimum rates of duty on both alcohol and tobacco. In addition, the Government have conducted a review of alcohol and tobacco involving smuggling, cross-border shopping, crime, health and competition. The report of that review will be with me soon. The industry has co-operated with us fully in order to target exactly the sort of measures that my hon. Friend identified.

Mrs. Virginia Bottomley: Is that not a typical reaction from this bossy, authoritarian Government—*[Interruption.]*

Madam Speaker: Be authoritarian, Mrs. Bottomley.

Mrs. Bottomley: The Government are moving hastily to ban tobacco advertising as a knee-jerk reaction, although it is well known that price is a more significant factor than advertising in tobacco consumption. I suggest that the Government take the steps that we set in hand to try to persuade other European countries to increase the price of tobacco rather than ban advertising.

Dawn Primarolo: This is not a bossy, typical reaction as the right hon. Lady suggests. We are taking a positive step, in partnership with the tobacco and alcohol industries and through the review that has been organised and led by Customs and Excise to tackle the very real problems of smuggling, particularly of tobacco products. The Government continue to negotiate in Europe on the minimum rates. The right hon. Lady is right to say that taxation is a tool in our health policy on tobacco, as is the ban on tobacco advertising.

Fiona Mactaggart: Is my hon. Friend aware of the number of jobs in constituencies such as mine that depend on duty-free shopping? What plans does she have to try to secure those jobs in view of what will happen to duty-free shopping?

Dawn Primarolo: I understand my hon. Friend's point about jobs. Ending duty-free shopping, however, is not solely a decision for our Government. Decisions on duty free require unanimity in the European Union—a unanimity that does not exist at present. The Government's position, therefore, continues to be to support the demands for a review of the impact of the duty-free regime ending in June 1999.

Savings

11. **Mr. Syms:** What is his policy for increasing saving by individuals. [21061]

Mr. Darling: This Government's policy is to encourage saving by as many people as possible. As we said in opposition and as we have said in government, it makes sense to encourage as many people as possible to save and make provision for whatever eventuality they think appropriate. To that end, we have ensured that we have the right economic conditions, with low inflation, that will encourage people to save. We have, of course, introduced specific proposals such as the individual savings account.

Mr. Syms: Will the Minister consider upping the £50,000 limit on the individual savings account, not only because of opposition to the proposal, but because of the real anger that my constituents feel? Their income is being squeezed by a man who is not only the architect of the scheme, but who has £12 million in the Channel Islands avoiding UK taxation.

Mr. Darling: The Government made it clear when we were in opposition that we would introduce the individual savings account, which extends the principles of tax-exempt special savings accounts and personal equity plans, which have been established for a number of years. The House must face the fact that both we and the previous Government have spent just over £1.3 billion a year in tax relief for the schemes. It makes sense to ask what we can do to encourage people who do not save at the moment to do so in future. The objective of the individual savings account is to increase the number of people who save, but who are at present not saving. That is good for them as individuals and good for the country as a whole.

Mr. Malcolm Bruce: I am slightly surprised that this question is not being answered by the Paymaster General. Does the Chief Secretary agree with the Treasury official who told the House of Commons Library on 5 January that tax relief on savings, after the introduction of the individual savings account, would be less than would have been available if PEPs and TESSAs had continued?

Mr. Darling: The hon. Gentleman raises two points The Chief Secretary to the Treasury takes a great deal of interest in everything that happens in the Treasury. Indeed, I can tell any of my ministerial colleagues who read the report of this Question Time that I take a great deal of interest in what they do in their Departments. It should, therefore, come as no surprise that I should choose to deal with a subject about which I have said a great deal both in opposition and in government.

The Government do not know precisely how much they will spend on tax relief in any particular year because they do not know how many people will take up the option of saving, at the moment with PEPs and TESSAs, and in future with the individual savings account. As my right hon. Friend the Prime Minister has made clear, we are talking about rebalancing the tax relief that is available so that we encourage people who are not saving at the moment to do so in the future. There are many people who could well afford to save. It must be in their interests,

as well as in the interests of the whole country, to save. I should have thought that the hon. Gentleman and his party, if not the Conservative party, would join us in supporting an objective that is widely supported in the country.

Mr. Fallon: Will the Chief Secretary confirm that, on the current gross dividend yield, annual income from £50,000 invested in a UK equities PEP is only £1,420? Instead of punishing middle Britain for saving, will he either scrap the limit or allow people to transfer any surplus into the type of offshore trust that is operated by the taxmaster general?

Mr. Darling: Yet again Opposition Front Benchers show that they have precious little interest in the cause of promoting saving. As I said, the Government—any Government—have a choice about how to balance the total amount that they are prepared to spend on tax relief to encourage people to save. Our view is that it is far better to use the available money, which will always be finite, to encourage people on middle and lower incomes who are not currently saving and need encouragement to get into the savings culture. That is our objective. I am bound to say that the vast majority of those with an informed opinion, who have sat down and thought about the matter, support the Government's objective, which is to encourage those who are less well off to make provision for themselves.

Tax Avoidance

12. **Mr. Spring:** What is his policy on tax avoidance. [21063]

Mr. Gordon Brown: In the July Budget, we took action on the following matters relating to the issue: taxation of dividends on trading assets as trading profits; acceleration of capital allowances by finance leasing; sale and lease-back; transfers of unused past allowances; company purchase schemes; pay-as-you-earn avoidance; on VAT, in relation to the second-hand goods margin scheme, cash accounting schemes, capital goods schemes and insurance premium tax. Those actions will raise £1.5 billion over five years. We are now considering strengthening tax rules on multinationals and all other matters with a view to action in future Budgets.

Mr. Spring: Is the right hon. Gentleman aware that, in response to his announced policy to abolish PEPs and TESSAs, some important financial journalists suggested to their readers that they might move their investments offshore to avoid tax? As such arrangements are clearly condoned at the highest level of Government, would the Chancellor like to comment on those suggestions and on whether even middle-income savers should take heed of that professional advice?

Mr. Brown: People would be well advised to be wary of any advice on those issues from the Opposition. The available tax relief on individual savings accounts, PEPs and TESSAs is about £1.3 billion, which is substantial and rising, and we are committed to funds being made available in future Government budgeting. The hon. Gentleman should think carefully about the previous Government's record on tax avoidance. We are taking action on tax avoidance; for 18 years, they failed to do so.

Mr. Rammell: Does my right hon. Friend agree that the previous two questions demonstrate a concerted campaign by the Conservative party on the issue of standards in public life, that that campaign carries no conviction and that the Government will take no lectures from the party that brought us cash for questions in brown paper envelopes?

Mr. Brown: I shall certainly take no lectures on tackling tax avoidance from Conservative Members. We have already closed loopholes to the tune of £1.5 billion and we are committed to closing loopholes in tax rules for multinationals. We are also taking action on other matters and will report in future Budgets. The problem with Conservative Members is that they have a new found interest in tax avoidance although they never took action to deal with it when they were in government.

Mr. Lilley: I come back on this because the Chancellor has consistently tried to pretend that the issues raised by the Paymaster General's trust are minor and insignificant. I submit that hypocrisy, conflicts of interest and economy with the truth are not minor matters. When he was in opposition, the Chancellor pursued such matters in respect of people who did not hold ministerial office. Will he stop hiding behind a statement issued on 8 December by the Treasury which both threatened to sue newspapers and claimed—I quote the words of the Paymaster General's solicitors:

"our client does not influence the decisions of the Orion trust in any way."?

Subsequently, the Paymaster General has contradicted that and said that he did influence the trust to buy £10 million of shares in his company—his shares—and to buy and subsequently sell at a profit shares in the Coventry City Football Trust. How does the Chancellor reconcile those two statements?

Mr. Brown: The hypocrisy is people saying that they want to take action on such matters when they refused to do so when they were in government. [HON. MEMBERS: "Answer the question."] I remind the right hon. Gentleman that when he was Financial Secretary to the Treasury and was asked to take action on offshore trusts, he said that

"it would impose a substantial and unreasonable burden on business."—[*Official Report*, 11 January 1990; Vol. 164, c. 706.]

That was his action. [HON. MEMBERS: "Answer the question."] On the particular case of my hon. Friend the Paymaster General, which the right hon. Gentleman persists in raising, first, my hon. Friend has met all the rules that have been demanded of him in the code of ministerial conduct. Secondly, he has followed the advice of the permanent secretary to the Treasury. Thirdly, he has paid taxes in the United Kingdom to the tune of £1.5 million in the past five years. Finally, I am the person in the Treasury who makes the decisions on taxation.

Dr. George Turner: Does my right hon. Friend share my concern that the Opposition are in danger of bringing the House into disrepute? We rightly have on our agenda

a series of questions that are important to the future prosperity of the nation, yet it is clear that the real intent of the Opposition is to contribute not one whit to the discussion on tax evasion—

Madam Speaker: Order. The hon. Gentleman must put his question directly and it must concern Government policy and not the activities of the Opposition, for which the Chancellor is not responsible.

Dr. Turner: Does my right hon. Friend agree that he and the House should be addressing the important issues that the Opposition failed to address for 18 years?

Mr. Brown: I agree entirely with my hon. Friend. When the right hon. Member for Hitchin and Harpenden (Mr. Lilley) was Financial Secretary and was asked to take action on the taxation of trusts in Bermuda, he said that he would not. That is the reputation of the Opposition for taking action. The difference between them and us is that we are prepared to take the action that is necessary to close down tax avoidance.

Offshore Trusts

13. **Mr. Nicholls:** If he will make a statement on his policy on tax-free offshore trusts. [21064]

15. **Mr. Prior:** If he will make a statement on the taxation of offshore trusts. [21066]

Mr. Darling: The tax treatment of offshore trusts is being considered as part of the wide-ranging review of tax that my right hon. Friend the Chancellor announced in his Budget statement.

Mr. Nicholls: Perhaps the Chief Secretary could tell us what progress has been made on implementing the commitment given by the Chancellor at the Labour party conference in 1996 that in future millionaires would not be able to exploit tax relief and offshore tax havens. Even allowing for the fact that bare-faced brazen cheek does not usually march hand in hand with a proper sense of shame, does the right hon. Gentleman sense any unease at having given such a commitment and then sharing the Treasury Bench with someone who was exploiting tax avoidance on a massive scale?

Mr. Darling: My right hon. Friend the Chancellor had greater success at our party conference than the hon. Gentleman had at his a few years ago.

Unlike the Conservatives, my right hon. Friend took action in his Budget to close tax loopholes. He has made it very clear that there is more action to come.

Mr. Prior: Given the Government's commitment to closing offshore tax loopholes and their commitment to high standards in public life, would it not be better if the Paymaster General was moved somewhere else?

Mr. Darling: I do not agree with the hon. Gentleman. I repeat the point that we have made time and again. For 18 years, the previous Government did nothing about closing tax loopholes. When Mr. David Shaw, of fond memory for many of us—even he was asking for something to be done—asked the now shadow Chancellor about the issue, he was told that it would

"impose a substantial and unreasonable burden on business."—[*Official Report*, 11 January 1990; Vol. 164, c. *706*.]

That is not our view. We have made it abundantly clear that we intend to take appropriate action to close loopholes. We took action in the Budget and, as I said a few moments ago, there is more to come.

Business of the House

3.30 pm

Mrs. Gillian Shephard (South-West Norfolk): May I ask the Leader of House to give next week's business—and, I hope, probably the week after's?

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): The business for next week will be as follows.

MONDAY 19 JANUARY—Completion of consideration in Committee and remaining stages of the European Communities (Amendment) Bill.

TUESDAY 20 JANUARY—Consideration in Committee on the Government of Wales Bill (First Day).

WEDNESDAY 21 JANUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the Government of Wales Bill (Second Day).

THURSDAY 22 JANUARY—Remaining stages of the Bank of England Bill.

FRIDAY 23 JANUARY—Private Members' Bills.

The provisional business for the following week will be as follows.

MONDAY 26 JANUARY—Consideration in Committee of the Government of Wales Bill (Third Day).

TUESDAY 27 JANUARY—Opposition Day [6th Allotted Day].

There will be a debate on an Opposition motion or Opposition motions. Subject to be announced.

WEDNESDAY 28 JANUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the Scotland Bill (First Day).

THURSDAY 29 JANUARY—Consideration in Committee of the Scotland Bill (Second Day).

FRIDAY 30 JANUARY—Private Members' Bills.

The House will also wish to know that, following discussions through the usual channels, it has been agreed to increase to 10 minutes the time allocated to my hon. Friend the Minister without Portfolio to answer oral questions on the millennium experience. The change will be effective from Monday 9 February and requires a slight alteration to the current questions rota. The Departments and individuals involved have been notified. The Table Office has also been notified of the changes and a revised order of questions will be issued as soon as possible.

The Session up to the Easter break will be extremely heavy. I shall continue to try to give two weeks' notice of business, but that may not always be possible. I hope that the programme for the Scotland Bill, which has already been accepted, and that for the Government of Wales Bill, which I hope will be accepted today, will help. I am grateful to the right hon. Member for South-West Norfolk (Mrs. Shephard) for her co-operation on that.

Although I cannot yet provide definitive dates for the Easter recess, it will be for the convenience of the House if I say that it will fall in the week after Easter—the week beginning 13 April. I shall give more precise details on another occasion. It will also be of help for the forward planning of hon. Members for me to say that my right hon. Friend the Chancellor intends to introduce his Budget on Tuesday 17 March.

Mrs. Shephard: I thank the right hon. Lady for her statement and for giving us two weeks' business. It is helpful to the House to hear something about the Easter recess and the date for the Budget at this stage in the year—and of course, we were all extremely excited to hear about the new plans for questioning the Minister without Portfolio.

In the right hon. Lady's statement, the House will have discerned the influence of the work of the Modernisation Select Committee in connection with the programming arrangements made for handling the Scottish devolution Bill on the Floor of the House. As she knows, we oppose the principle of the Bill on constitutional and other grounds, but we welcome the agreement reached on the way in which it should be debated. If the House agrees later today the arrangements for handling the Welsh Assembly Bill, that, too, will be owing in part to the work of the Modernisation Committee, as well as in part to a change of heart.

The influence of the Modernisation Committee could also be seen yesterday when the Minister of Agriculture announced that the Government would subject the legislation on the Food Standards Agency to pre-legislative scrutiny. That is very necessary in such a complex area, and will clarify the Government's plans for, among other things, taxing the food industry to pay for its own policing.

I would be grateful if the right hon. Lady would rule out now the notion that the agency should have its own Select Committee. If that were granted, by analogy we should have to have Select Committees for health and safety, highways, prisons and many other subjects. I think that the existing Select Committee system should be well able to cope with the Food Standards Agency.

There has been welcome progress in some of the areas for which the right hon. Lady is responsible, but alas, rather less progress elsewhere. I therefore ask her to arrange for an early debate on social security and other associated matters, to give the Government an opportunity to make clear the principles about which they are worrying their own Back Benchers, as well as every disability pensioner and single parent group in the country, with the briefing and counter-briefing in the Government's internal welfare wars. We should have a debate so that the House can know which Minister is in the lead. It would also be useful for us all to find out when a means test is not a means test.

Will the right hon. Lady also arrange for an early debate on Welsh affairs so that the Secretary of State for Wales can come to the House to answer the 40 questions that have been tabled on the Welsh referendum count controversy? It is no good Ministers brushing off legitimate concerns by saying that Opposition parties dislike the result of the referendum. Judging by the Welsh press, the people of Wales dislike the Secretary of State's inability to bring transparency to that matter. The people of Wales, and the people of the rest of Britain too, deserve a bit better.

Finally, according to today's edition of *The Times* the Minister for the Environment is due to announce sweeping changes in planning law in a written answer

this afternoon. Yesterday he batted aside questions on the matter, although he could have answered them during the debate on the Regional Development Agencies Bill.

I hope that the Leader of the House will agree that we should have a debate on that matter, given that, sadly, one of her colleagues has again ducked facing the House to be questioned on his plans, preferring yet again to give a private briefing to the press first. I hope that she thinks that that is a serious matter.

Mrs. Taylor: I am grateful to the right hon. Lady for her initial comments, especially her praise of the work of the Modernisation Select Committee. I hope that the fact that we are both members of that Committee need not prevent us from being pleased when our proposals are accepted by the House. The programming resolutions that we have been able to put forward with all-party support represent important steps forward. Credit goes to all the Members from all parties who serve on the Committee.

I am also pleased that the right hon. Lady welcomed what we have decided to do about the draft Bill introducing the Food Standards Agency. We can improve the quality of much complex legislation such as that Bill if we have appropriate consultation and on occasions scrutiny by the House.

The proposed system does not involve taxing food for policing; it is a system for improving consumer confidence, and such a move is long overdue.

The right hon. Lady asked for a debate on welfare reform. There will be plenty of opportunities outside this House as well as inside to discuss welfare issues. When we find that the Department of Social Security is spending more than is spent on education, health and law and order put together, yet poverty has increased since 1979, we can all be certain that the previous Government failed to tackle poverty. We must establish the right priorities for that Department, and there will be many occasions on which we can discuss those matters.

In respect of the right hon. Lady's comments on the Welsh referendum, I must point out that my right hon. Friend the Secretary of State for Wales is answering questions on that this afternoon. She and her colleagues will find that the issue has been totally blown out of proportion and that any problems which existed were minor and would not have affected the result, which was an endorsement of the Government's proposals.

Mr. Nigel Evans (Ribble Valley): The right hon. Lady does not know. We should have a recount.

Mrs. Taylor: If the hon. Gentleman looks at the answers that come out this afternoon, he will be better informed on this matter.

As far as planning rules are concerned, my right hon. Friend the Minister for the Environment has not ducked facing this House. He has placed in the Library statements he has made, and he has published a consultation document to which hon. Members are welcome to respond.

Mr. Harry Barnes (North-East Derbyshire): Madam Speaker, you will be aware that I have persistently raised questions in the House about the maldistribution of national lottery awards, and I once received an apology from the Dispatch Box from the Minister of State in the previous Government for his inability to supply adequate information. I have pressed upon my constituents the need to apply and I have backed them in connection with those awards.

It is therefore disappointing to discover in today's *Daily Mirror* that north-east Derbyshire, which I represent, is bottom in terms of national lottery awards, receiving £2.78 per head of population, compared with some areas which have received £2,000 per head of population. In those circumstances, could we have a debate on the national lottery which is not just about the changes that have taken place, but which looks back at the funding arrangements so that we can make sure that this disaster does not carry on in the future?

Mrs. Taylor: My hon. Friend knows the ways of the House very well and usually finds many opportunities to raise the issues which concern him. He will be aware that questions to the relevant Department take place in this House on Monday. That might be an opportunity for him to ask the Minister.

Mr. Paul Tyler (North Cornwall): Does the Leader of the House recognise that some Conservatives want not just a re-run of the Welsh referendum, but a re-run of the general election in Wales? Clearly, they are still smarting from their defeat on both counts.

May I congratulate the right hon. Lady on successfully negotiating good programme motions for the Scotland Bill and the Government of Wales Bill? We welcome that, and believe that far more of the business of the House would be improved if sensible discussions took place at an early stage about the way in which Bills are dealt with. I hope that she will confirm that, in future, we will try to agree on a programme where we split a major Bill between Standing Committee and a Committee of the whole House, so that we can make sure that the details are discussed adequately in those forums.

Can the right hon. Lady give a firm assurance that we will have a debate on SI 2959, the beef on the bone ban? The former Minister of Agriculture, Fisheries and Food, the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), supports the ban, but other Conservative Members appear to support us. Other hon. Members from all Opposition parties support our prayer 590. Can she give an undertaking that we will have a debate on that matter on the Floor of the House as soon as possible?

Finally, on a small point, can the Leader of the House assure us that "The Code of Conduct for Ministers" applies to parliamentary private secretaries as well as to Ministers?

Mrs. Taylor: I am grateful to the hon. Gentleman for his comments about the Modernisation Committee, in which he and the hon. Member for Hazel Grove (Mr. Stunell) have played their part. I agree that programme motions can be important and can help the House to secure proper scrutiny of legislation. I also agree that there is a role for splitting Bills between the Floor of the House and a Standing Committee, but each Bill should be considered on its merits, and if we can accommodate the wishes of the House, we shall try to do so.

The hon. Gentleman will be aware that the Joint Committee on Statutory Instruments has asked for further information from the Ministry regarding the order banning

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beef on the bone. That information will be produced, and then it will be possible to have a debate on the order. I envisage that debate taking place on the Floor of the House before the recess.

There are rules about the behaviour of parliamentary private secretaries and what parts of our proceedings they cannot or should not take part in. They are not as clearly laid down as those for Ministers, because PPSs clearly do not have the same responsibilities.

Mr. David Winnick (Walsall, North): In view of the exchanges at Treasury questions concerning offshore islands and so forth, can we have a debate next week on the scandalous position whereby Dame Shirley Porter has hidden away a vast amount of her private fortune to avoid paying the £27 million surcharge that has been upheld by a court of law? Not one word of criticism has come from Tory Members over her conduct, and that shows them as the hypocrites that they are. Can the debate take place as early as possible? In view of the court's findings, should not the Government recommend to the Queen that the title, the honour, given to Dame Shirley, be taken away?

Mrs. Taylor: My hon. Friend will know that collection of the money due from Dame Shirley Porter, and indeed from the other individual involved in the case, is a matter not for the Government but for the city of Westminster and the auditor. There are clear rules regarding any honours that have been awarded and the ways in which they may have to be forfeited.

Sir Sydney Chapman (Chipping Barnet): In view of the intense interest aroused by the Minister of Agriculture's statement to the House yesterday, as instanced by the fact that you, Madam Speaker, understandably could not call all the hon. Members who wanted to question him, can we have a general debate on food safety measures? In the meantime, can the Leader of the House clarify what seems to be the Government's position—that, as a result of what the Minister said yesterday, all matters and authority relating to food safety are now the responsibility, and under the control, of the Department of Health, and not the Ministry of Agriculture, Fisheries and Food? If that is not the case, can we have a statement soon to clarify the areas of responsibility of the two Departments?

Mrs. Taylor: There has always been some overlap, especially, as the hon. Gentleman will be aware, on nutritional issues. He ought to bear it in mind that, in addition to the full statement yesterday, we are to have a draft Bill, and we envisage some form of parliamentary scrutiny of that Bill. I think that that will be helpful to hon. Members of all parties; it will help to inform any future debate on the precise nature of the legislation that is introduced.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is my right hon. Friend aware that IBM in America has issued a statement saying that it is very unlikely that computers controlling air traffic will be able to deal with the millennium problem? Although there is a statement from the Civil Aviation Authority saying that that will not affect British transatlantic traffic, it seems an urgent problem that is not being addressed, so will she have an urgent talk with her opposite number in the Department of the Environment, Transport and the Regions? The House will want to have those important assurances and to know that our air traffic control system is wholly safe.

Mrs. Taylor: My hon. Friend raises an important and serious problem, and many aspects of industry in this country and elsewhere are very concerned about the progress of preparations for that event. She will be aware that, before Christmas, my right hon. Friend the Chancellor of the Duchy of Lancaster made a statement to the House about the Government's assistance with the preparations for the change in date. Many of her points have been taken on board and are being considered, not least by the committee that has been established to monitor progress. My hon. Friend the Parliamentary Secretary, Office of Public Service is present and we will ensure that all relevant Ministers are aware of her concerns.

Mr. Philip Hammond (Runnymede and Weybridge): Is the right hon. Lady aware that Budget day, 17 March, is a bank holiday in Northern Ireland? Does she feel that that is appropriate?

Mrs. Taylor: My right hon. Friend the Secretary of State for Northern Ireland was consulted on whether that date would create any problems, and it was not thought that it would.

Mr. Dennis Skinner (Bolsover): I wish to support my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) in his request for a debate on the unfairness of the lottery pay-outs, in view of the fact that Westminster gets about £2,000 per head whereas north-east Derbyshire, part of which I represent, gets only just over £2 per head. My right hon. Friend plays a role on the Modernisation Committee and she will be aware that a Bill has been introduced this week by my right hon. Friend the Member for Chesterfield (Mr. Benn) to change the oath and prevent Members of Parliament from having to swear allegiance to the Queen and all who sail in her. Will she ensure that the Modernisation Committee considers the Bill, because it has support across the House?

Mrs. Taylor: I have not noticed a great deal of pressure for changing the oath as my hon. Friend suggests, and I and the Prime Minister have made it clear that we have no plans to do so at present. On his point about the lottery, I can only repeat what I said to my hon. Friend the Member for North-East Derbyshire (Mr. Barnes)—that questions to the relevant Department will take place on Monday. Both my hon. Friends have a great record of persisting on issues in the House and I would not be surprised to find that they are able to raise the issue of lottery grants to their area on many other occasions.

Rev. Martin Smyth (Belfast, South): I wish to press the Leader of the House on the issue of 17 March, and I question some of the advice that Ministers get from their advisers. I also wish to press her on the issue raised by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). Will the Prime Minister, when he

meets the President of the United States, raise the issue of millennium compliance by computers? Figures published recently in the press suggest that the £370 million that the Government have allocated, as announced by the Chancellor of the Duchy of Lancaster in December, will be utterly inadequate for the task. The world depends on the leadership of this nation and the United States on the matter.

Mrs. Taylor: I have nothing to add on the subject of the date of the Budget. As I said, discussions took place and advice was sought before that date was agreed. On millennium compliance, I made the position clear to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody). I know that the hon. Gentleman has taken an interest in the matter. He will know that the Prime Minister has taken a direct personal interest in developments and is carefully observing how confident we can be about compliance. He has often stressed the need to take all appropriate action on the matter.

Mr. Christopher Leslie (Shipley): In recognition of the Government's determination to pursue policies that prevent ill health, will my right hon. Friend confirm that the Government intend to publish a Green Paper on public health? When will that happen, and will a statement be made?

Mrs. Taylor: The Government are committed to publishing a Green Paper on public health and will be ready to do so in the relatively near future. Under this and previous Governments, Green Papers have not always been announced to the House, but that one is especially important, and I will bear in mind my hon. Friend's request.

Mr. Charles Wardle (Bexhill and Battle): Yesterday the Minister of Agriculture received a broad measure of support for his proposals for the Food Standards Agency, but he said that funding for the agency had yet to be decided. When the White Paper or a draft Bill are debated, will the Leader of the House urge him to avoid placing extra inspection charges and levies on farmers, who can ill afford them after the 47 per cent. drop in farm incomes?

Mrs. Taylor: I believe that my right hon. Friend and colleagues are well aware of the pressures that exist in that industry. Part of the purpose of publishing the draft Bill and having further consultation is to allow such arguments to be made. However, ultimately it will be in the interests of everyone, including the farming community, if we can improve confidence in British food.

Mr. John Cryer (Hornchurch): First, I should like to ask my right hon. Friend for a debate on electoral reform. We now have the Electoral Reform Commission; we also have the European Parliamentary Elections Bill, which deals in part with the way in which Members of the European Parliament are elected. Many hon. Members on both sides of the House have strong views on electoral reform, and there are even some supporters of proportional representation—I would not touch it with a bargepole, but there we are.

Secondly, I add my support to the comments made by my hon. Friend the Member for Walsall, North (Mr. Winnick), who asked for a debate on the activities of the spivs and fraudsters of Westminster city council.

Mrs. Taylor: Electoral reform was not just touched on during, but was the essence of, our Second Reading debate on the European Parliamentary Elections Bill, which will return to the Floor of the House before long. The Electoral Reform Commission is embarking on its work and it may be wiser to wait until the outcome is known before we talk about further debates in the House on the principle of the matter.

On local government and the difficulties that Dame Shirley Porter created and faces, I have nothing to add to what I said to my hon. Friend the Member for Walsall, North (Mr. Winnick).

Mr. Nicholas Soames (Mid-Sussex): Opposition Members are touchingly grateful for the opportunity for an exhaustive 10-minute internal and external examination of the Minister without Portfolio's affairs; I thank the Leader of the House very much for being so good as to arrange that.

Would the right hon. Lady be good enough to arrange for a debate in which West Sussex Members of Parliament would have the opportunity to challenge the Deputy Prime Minister on the extraordinary—unprecedented—decision that he has taken to overturn examination in public of the West Sussex county council structure plan, thus causing a potential crisis in the shire counties of over-development on a scale never before seen? Such a debate would give us an opportunity to explain the enormous anxieties and concerns of our constituents.

Mrs. Taylor: I am sure that the Minister without Portfolio will be touchingly grateful for the hon. Gentleman's comments; I do not suppose that he realised he was so popular. I cannot find time for a debate on structure planning in West Sussex in the near future, but that may be an appropriate topic for an Adjournment debate.

Mr. Roger Gale (North Thanet): The right hon. Lady will be aware that, as a result of the Government's policies, interest rates have risen on a number of occasions, leading to rises in mortgage interest rates and causing a very significant gap in the amount paid in benefit to people on housing benefit, who, sadly, have to have their mortgage interest paid, and the real rates charged. That is especially so in the case of disabled people, who are now being caused considerable further distress by Labour proposals to cut their benefit. That distress is experienced also by the very many elderly people who are expressing concern about cuts in their benefits.

Therefore, may I reinforce the point made by my right hon. Friend the shadow Leader of the House, and ask for an urgent debate on social security issues? It really is not good enough to say that there will be plenty of opportunity to talk about that outside the House.

Mrs. Taylor: It is strange that the hon. Gentleman is denying that there is any problem in respect of social security—either spending or the fact that some people

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who need help do not get it. We should all realise, not least from experience of our constituency work, that the social security system is not as comprehensive as it should be, and that it is not always the people who need help the most who get the help they want.

It is unwise of the hon. Gentleman to act in such an alarmist way and frighten people in his constituency or elsewhere about benefits that they might lose when there is no specific proposal of the type that he mentions.

Mr. Phil Willis (Harrogate and Knaresborough): In view of today's publication of the Home Affairs Committee's report on police disciplinary and complaints procedures, will the right hon. Lady tell us when the report will be debated on the Floor of the House? Will she draw the Home Secretary's attention to the appalling level of secrecy that has surrounded allegations of sexual abuse and ritual initiation behaviour at Harrogate police station in the early 1990s, which have resulted in a huge financial cost to the North Yorkshire police authority? Can we be assured that the whole issue will be discussed by hon. Members—either in a Select Committee or on the Floor of the House?

Mrs. Taylor: The Home Affairs Committee report on police complaints procedures, which has just been published, is very important and the Government will study its recommendations carefully. We shall respond to the report in the near future. I am not in a position to say at present whether the report will be debated on the Floor of the House and, if so, upon what time scale—although there is provision for debating some Select Committee reports on the Floor of the House.

I shall bring the hon. Gentleman's specific points about allegations at Harrogate police station to the attention of Home Office Ministers. The hon. Gentleman may wish to try to secure an Adjournment debate or to raise the matter on the Floor of the House in some other way.

Mr. Tim Boswell (Daventry): Will the right hon. Lady consider arranging for an early debate on the difficulties that the Government are having meeting their debts? Given the fact that the Government are currently legislating for a private statutory rate of interest and that, when in opposition, the Prime Minister pledged to settle debts within 30 days, will the right hon. Lady acknowledge that there is widespread and varied concern about matters as different as the delay in paying additional payments promised to pensioners, which will now not take place until well after the end of winter; and delayed compensation for confiscated handguns?

Mrs. Taylor: I do not know whether the hon. Gentleman raised that matter during Treasury questions, when it would have been appropriate to do so. I do not think that the picture is as bleak as he suggests. The poorest pensioners who will receive most help with their winter fuel bills will get that money this month. All hon. Members should welcome the Government's move to assist pensioners with their fuel bills.

Mr. Evans: The right hon. Lady has referred already to the conduct of the count of the Welsh referendum. Does she appreciate that the difference between those who voted no and those who voted yes is 0.6 per cent.? Does she appreciate that allegations about breaches of the Representation of the People Act 1989 were made first by members of the Labour party in Caerphilly? Does the right hon. Lady also appreciate the fact that members of her party are calling for an independent inquiry, as is the editor of the *Western Mail*, which is a pro-devolution newspaper in Wales? Does the right hon. Lady believe that it is fair that the judge and jury in this matter is the Secretary of State for Wales? Many people believe that, if the vote had gone another way, his future would have been in jeopardy.

Does the right hon. Lady appreciate that the only way that democracy will be done, and will be seen to be done, in Wales is by establishing an independent inquiry that will examine properly all the problems that have been raised since the referendum? Perhaps an independent inquiry would request a recount of the votes.

Mrs. Taylor: The hon. Gentleman does not seem to appreciate the fact that his side lost the vote and the referendum found in favour of Welsh devolution. I do not think that he has the relevant details. If he were to examine answers to parliamentary questions and the information that my right hon. Friend the Secretary of State for Wales is to place in the Library today, he would find that his allegations cannot be substantiated. In fact, the number of disputed votes amounts to about 320. There is no case for an inquiry into the matter. The chief counting officer, Professor Sunderland, has considered the allegations and rejected the suggestion of any problem whatsoever. The Welsh referendum was won fair and square.

Mr. John Wilkinson (Ruislip-Northwood): Could the Leader of the House persuade the Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions, no less, to make a statement to the House on the future of London Underground? Is she aware that the Labour party's manifesto for London made much of the need for a better transport system for London, and that referring to the fare increases and under-investment in the underground system, it stated that Labour would change all that? Is it not the case that fares have increased way above inflation, the problems of commuters have got worse and worse, and there is perpetual inaction on the Government's part?

Mrs. Taylor: There was a great deal of inaction in the past 18 years, which led to the present problems. The hon. Gentleman will know that questions to the relevant Department are being tabled next week, and he may want to pursue the matter in that way. He should recognise that the problems that exist in London Transport have not been created in the past few months.

Mr. Eric Forth (Bromley and Chislehurst): Is the right hon. Lady aware that there is a developing crisis in the planning regime? She will have heard the question asked by my hon. Friend the Member for Mid-Sussex (Mr. Soames) and the point raised by the shadow Leader of the House, my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), and she may be aware of the arguments in yesterday's debate on regional development agencies, all of which demonstrated that the arbitrary decisions being made by her ministerial

colleagues on planning matters are turning out to be against the interests of the rural communities and the green belt, and are a menace and danger to the way of life that many people have come to cherish. Will the right hon. Lady therefore arrange for an urgent debate on these matters, so that we can have some open government and openness about the iniquitous decisions being made behind everyone's back?

Mrs. Taylor: In the past 18 years there was a presumption in favour of development that caused many problems throughout the country. I remind the right hon. Gentleman that most planning decisions are not made by Ministers. If he has concerns about planning matters, he can respond to the consultation document that the Minister for the Environment, my right hon. Friend the Member for Oldham, West and Royton (Mr. Meacher), issued today.

Mr. Geoffrey Clifton-Brown (Cotswold): When are we to have a general economic debate on the green Budget, and in particular on the announcement in that Budget that TESSAs and PEPs are to be abolished? Some 750,000 savers, including some with extremely small savings—the smallest in the land—will suddenly have to pay increased tax under the policy devised by the Paymaster General, who has an offshore trust sheltering potentially millions of pounds' worth of tax not paid as a UK taxpayer.

Mrs. Taylor: I have already announced that the next Budget will be on 17 March, which will be an opportunity for all hon. Members to make speeches on the economy.

Mr. Edward Davey (Kingston and Surbiton): I add my support to the request by the hon. Member for Hornchurch (Mr. Cryer) for a debate on electoral reform, so that the benefits of a preferential proportional electoral system can be explained to hon. Members.

Bearing it in mind that 22 January is National B6 Day, may we have a debate on the Government's proposed restrictions on the sale of vitamin B6? Does the Leader of the House realise that up to 600 health food stores throughout the country could close if the restrictions go through? Many of my constituents do not understand why the Government want to proceed with the restrictions, when people use vitamin B6 to aid their health, and the scientific evidence against it is discredited and highly questionable.

Mrs. Taylor: I have nothing to add to what I said about a debate on electoral reform. I must admit that I was not aware that 22 January is National B6 Day. The hon. Gentleman may be aware that it is also the day for Agriculture questions.

Mr. Patrick Nicholls (Teignbridge): Will the right hon. Lady consider an early debate—if not next week, then in the near future—to consider the implications of the apology that was given earlier this week by the Japanese Government for the way in which prisoners of war were treated in the last war? Is she aware that the apology, valuable and sincere though it doubtless was, merely repeated two previous apologies that had been given over the past five years, and that what the veterans want is not simply an apology, which is obviously necessary in the first instance, but proper compensation for their sufferings?

The purpose of such a debate would be to make the Japanese Government understand that if they think that the apology is the end of the matter, it is not. Proper compensation should be paid, and the matter should be settled once and for all, before the state visit takes place.

Mrs. Taylor: Many people throughout Britain are still very mindful of the sacrifices that were made during the second world war and the suffering that took place in Japanese prison camps. We all have constituents who well remember those days and we know and understand their concerns. The Japanese Government have now shown understanding of the strong feelings that remain in the United Kingdom about that suffering. The Japanese Prime Minister recently made an official apology not just on his own behalf but on behalf of his Government, and that is why it was different.

Mr. Graham Brady (Altrincham and Sale, West): On 25 November during Foreign Office questions I asked the Foreign Secretary the straight and simple question whether he could explain to me and the House why youth unemployment in Britain has fallen rapidly during the past four years whereas it has risen rapidly in most of our major European competitor countries. He gave what I regard as a flippant response, which was:

"Primarily because the number of young people in Britain has been declining."—[*Official Report*, 25 November 1997; Vol. 301, c. 765.]

Believing that to be inaccurate, I followed it up with a written question to the Foreign Office to which the Minister of State, Foreign and Commonwealth Office, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), who has recently entered the Chamber, gave an answer which demonstrated that the Foreign Secretary's response to me had been inaccurate. That answer said that, in the Foreign Office's estimate, 30 per cent. of the decline had been due to a decline in the number of young people in the United Kingdom, the remainder being due to economic growth and an increase in the number of people going into higher education.

Realising that there was a clear discrepancy between those two versions, I wrote to the Foreign Secretary before Christmas asking him to say which reflected the Foreign Office's view, and I was concerned to receive a response, again from the Minister of State, dated 5 January, which said that he had replied to a written question and had nothing further to add.

Given the clear statement in "The Code of Conduct for Ministers", which makes it clear that if Ministers give inaccurate information in the House of Commons they should come at their earliest convenience to the House to put that inaccuracy right, will the Leader of the House ask her right hon. Friend the Foreign Secretary to come to the House to do so?

Mrs. Taylor: I do not know whether the hon. Gentleman raised this matter with the Foreign Secretary during questions on Tuesday, and I do not know the full details or the full responses that he was given. He mentioned that he was talking about estimates and it may be that there is scope for discrepancy there, but of course I shall look into the matter.

Mr. Ian Bruce (South Dorset): The right hon. Lady has already answered a couple of requests for a debate on

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social security and welfare reform with the suggestion that those matters can be debated outside the House. With the Prime Minister spending half of Prime Minister's Question Time refusing to answer questions on welfare reform on the basis that the review is still going on; with a debate having been refused in the House when the Prime Minister is today going out to tell the public what is happening; and when, while he was in Japan, the chairman of his association was out telling us what would be in the reforms—I suspect inaccurately—surely our constituents need us to debate the matters in the House, not to be told that we should be doing it outside.

Mrs. Taylor: I announced that the week after next there will be an Opposition day when it will be open to the Opposition to decide what they wish to debate. If they wish to debate the principles on which we should reform the welfare state, the Government would welcome that, not least because we could then draw attention to the extent to which DSS spending increased enormously while they were in government and yet poverty increased, with an increase in the proportion of families on less than half the national average income, and to the fact that when we came into office 4 million children were living in poverty. We shall be happy to discuss the backdrop against which we need to debate reform of the welfare state because of the failures of the past 18 years.

Mr. Norman Baker (Lewes): Does the Leader of the House recall that, when she made her announcement about extra time for the Minister without Portfolio, there were jeers from around the House? After months of ministerial silence, he was finally called in to answer one question a month and it now seems that he will be called in to answer two questions a month. Does she recognise the fact that there was a deficit in her announcement today because the Minister without Portfolio has wide responsibility for areas of Government policy and co-ordination outside the millennium dome, and her announcement did not deal with that? He is on 11 Cabinet Committees, and he interferes, with prime ministerial approval, in areas as wide as food safety, energy and minimum pay.

Mr. Skinner: Everything.

Mr. Baker: Quite right. Why do we not have an oral slot for the Minister without Portfolio, so that, like every other Minister, he could be accountable and face questions from Opposition Members as well as from Labour Back Benchers?

Mr. Skinner: We do not want him here every day.

Mrs. Taylor: My hon. Friend seems to be in a minority on this occasion. I should like to respond to the popularity of the Minister without Portfolio. He answers questions on matters for which he is most directly responsible. He has no other responsibilities for which he is the lead Minister answerable to this House.

GOVERNMENT OF WALES BILL

Ordered,

That the Order [9th December] relating to committal of the Government of Wales Bill be discharged and that the Bill be committed to a Committee of the whole House.—*[Mr. Hain.]*

GOVERNMENT OF WALES BILL (PROGRAMME)

Ordered,

That the following provisions shall apply to the Government of Wales Bill—

1.—(1) Proceedings in Committee of the whole House shall be completed in seven allotted days and shall, if not previously concluded, be brought to a conclusion at Ten o'clock on the seventh day.

(2) In that Committee the Bill shall be considered in the following order, namely, Clauses 1 and 2, Schedule 1, Clauses 3 to 22, Schedule 2, Clauses 23 to 29, Schedule 3, Clauses 30 to 73, Schedule 4, Clauses 74 to 104, Schedule 5, Clauses 105 to 108, Schedule 6, Clauses 109 and 110, Schedule 7, Clauses 111 to 117, Schedule 8, Clauses 118 and 119, Schedule 9, Clause 120, Schedule 10, Clause 121, Schedule 11, Clauses 122 to 132, Schedule 12, Clauses 133 to 136, Schedule 13, Clauses 137 to 140, New Clauses, New Schedules, Clauses 141 and 142, Schedule 14, Clauses 143 to 149.

2. Proceedings on consideration and Third Reading shall be completed in two allotted days and shall, if not previously concluded, be brought to a conclusion at Ten o'clock on the second day.

3.—(1) Standing Order No. 82 (Business Committee) shall apply to proceedings on the Bill.

(2) Notwithstanding the Standing Order, not more than nine other Members shall be nominated by the Speaker to the Business Committee in respect of the Bill.

(3) Resolutions of the Business Committee may include alterations in the order in which proceedings on the Bill may be taken on consideration.

(4) The Business Committee shall report to the House a Resolution as to proceedings in Committee not later than 19th January 1998.

(5) Any Resolution of the Business Committee may be varied by a further Report of the Committee under the Standing Order (whether before or after the date on which the Committee is to report under this paragraph and whether or not that Resolution has been agreed to by the House).

4. For the purpose of concluding any proceedings which are to be brought to a conclusion at a time appointed by or under this Order—

(1) The Chairman or Speaker shall put forthwith the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed (including in the case of a new Clause or Schedule which has been read a second time, the Question that the Clause or Schedule be added to the Bill);

(c) the Question on any amendment moved or Motion made by a Minister of the Crown; and

(d) any other Question necessary for the disposal of the business to be concluded.

(2) Proceedings under sub-paragraph (1) shall not be interrupted under any Standing Order relating to sittings of the House and may be decided, though opposed, at any hour.

(3) If, apart from this sub-paragraph, two or more questions would fall to be put by the Chairman under sub-paragraph (1)(d) in relation to a series of clauses or Schedules to which no notice of amendment has been given by a Minister of the Crown, the Chairman shall instead put a single question in relation to those clauses and Schedules.

(4) On a Motion made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the question that the Clause or Schedule be added to the Bill.

5. In this Order "allotted day" means any day on which the Bill is put down on the main business as first Government Order of the Day.

6. If any Motion is made by a Minister of the Crown to amend this Order so as to provide a greater amount of time for proceedings on the Bill under paragraph 1 or 2 of this Order, the Question thereon shall be put forthwith and may be decided, though opposed, at any hour.

7. If any Motion is made by a Minister of the Crown to supplement the provisions of this Order in respect of proceedings on any Lords Amendments or any subsequent message from the Lords relating to the Bill, the Motion may be proceeded with, though opposed, at any hour and the proceedings, if not previously concluded, shall be brought to a conclusion three-quarters of an hour after they have been commenced.—*[Mr. Hain.]*

Orders of the Day

European Communities (Amendment) Bill

[1ST ALLOTTED DAY]

Considered in Committee [Progress, 3 December].

[MR. MICHAEL J. MARTIN *in the Chair*]

Clause 1

MEANING OF "THE TREATIES" AND "THE COMMUNITY TREATIES"

Amendment proposed [3 December]: No. 66, in page 1, line 13, after '2', insert '(except paragraph 13)'.—*[Mr. Streeter.]*

4.17 pm

Question again proposed, That the amendment be made.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): I remind the Committee that with this we are taking the following amendments: No. 67, in page 1, line 13, after '2', insert '(except paragraph 32)'.

No. 68, in page 1, line 13, after '2', insert '(except paragraph 33)'.

No. 69, in page 1, line 13, after '2', insert '(except paragraph 26)'.

No. 70, in page 1, line 13, after '2', insert '(except paragraph 45)'.

No. 71, in page 1, line 13, after '2', insert '(except paragraph 52)'.

No. 72, in page 1, line 13, after '2', insert '(except paragraph 53)'.

No. 73, in page 1, line 13, after '2', insert '(except paragraph 54)'.

No. 74, in page 1, line 13, after '2', insert '(except paragraph 6)'.

No. 75, in page 1, line 13, after '2', insert '(except paragraph 31)'.

No. 76, in page 1, line 13, after '2', insert '(except paragraph 55)'.

No. 7, in page 1, line 13, at end insert '(except Article 2 paragraph 44)'.

No. 61, in page 1, line 13, at end insert 'except Article 2(16)'.

No. 25, in page 1, line 13, at end insert 'other than in Article 2, paragraph 6)'.

No. 30, in page 1, line 13, at end insert 'other than in Article 2, paragraph 12)'.

No. 31, in page 1, line 13, at end insert 'other than in Article 2, paragraph 13)'.

No. 32, in page 1, line 13, at end insert 'other than in Article 2, paragraph 14)'.

No. 35, in page 1, line 13, at end insert 'other than in Article 2, paragraph 21)'.

No. 37, in page 1, line 13, at end insert
'other than in Article 2, paragraph 23)'.

No. 38, in page 1, line 13, at end insert
'other than in Article 2, paragraph 24)'.

No. 40, in page 1, line 13, at end insert
'other than in Article 2, paragraph 26)'.

No. 41, in page 1, line 13, at end insert
'other than in Article 2, paragraph 27)'.

No. 42, in page 1, line 13, at end insert
'other than in Article 2, paragraph 28)'.

No. 43, in page 1, line 13, at end insert
'other than in Article 2, paragraph 29)'.

No. 45, in page 1, line 13, at end insert
'other than in Article 2, paragraph 31)'.

No. 46, in page 1, line 13, at end insert
'other than in Article 2, paragraph 32)'.

No. 47, in page 1, line 13, at end insert
'other than in Article 2, paragraph 33)'.

No. 48, in page 1, line 13, at end insert
'other than in Article 2, paragraph 34)'.

No. 49, in page 1, line 13, at end insert
'other than in Article 2, paragraph 35)'.

No. 50, in page 1, line 13, at end insert
'other than in Article 2, paragraph 36)'.

No. 57, in page 1, line 13, at end insert
'other than in Article 2, paragraph 44)'.

Mr. Tim Collins (Westmorland and Lonsdale): I began my speech on this amendment more than six weeks ago, in December, which makes it a rather lengthy speech even by my usual standards, so I shall try not to detain the Committee for too long. However, I should like to complete the point that I was making.

We were discussing qualified majority voting, and I was advancing the case that those who want a successful Britain in a successful Europe should not want ever greater extension of qualified majority voting. Last night, the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Wallasey (Angela Eagle), paid me an enormous compliment by saying that I

"made Baroness Thatcher look like a wet liberal."—[*Official Report*, 14 January 1998; Vol. 304, c. 446.]

None the less, I want Britain to succeed in Europe, and the amendment will help that to come about.

Europe must be democratic, but extending qualified majority voting will not entrench democracy. Europe also needs to be open to possible new member states in eastern Europe. It would be wrong for the European Union to become so centralised that it was impossible to admit the countries of central and eastern Europe within a time frame of five to 10 years. The risk of moving down the route of ever greater qualified majority voting is that it would become difficult to bring in those states. It would also increase the quantity of the acquis communautaires to which those states would have to sign up before they could be admitted to the Community. The pace at which the European Union was moving would also increase, making it much more difficult for states that were coming from a standing start to catch that train, to pursue the analogy that is constantly used in European debates.

Let us take a different parallel—that of NATO. Clearly, it would be easier for some eastern European countries to join NATO, although decisions there are taken on a unanimous basis, than it would be for them to join the European Union. That demolishes the traditional argument that extending qualified majority voting makes enlargement easier.

I shall concentrate the rest of my speech on the third argument—the need for a successful Europe. Europe needs to be competitive. If Europe is to be competitive, not only within its member states and within its own borders but globally, it must be dynamic, lightly regulated and able to help business to succeed in every market on this planet. It will not proceed in that direction if it burdens businesses with ever greater regulation. That is why the contrast that is always drawn between Conservative support for the extension of qualified majority voting in the Single European Act and our opposition to further such extension is inaccurate. We supported the extension of qualified majority voting on the Single European Act because, in order to create the single market, we believed, possibly naively in some instances, but philosophically and overall correctly, that such extension would tear down trade barriers, remove burdens on business and make it easier for businesses to compete.

No one should suppose that the extensions of qualified majority voting in the Amsterdam treaty and in the Bill will result in less regulation, fewer rules and lower burdens on business. It is clear beyond peradventure that those changes will impose greater burdens on business. No one supposes that the European Commission or other member states are champing at the bit for the opportunity to regulate to have fewer social and environmental burdens: we know that they are seeking to impose more burdens.

The result of the extension of qualified majority voting provided by the Bill will be a less democratic Europe. Decisions will be taken away from national Parliaments, and will be made by institutions that, at best, lack comprehensibility and, at worst, lack any form of accountability. The great purpose for which the European Community was originally created was to expand a zone of peace and co-operation across Europe. This measure will block the expansion of the European Union, and will be an impediment to competitiveness of European countries and European businesses across global markets.

I support the amendments, and I hope that they will be passed.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): This group of amendments and, sadly, the next group, will not receive the scrutiny that they deserve. They deal with qualified majority voting, co-decision taking, institutional changes and flexibility. I have asked myself—and perhaps the Committee will think it a useful question to pose—whether the Amsterdam treaty provides a settled constitution for the European Union. How much is left to be done, and what areas are still in an unsettled state?

In our debates, including the interesting contribution that the hon. Member for Westmorland and Lonsdale (Mr. Collins) began way back in December and has just

completed, hon. Members have asked whether the changes made by the treaty achieve constitutional stability, or whether there are more to come. Such an analysis of the Amsterdam treaty is one of the most interesting areas for the Committee to consider.

I was at the meeting of the Select Committee on Foreign Affairs to which the Foreign Secretary gave his assessment of the extent to which the various changes in the treaty represent progress towards greater integration. He used robust language to explain the consequences of the Amsterdam treaty. He said:

"I think that the Treaty represents three major steps forward . . . On the major steps forward . . . it demonstrates that the high tide of integrationism in Europe was reached at Maastricht and that high tide is now at something of an ebb."

Those are interesting phrases, and I recall Douglas Hurd using them when he defended the Maastricht treaty. For a start, the language itself is interesting—its tone and temperament. Perhaps I am more gullible than some, but I take comfort from its strength and robustness. It is clearly an objective of the present Foreign Secretary—and, therefore, presumably of the Government as a whole—to support the ebbing of the tide of integration. One would not use such language if that were not one's objective. The question is whether the Foreign Secretary's view of the treaty justifies such an assessment.

In subsequent evidence, the Foreign Secretary invoked, or cited, three developments in the treaty that encouraged him to believe that the tide was ebbing. I shall not dwell on this, because a later group of amendments deals with the subject, but one of those developments was the indication that subsidiarity would be justiciable under the new treaty. My right hon. Friend also took comfort from a phrase that had been introduced for the first time, requiring the Commission to respect the diversity of cultures among the nations that make up the European Union. Thirdly, my right hon. Friend had protected British interests in regard to external border controls. He also made the case to the Committee that the change in, and the limited character of, qualified majority voting was sensible, and, in comparison with the original demands, reflected the ebbing of the tide of integrationism.

Even if we accept the Foreign Secretary's assessment of the tidal condition of integrationism, we must make one huge, sad exception in respect of the enormous new tidal wave represented by monetary union. That constitutes a tidal wave of integrationism in every sense. When members of the Committee suggested as much, however, the Foreign Secretary rightly said that it was not the fault of the Amsterdam treaty, but the fault of the Maastricht treaty. I am asking—in a limited sense—to what extent the Foreign Secretary is justified in his belief that Amsterdam represents something of an ebb tide.

I have to say that the Foreign Secretary has some evidence with which to make his case in regard to qualified majority voting. It seemed from the original proposals that were scrutinised in the run-up to the Amsterdam negotiations that many EU members—at one point, apparently, most of them—had an agenda for a much greater degree of qualified majority voting than what eventually emerged.

I have read, with some interest, the various documents that have poured out of the European Parliament, and have noted their assessment of the Amsterdam treaty. I was particularly interested by a report from the Committee on Institutional Affairs on the whole issue of qualified majority voting. What runs through that report is desperate disappointment that the Amsterdam treaty did not go nearly as far as everyone expected in terms of qualified majority voting. The committee believed that the extension of QMV constitutes a vital reform in terms of promoting efficiency, and in the context of future enlargement. I shall deal with that shortly, and shall invite my hon. Friend the Minister of State to comment.

The committee also said that a depressing feature of the Amsterdam treaty was the fact that, despite the belief of the entire reflection group that QMV should be a general rule on grounds of efficiency—with a modest number of exceptions—that objective had not emerged from the Amsterdam negotiations.

I realise that there will be differences of opinion between us on the Committee. I saw some of the committee's earlier work and the lists of what it hoped would be driven through by qualified majority voting, and my right hon. Friend the Foreign Secretary has a point. Nothing like the tidal wave of change towards integration through qualified majority voting has emerged from Amsterdam. Amsterdam put a brake on the vaulting ambitions of a number of those who had developed arguments in the reflection group and elsewhere. My right hon. Friend has a case, at least in relation to QMV and the core decision-making process. It was more modest than we had feared.

4.30 pm

It becomes clear when we read the documents—I suspect that the same is true within the Commission—that there is no settled constitutional arrangement in relation to QMV. There is no doubt that the European Parliament or the Commission will vigorously try to make QMV a general rule, with only a few exceptions, rather than the reverse.

I am going to turn on its head the argument of the hon. Member for Westmorland and Lonsdale. I believe that enlargement will be used as the excuse or reason for a massive extension of QMV. I thought that the hon. Gentleman was making the reverse case. I think that there will be a renewed battle over whether QMV is a natural, conditional necessity of enlargement.

Given the robust nature of my right hon. Friend the Foreign Secretary's remarks about the ebb tide of integrationism, in the Committee and elsewhere, from which I take comfort, when the Minister of State replies to the debate, will he state clearly that he does not believe that enlargement should be used to justify a considerable extension of QMV?

We know that there will have to be institutional changes of one sort or another as a result of enlargement. The Amsterdam negotiations could not cope with those arguments, so there will be some future gathering—an intergovernmental conference of one sort or another—to deal with the institutional consequences of enlargement.

I suspect that the next big push, the next wave—to borrow my right hon. Friend the Foreign Secretary's phrase—of integrationism will be tied to, allied with and promoted alongside enlargement. It will be argued that there will have to be much more QMV in order to make enlargement work. I agree with the Government's support for enlargement, but I plead with my hon. Friend the

[Mr. Ted Rowlands]

Minister of State to make it clear that he will not buy the argument that the large-scale extension of QMV is an inevitable consequence or condition of enlargement. We should state now that we detach those arguments from each other, otherwise the ebb tide of integrationism, about which my right hon. Friend the Foreign Secretary gave such a robust statement, will turn out to be short-lived.

I do not know whether the draft resolution that I found among the European parliamentary papers has been amended, but even its language in draft form is revealing. I found a curious and interesting phrase, and I should be interested if my hon. Friend the Minister of State could comment on it. That draft resolution on Amsterdam, which was to be put to the European Parliament, says that the European Parliament

"Considers that the Amsterdam Treaty marks the end of an historical era when the work of European unification could be undertaken, stage by stage, using the methods of classic diplomacy;

Is convinced, instead, that politics should become the driving force behind shaping the new European Union".

That is an interesting and curious observation.

What clearly upset those who drafted the resolution was that the intergovernmental conference, contrary to the wishes of those of a more integrationist nature, turned out to be a brake. IGCs generally are seen as a brake on development and integration. Those who drafted the resolution believe that we must find ways round the IGC process, because it has turned out to be an obstacle to the momentum that the integrationists want to achieve. That is what is behind the words:

"Considers that the Amsterdam Treaty marks the end of an historical era when the work of European unification could be undertaken, stage by stage, using the methods of classic diplomacy".

I assume that those methods are IGC negotiations—the hard-bitten, businesslike way in which one has to get the consent of everyone, to make progress. That has turned out to be an impediment to the ambitions of those who want to go much further, who believe that that impediment should end.

I find it difficult to understand that viewpoint. Perhaps my hon. Friend the Minister of State can tell us whether there is any process other than the IGC through which the constitutional development of the European Union can take place. I do not understand how politics could be a replacement. Politics can be a driving force, but the process of classic diplomatic negotiation, represented by the IGC process, is the only procedure by which constitutional change in the European Union can take place.

Sir Michael Spicer (West Worcestershire): I have been following the hon. Gentleman's arguments carefully, and I very much agree with what he says. Is there not another constitutional process which works through the European Court and the acquis communautaire? I refer to the process by which there is a constant accumulation of power. Is that not precisely why we must at some point have a reversion of powers? It is no good just blocking things temporarily through the IGCs. We must have a reversion of powers, especially those accumulated by the court.

Mr. Rowlands: The hon. Gentleman makes an interesting point. It is true that through the acquis communautaire and the judgments of the European Court of Justice, there has been an accumulation of power. Indeed, the court's task originally was to promote European union. A constitution could be developed through the route that the hon. Gentleman suggests, but that would not be appropriate for institutional changes or the extension of qualified majority voting. In the light of the hon. Gentleman's intervention, we might get an answer from my hon. Friend the Minister of State on that point.

Those who wrote the draft resolution were fretting at the difficulty of making rapid progress towards integration through the IGC process. They are now looking for another means of promoting that integration and getting constitutional change. I asked a question about that and the hon. Member for West Worcestershire (Sir M. Spicer), in his interesting intervention, also raised the point. I hope that my hon. Friend the Minister will reply. Is the IGC the only procedure by which constitution making can take place in the European Union, or is there some other method that can avoid the "classic diplomacy" of the IGC negotiations? That is an extremely important question.

My position on European issues is pretty well known—

Mr. Giles Radice (North Durham): Tell us.

Mr. Rowlands: I am tempted, but I shall not.

I do not share the extreme interpretation of the Amsterdam treaty expressed by some Conservative Members. I remain, however, eternally sceptical and vigilant. I hope that my hon. Friend the Minister will repeatedly exercise vigilance, so that we ensure that we do not get a new tidal wave of integrationism and so that the ebb tide is real.

Mr. William Cash (Stone): The matter of qualified majority voting goes to the heart of our democracy. Ultimately, if we are to allow an incremental increase in majority voting, it will—with respect to my hon. Friend the Member for West Worcestershire (Sir M. Spicer)—be a question not so much, or exclusively, of the existence of the European Court of Justice, but of the functions to which enlarged qualified majority voting will be applied. As I said in response to an intervention of my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), if we are to have a European Community at all, it is inevitable that there will be a Court of Justice. The key question is not whether we should have a court, but on which functions the court should be allowed to adjudicate.

In signing up at Amsterdam, the Government have substantially—massively—increased not only qualified majority voting but the co-decision procedure that will effectively give the European Parliament a veto over legislation that it is asked to consider.

The difficulties can be demonstrated in a number of examples, such as the removal of the veto—by extension of qualified majority voting—on adapting or supplementing the research framework programme or on establishing joint undertakings in research and development. The Minister of State might like to recall that, when called upon to consider the fifth directive on the research framework programme, the Minister for Science, Energy and Industry severely complained and, because of the costs, rejected the idea that there should be an extension of jurisdiction. I should be interested to know the Minister's reply on that point.

It is, moreover, equally clear that the research framework programme is merely a jobs-for-the-boys operation. There has been an enormous proliferation of agencies and of one type or another of "expert groups", which are saddling Europe's, and particularly Britain's, taxpayers with enormous costs. It is extraordinary that we should no longer be able to veto arrangements that even the Minister for Science, Energy and Industry rejected. How can the Minister of State approve of removing the veto and of allowing qualified majority voting, whereas the Minister for Science, Energy and Industry said that he does not want QMV? It is extraordinary.

What does majority voting involve? When people cast their vote in a general election, they are making a decision about the type of Government and specific programmes that they want. If we develop the concept of majority voting and of extending it in the arena of government—not only for technical and trading reasons, some of which are understandable and acceptable in increasing trade and in removing the logjam of uncompetitive practices in Europe—which is what the Amsterdam and Maastricht treaties do, it becomes apparent that the individual who casts his vote in a general election to decide the type of Government he wants will lose that right, subject only to spurious claims that there is some democracy in the Council of Ministers.

We are back to the matter of accountability. If there is insufficient parliamentary scrutiny in the European Union, it will follow that there is no genuine manner in which Ministers can be held accountable for their decisions. I have been a member of the Select Committee on European Legislation for the best part of 14 years, and it has repeatedly become abundantly clear to me that Ministers will go out of their way to ensure that any matter that causes them difficulty in their decision making is bypassed. The Government's absolute determination to pack the current European Legislation Committee with Labour Members, so that they will always have a majority, is outrageous, disgraceful and goes completely against the provisions of the protocol on the role of national Parliaments in the European Union, which the Government themselves have endorsed.

4.45 pm

It is no good for the Labour Government to pretend that they are somehow the leader in scrutiny arrangements, which go to the very heart of qualified majority voting, if in practice decisions are taken by a Committee packed with Labour Members and a Chairman who is himself a Labour Member—despite all the conventions established since 1972, to ensure the impartiality that is absolutely essential in making the system function properly.

The combination of the Government's actions in accepting the Amsterdam treaty and qualified majority voting and the draconian and almost totalitarian manner in which they are determined to maintain control over every aspect of the way in which this legislation is scrutinised is a contradiction and will cause them much difficulty in the next few years.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Surely the hon. Gentleman is missing one rather important element: the House of Commons does not properly treat its responsibilities on the flood of rubbish from Brussels. We have Scrutiny Committees that do not have teeth, and we do not debate on the Floor of the House the decisions of those Scrutiny Committees. The reality is that, unfortunately, the Government are following the appalling example set by previous Governments, who did not tackle the problem when they should have done; they have failed disastrously to do so ever since.

Mr. Cash: I am deeply grateful to the hon. Lady for her intervention. I have enormous sympathy, based on some experience, with what she has said. Time and again, under the previous Government, I made representations in the Select Committee that those matters should be debated on the Floor of the House. Time and again, the then Leader of the House refused to accept those representations. However, the new Government are worse. The Government and the Leader of the House continuously refuse to allow those matters to be debated on the Floor of the House.

The process implicit in the idea of qualified majority voting and the democratic deficit which people constantly mention when discussing the European Parliament, is much worse when applied to national Parliaments. To include a protocol on national Parliaments at the back end of the treaty will be of value only if not only the United Kingdom but—as I deeply doubt—the rest of the Community have a fully effective scrutiny process.

I fully take the point made by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), and I sincerely hope that she will use such influence as she has—which I am sure is considerable—with the Government to ensure that they, too, understand the point. At the heart of what is happening—over time, in incremental additions—is the creation of institutional arrangements, the object of which is to create a European Union that will effectively deny to this Parliament the right to make decisions on behalf of the people who voted for us in general elections. It is a very simple matter; it is about a cross in the ballot box.

As I asked the Minister in an earlier debate, does he deny that progress in institutional integration is leading to the inevitable consequence of one country, one Europe? He knows perfectly well that it is. I suppose that some would say that, in a typically British fashion, we are allowing it to happen by increments, but it is in the provisions that we are currently debating, with respect not only to qualified majority voting, but to co-decision with the European Parliament.

Mr. Llew Smith (Blaenau Gwent): Does the hon. Gentleman agree that matters are worse than he has outlined, in terms of the lack of accountability and the fact that people will go to the ballot box and vote for Governments who are inhibited by such provisions? Under article 107 or 109 of the Maastricht treaty, it is illegal for democratically elected Parliaments and assemblies—I stress that, as I come from Wales—to influence the unelected and unaccountable European central bank to respond to such issues as unemployment or poverty. Therefore, the position is worse than the hon. Gentleman described, and this is one of the few occasions on which he can be accused of underestimating the problems related to the European Union.

Mr. Cash: I am grateful to the hon. Gentleman, and I am more than happy to take up his point. The voting arrangements with respect to economic and monetary union, and the flexibility arrangements that we shall

[Mr. Cash]

discuss when we consider the next group of amendments, are described by the Commission as the best form of flexibility that has yet been devised, yet they are governed ultimately by majority voting, and the central bankers are under a legal prohibition from seeking or taking instructions from member states. Therefore, in respect of monetary policy, which has a fundamental impact on unemployment, inflation and the whole conduct of our economy, the concept of majority voting—the Bill represents a substantial addition—is having a devastating effect on the right of the British people to make their own decisions at the ballot box. It is a complete and total abdication of responsibility and a denial of democratic accountability, which applies at the ballot box and in the Chamber. The Minister of State knows perfectly well that it is the case, and I doubt whether he would be prepared to deny a word of what I have said.

Mr. John Bercow (Buckingham): Does my hon. Friend agree that the hon. Member for Blaenau Gwent (Mr. Smith) has himself dangerously understated the seriousness of the issue in one key respect? It is not only not proper or permissible for democratically elected Parliaments to make representations to the European central bank about its conduct of monetary policy, but, moreover, the ones that seek to do so are potentially subject to fines.

Mr. Cash: My hon. Friend is absolutely right. They are subject to fines, penalties and sanctions.

Hon. Members will have to ask themselves some central questions about the concept of qualified majority voting and the continual denial of democratic accountability. How much further will we allow it to continue? Will we continue making speeches and operating on the basis of seeking to persuade, or will we take more immediate action?

The process is continuing in a manner that quite clearly will not be prevented by speeches and persuasion. I am convinced that the complete refusal to listen to the arguments that were engaged in respect of the Maastricht treaty and the Amsterdam treaty is leading inexorably to a position in which we shall have to take more specific action in order to stop the tide—otherwise, frankly, we are wasting our time.

Sir Michael Spicer: I hope that my hon. Friend will not sit down before spelling out what that alternative action is.

Mr. Cash: My hon. Friend will know that I do not make such a statement lightly. Indeed, there is no question but that there will come a time when the British people, who are overwhelmingly against the continuing loss of sovereignty that is implicit in the qualified majority voting arrangements, will take it no longer.

In conclusion, it is all very well for the establishment—on whichever side of the House—to continue to believe that, by encouraging the process or by not resisting it sufficiently, it will be able to allow it to continue. There is a central question before the British people, which eventually will culminate in a referendum in a few years' time. We should start preparing for that referendum now—three and a half years ahead—to ensure that the British people have the proper information and are not deluded or misinformed by propaganda. I believe that when the time comes—and action will have to be taken in the interim—the British people will decide not to accept such provisions—in respect of qualified majority voting, co-decision or other devices—leading to the institutional integration of Europe into what will effectively be regarded as one country.

Mr. David Heath (Somerton and Frome): I am a little disappointed as I was looking forward to the denouement of the speech by the hon. Member for Stone (Mr. Cash) and finding out precisely what action he was proposing and how it would manifest itself on the streets of Britain, but we must wait another day for that.

I should like to return to the speech by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), to which I listened with great care. In one respect I certainly agree with him. We are in a transitional period. The Amsterdam treaty and the intergovernmental conference left many questions unanswered and I hope that they will be answered in the near future. It is clear that the Bill and the treaty cannot be the end product.

The hon. Member for Merthyr Tydfil and Rhymney referred to the end of the historical era of classic diplomacy, but an alternative construction could be put on his words—there is a realisation that we have come to the end of the top-down assertion of the European project, where so much has been disguised or put into code. Rather, we are moving towards a stage at which progress—if there is to be progress—will be made with the assent of the peoples of Europe and with their informed consent. I suspect that the hon. Gentleman may welcome that, as I and my party do, as we believe that it is the right way forward.

Mr. Rowlands: I would like to believe that, but it is clear from the tone and tenor of the rest of the documents from which I was quoting that there is an institutional impatience among European parliamentarians that their will has not prevailed. I do not think that it was an expression from the bottom upwards, but more a political elite within Europe becoming impatient and fretting at the fact that the people of Europe were beginning to express concern about integration.

Mr. Heath: The hon. Gentleman may very well be right, but I cannot judge that without looking at the documents. Let us be optimistic that we are entering a new phase of European negotiations.

Mr. Bercow: The hon. Gentleman says that we are moving towards an era of integration by consent within the European Union. I am sure that he will agree that in order to consent to something, people must be aware of it. Will he therefore tell the Committee whether, in the course of his election campaign, he informed the electors of Somerton and Frome that he would support further extension to qualified majority voting and co-decision? Did he tell them that he favoured an increased arrogation of power to the Community institutions—yes or no?

Mr. Heath: As is so often the case, the hon. Gentleman used words that I did not use. I did not mention integration. I referred to progress on the European project,

whatever that might mean. It could indicate movement in any direction. The hon. Gentleman should listen to what I say rather than what he thinks that I say. Throughout my time in politics I have consistently said that we must be clear about those issues and put them to the British people and the other peoples of Europe to let them decide. That is why the Liberal Democrats were the first to call for a referendum on major institutional changes in Europe. That policy was finally matched by some other parties, although some were not prepared to accept the argument.

That is an aside, because we are talking about qualified majority voting. It may be an oversight, but I do not recall the speech by the hon. Member for South-West Devon (Mr. Streeter) on the subject. It was a long time ago—on 3 December—and I suspect that I may have been out of the Chamber at the time because of a surfeit of European affairs, in which case I apologise to him.

5 pm

I have read the hon. Gentleman's speech carefully to make sure that I understand his arguments in favour of removing the parts of the Bill that refer to qualified majority voting. I am not persuaded by his arguments because, although he was generous enough to make it clear that he has happily moved away from the view that the modest changes to QMV represent the end of the nation state as we know it, he failed to address the problems with the proposals in the Bill. What is the difficulty for Britain's national interest if those measures progress? He considered the matter purely as a bargaining chip for negotiation on other objectives rather than examining the value of the measures.

I often observe the inconsistency of the Conservatives' avowed commitment to the concept of enlargement and their disavowal of the processes that are necessary to enable enlargement to go ahead. Qualified majority voting is a necessary prerequisite to enlargement in some areas. I mean no offence to the Governments of applicant countries, but I would feel uncomfortable if, 10 minutes after joining the European Union, Slovenia, Cyprus or the Czech Republic had a veto on matters appertaining to the whole European Union. There should be an element of force majeure in the European Union that recognises the strength of opinion of large population groups. Qualified majority voting provides that.

Mr. Graham Brady (Altrincham and Sale, West): Would the hon. Gentleman be happier with the possibility of Cyprus, Slovenia and other new member states, 10 minutes after joining the European Union, overruling the wishes of the British Government and the British people?

Mr. Heath: It would require a strange mathematical process indeed for those small countries to be able to do that without the exercise of a veto against the wishes of the British people. That is my argument.

Mr. Brady *rose—*

Mr. Heath: The hon. Gentleman has failed to make his point once. I am reluctant to let him fail to do so again.

The second point on which I failed to follow the logic of the hon. Member for South-West Devon was on the European Parliament. He appeared to suggest that, because he did not like some Members of the European Parliament and their opinions, they should have no part in any decision-making process. I do not like the opinions of quite a few hon. Members of this Chamber, but I accept that they have a proper role in the political process. It is not entirely logical to claim that the value of an elected assembly is undermined because the hon. Gentleman takes exception to some things that some Members have said.

It would be preferable to consider the process of negotiation not simply in terms of bargaining chips and maximising advantage in other areas. That is an important part of negotiation, but we should also consider where the advantage lies for Britain in the measures that are put forward. There are clear advantages for Britain and for the European Union in the extension of QMV in limited areas. The most obvious example is the extension of QMV to measures on fraud. It would be wrong to allow individual national Governments to veto proper measures on fraud simply because they would be to their disadvantage.

Mr. Cash: Does the hon. Gentleman accept that, in the light of our experience of other member states, proposals put forward by the British Government to improve surveillance of fraud would almost certainly be rejected by other member states because they have been conducting their affairs in a certain way for so long that they will not want to change their current fraudulent way of operating?

Mr. Heath: I am not entirely prepared to accept that every member of the European Union but us is a rogue. There are examples of fraud in this country and there are other member states that are equally keen to root out fraud. However, we do not have the necessary equipment and rigour to do that. Britain has a lot to offer with our audit processes, such as the Audit Commission and the National Audit Office. We should encourage other countries to take equally rigorous steps. Qualified majority voting provides us with that opportunity.

I am not incautious about QMV. There are areas in which it would not be helpful, but the areas in the treaty are good examples of QMV being to the advantage of the European Union and of Britain.

Sir Michael Spicer: Will the hon. Gentleman give way?

Mr. Heath: I have been generous in giving way. I must finish my remarks so that we can make progress this evening.

If the European Union achieves proper subsidiarity, many of the concerns expressed by hon. Members will disappear. I share the scepticism of many about whether that subsidiarity will take root, but I recognise that there is a protocol that will enable us to monitor that. I hope that we shall move in the right direction of power being exercised at the lowest available level.

I recognise the European Parliament as an alternative Parliament with a proper electoral mandate, including British Members. It will have an improved mandate when the Bill is passed and we have sorted out our d'Hondts from our La Saintes and all the other necessary arrangements. The Members of the European Parliament could then be said to have a more proper claim to

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represent the political views of this country than we shall until there are changes in our constitutional arrangements. The European Parliament will be able to hold the Council of Ministers to account to an extent. That must be right, because the Council of Ministers is immune from accountability in many ways, other than through the inadequate processes of national Parliaments. We shall have a proper avenue for parliamentary scrutiny. That must be right, ensuring proper scrutiny of matters by the elected representatives of the people of Europe. If the European Parliament, which costs a large amount of money, is not given powers to exercise properly, we must question whether it will misuse the powers that it has. We have seen examples of that in previous legislation.

The Bill is sensible. Its proposals are proportionate and will achieve a sensible outcome for this country and the European Union. I reject the arguments of the hon. Member for South-West Devon and I shall oppose them in the Lobby this evening.

Mr. Desmond Swayne (New Forest, West): I would like to exercise the Committee by raising the concept of co-decision, as hitherto we have dealt largely with qualified majority voting. There are 25 new areas in which co-decision will operate, excluding immigration, asylum and free movement, in which it may operate progressively. So there are already 25 areas and there may be more.

The problem with co-decision is that it is being given to a Parliament that manifestly is not a Parliament.

Mr. Nicholas Winterton (Macclesfield): It is an assembly.

Mr. Swayne: Absolutely. It is an assembly, because a Parliament requires a people and there is no European people. What is more, paragraph 3 of article 6 of the treaty purports to ensure that there should be no European people—but if anyone believes that they would believe anything. It is enough to make a cat laugh.

We have already seen all sorts of attempts to remove national differences and identities by degrees, and there is no doubt that the progression will be, as it always has been in the development of the European Union, that the cart will be put before the horse. Having created a Parliament, the Union then sets about creating a people for the Parliament to represent. However for the moment, and therefore for the operation of the treaty, there is no European people, so co-decision must be opposed.

Our European partners are clear on that point. In 1993 the Karlsruhe court ruled, in effect, that the European Parliament was not a Parliament. The French constitutional council was equally forthright, pointing out that the European Parliament

"does not participate in the exercise of the national sovereignty of the French Republic".

It does not represent France; it cannot represent the French people. Therefore, it cannot represent the French people in the exercise of sovereignty as part of the people of Europe—which, as I pointed out, does not exist.

Given that there is no people for the Parliament to represent, it must be fundamentally against our constitutional principles to hand co-decision to such an institution. The only proper institution for the taking of such decisions and the exercise of that sovereignty is this House.

Mr. Brady: We must ask what is the logic in the treaty of extending qualified majority voting and the co-decision procedures. As we think about the excellent contribution by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), we must ask whether there is a continuing tide towards European integration or whether there is an ebb tide.

I can see no logic in the extension of QMV in the context of an ebb tide of European integration. If we examine why it was first extended by the Single European Act, we see that there was a clear and specific reason—to create a single European market. However, I fear that the logic of further extension of QMV has to be seen as aiming at achieving further single integrated European structures.

Certainly we see a drive towards a single social and employment regime across the whole of Europe. There is no doubt in my mind that the further development of QMV constitutes a massive move towards further integration. Even if at present we see in the Amsterdam treaty a minor ebb in the tide that has been flowing towards integration, we must accept the fact that the process of European integration has worked over time, and continues to work, by a ratchet effect. There may be a temporary slowing in the pace of integration—

Sir Michael Spicer: My hon. Friend is making an important point about what the logic of it all is. That was the point that the Liberal Democrat spokesman, the hon. Member for Somerton and Frome (Mr. Heath), would not address. He said that he liked the measures in the Amsterdam treaty but that there were other measures involving QMV that he did not like. We were trying to intervene in his speech, because it showed that the Liberal Democrats are all over the place—or perhaps they are making a secret of their beliefs. My hon. Friend is making exactly the point that should have been addressed by the Liberal Democrat spokesman, and I look forward to his developing the theme further.

Mr. Brady: The hon. Member for Somerton and Frome (Mr. Heath) did another service by inadvertently pressing the case even further, with his remarks about the effect that new members joining the European Union might have on the dynamics of decision-making within the Union.

5.15 pm

The hon. Gentleman's suggestion that he was not quite sure whether he was in favour of further integration was not entirely consistent with the alarm that he apparently felt at the prospect of Cyprus, Slovenia and other new entrants having the power to prevent further integration by exercising a right of veto should the United Kingdom wish to move towards further integration.

That alarm was certainly not matched by a similar alarm about what might happen if we wished to arrest progress towards European integration and stop the loss of British sovereignty as it moves further towards Brussels and Strasbourg. The hon. Gentleman was not similarly alarmed by the prospect that new entrant countries, by adding to the weight of votes in a qualified

majority, could overrule what the British Parliament and the British Government, of whatever party, might wish to do.

That gave the game away about what the Liberal Democrats, with one honourable exception, seem to believe—that European integration is the supreme goal that we should all pursue to the exclusion of all else.

The hon. Member for Merthyr Tydfil and Rhymney said that we should soon see the prospect of a further drive towards integration, with economic and monetary union. That in itself would necessitate the harmonisation of tax and expenditure across the EU. It would drive us towards a need for co-ordinated programmes of regional and international transfer of funds, to iron out the economic differences between the member states.

As that process happens there is in prospect a further drive towards the extension of QMV and for integration not only in economic and monetary matters but in subsidiary areas. It will be believed that because we have a single currency we must have a single regime in allied respects—the same employment laws and the same social regime across the whole of Europe.

Mr. Nicholas Winterton: My hon. Friend is developing an interesting argument and drawing in support for what was said by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). Is it not true that the drive for the extension of qualified majority voting exists only because the bureaucratic oligarchy of the European Union sees it as the only way in which to achieve European integration?

Overwhelmingly, throughout the countries that make up the European Union—give or take a Belgium or a Luxembourg—the people do not want that. We have heard a lot about "the people's Europe", but the peoples of Europe do not want integration. The reason why we are driving forwards with qualified majority voting is that the oligarchy of Helmut Kohl and others see it as the only way to achieve an integrated Europe.

Mr. Brady: I am grateful to my hon. Friend. It is not only the peoples of Europe who patently do not want further integration; we can see clearly from the attendance in the Chamber and the contributions today that the people of north-west England do not want it either. I am delighted to hear a fellow Cheshire Member of Parliament make such an eloquent point against an integration that is contrary both to the wishes of the British people and to those of the peoples of other European countries.

Several hon. Members have already said that we are now seeing part of a process that is putting power, sovereignty and the sacred link between this Parliament and the British people in danger.

There are other developments, such as the advent of the Welsh Assembly and the Scottish Parliament. Last night, we were discussing the transfer of power to regional development agencies—the precursors of regional assemblies across England. All those measures compound the greatest danger, which we have seen in recent years, that the peoples of Europe have begun to feel increasingly estranged from the politicians who are meant to represent them.

It is disturbing that the Government are moving political power and sovereignty in two directions; on the one hand, to Brussels and Strasbourg, and on the other, to Scotland, Wales and the regions. That might not matter if there were real democratic legitimacy in those institutions, but I do not believe that that is the case. The levels of interest have been shown most notably by the referendum on the Welsh Assembly, in which there was a tiny majority in favour; even that result has been called into question, as there may have been irregularities in the vote. Any similar referendums across the regions of England would show that there is no demand for any regional assemblies. If we move power to regional level on the one hand and to European level on the other, there will be a further diminution of the relationship between the people and their representatives, their elected politicians.

Mr. Collins: My hon. Friend is making an excellent point about the genuine level of European public interest. Does he agree that a problem with co-decision and with giving more power to the European Parliament is that, contrary to the point made by the hon. Member for Somerton and Frome (Mr. Heath)—who implied that the European Parliament was somehow equivalent to a national Parliament—there is not one single member state of the EU where the turnout for elections to the European Parliament is remotely comparable with the turnout for the elections to the national Parliament? In this country, it is barely half the turnout for the election to the Westminster Parliament. The people want their national Parliaments to govern them, not the European Parliament.

Mr. Brady: I could not agree more with my hon. Friend's remarks. Furthermore, the Government's recent proposals to change the method by which we elect Members of the European Parliament compound the danger by removing the representative from any kind of meaningful constitutional context. We are to have MEPs representing the north-west, an area stretching from south of Chester to the Scottish border. There will be no relevance or interest for people to vote in European elections, as they will neither know nor care for whom they are voting. No democratic control can be exercised in the European Parliament by British MEPs on behalf of the British people. That is a cause for the greatest concern. This move, embodied in the Amsterdam treaty, is another part of the process which removes political and democratic control from the British people, and it is very much to be resisted.

Mr. Crispin Blunt (Reigate): I want to make only a few remarks—given the short amount of time we have to discuss this issue—about qualified majority voting and the effect that it has on a nation's ability to govern itself.

When the British Government—or, indeed, any Government—agree to extend QMV, they should do so in the sober knowledge that they are allowing their people, their Parliament and their Executive to be overruled by other countries. In terms of the Single European Act, I agreed with the case for handing away powers to ensure that opportunities for free trade could be pursued. Those of us who support free trade would argue that both sides benefit and that it is a way of getting rid of protectionism.

When the Government extend QMV into areas beyond the commercial sector, they should do so with great reservations. This Government came to office on a manifesto that contained four proposals to extend QMV. To be fair, they were endorsed by the British people at

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the general election, but the Government succeeded in gaining acceptance for only one and chose to accept QMV in 13 others. In 13 new areas of policy, the Government have allowed this House, our people and themselves to be overruled by a combination of other European countries.

Mr. Cash: My hon. Friend is addressing these points with such skill that I do not want to upset his train of thought, but he said that the Government should consider giving away QMV in areas other than commercial spheres only with the greatest reservations. Does he agree that in respect of matters such as monetary union, a common defence and security policy and Government functions—all areas that deal ultimately with the right of the people to decide for themselves what sort of Government they should have—there should be a complete and total refusal to allow QMV?

Mr. Blunt: Yes. In the commercial sphere, we have been content to see QMV passed, in a sense, to the World Trade Organisation, which is able to ensure that companies can enter markets that otherwise would be protected. That is in our interest, as it is in the interests of the consumers of those markets supposedly being protected by the actions of their Governments.

I wish to address in particular the issue of the Slovenian veto. It is a canard to suggest that the little countries coming into the EU will behave in such a way as to obstruct the whole business of the EU unless we have QMV in almost every conceivable area. It is wrong to say that we cannot have enlargement without QMV. That argument is false. In terms of decision making in the EU, the pressures on a small country not to obstruct the rest of the EU are immense. The only circumstances in which they will consider behaving in such a way is if they believe that their national interests are being affected.

We must consider the bilateral regulations that these countries have with every other member state; we have seen, for example, the pressures brought to bear on Greece in terms of its dealings with Macedonia. It is only with the most serious contemplation of the consequences of exercising the veto that small countries will consider obstructing the clear will of their partner countries.

We need, as far as possible, to move by consensus to defend the vital national interests of the people of those countries. The North Atlantic Treaty Organisation works perfectly well by consensus, and achieving consensus is the purpose of negotiations. When a country's national interests are affected, the strength of individual vetoes is that their partners are forced to come to the negotiating table to identify the key issues affecting the small countries. The small countries will exercise a veto only on the most minute number of occasions when their interests are threatened. The big countries—Germany, the United Kingdom and France—represent substantial populations and have a wider range of interests. They will feel freer to negotiate more powerfully and to exercise the veto if they wish to do so.

Mr. David Heath: What about Spain?

Mr. Blunt: Spain has 36 million people—a substantial number. The hon. Gentleman is clearly referring to Gibraltar. We saw how Spain pulled a fast one on the Government during the negotiations. Gibraltar is a subject that exercises our vital national interest.

Mr. Heath: Will the hon. Gentleman say—yes or no—whether Spain should have a veto on Britain's entry into the Schengen agreement, should Britain wish to do so?

Mr. Blunt: I am perfectly content with that in those circumstances. I am arguing here for the preservation of the veto, so it must be perfectly proper for Spain to have it. The key point about the veto is that it enables nations to protect their vital national interests. The Government have given away that power in 13 new areas, with no electoral mandate to do so.

Mr. Nicholas Winterton: Earlier in his speech, my hon. Friend mentioned Slovenia. That country wants to join the European Union, and its economy is dominated by agriculture. Qualified majority voting may not be relevant to agriculture at the moment, but is not it interesting that, in their recent discussions, the ruler of Europe—sorry, the Chancellor of Germany, Mr. Helmut Kohl—made it perfectly clear to our Prime Minister, the current President of Europe, that he is not prepared to consider any amendment to the common agricultural policy because it would be against the interests of the Christian Social Union and the Christian Democratic Union to do so before the German elections in September? Does not that show the nonsense of Europe?

5.30 pm

Mr. Blunt: My hon. Friend makes a clear point about the conduct of the common agricultural policy. It is a separate issue from QMV, because QMV already exists in that policy, and it should properly be there because agriculture is a commercial sphere.

I would like Ministers and hon. Members of all parties who hold dear the success of the European Union to understand that it will succeed when it can move by consensus, commanding the support of the people, and that it will fail when it tramples over the rights and privileges of millions of its citizens.

Sir Michael Spicer: I want to comment on two points: the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) quoted someone in the European Parliament as saying that intergovernmental conferences were a brake on the process; my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) mentioned the logic of the way in which matters are proceeding.

Of course it is right, in response to my hon. Friend the Member for Stone (Mr. Cash), when there is a proposal for 14 new areas for qualified majority voting—areas such as public health, social exclusion and research and development, none of which, incidentally, affects the single market, into which QMV was originally introduced, quite logically, with the agreement of my noble Friend Baroness Thatcher—for those of us who do not believe in a federal state of Europe to oppose it and to have a good debate. Of course it is right, when there are 27 new areas of co-decision involving a Parliament each of whose Members cost £1 million to support, that we should oppose such extensions; but the present question concerns

whether the intergovernmental conferences are a distraction, and the logic of the move towards a federal state.

If I believed in a federal state of Europe, I would do exactly what the hon. Member for North Durham (Mr. Radice) is doing today: I would sit and listen, and keep very quiet indeed, because one of the paradoxes of the present scene is that the people on the streets do not want a federal state, but someone has concocted the idea and it is now inexorably going ahead, even though I and many others cannot see any advantage whatever in it. Whatever the IGCs say, the system has been set in motion.

Mr. Radice: The hon. Gentleman and I are colleagues on the Treasury Select Committee and we know each other's views well. It is important not to use language as loosely as he sometimes does. He calls me a federalist, but I am in favour of joining other members of the European Union in areas in which it is in our common interest to do so, but not in those in which it is not. I do not believe in a European super-state as a single country. To use language so loosely is misleading, and when it comes to a referendum I shall be delighted to debate the issue with him, because I shall be able to expose the way in which he uses language and his extremely extravagant approach to this whole affair.

Sir Michael Spicer: The hon. Gentleman must speak for his own position. I do not want to debate the details with him. Let us generalise and say that the position of those who believe in a new state of Europe is precisely the one that he has just identified: they say that we will come together loosely in various areas of co-operation, yet they go along with—indeed, they encourage and fight for—common legal and monetary systems.

Once legal and monetary systems have been handed over, there is a new state. With the monetary system goes the economic system. I enjoy working with the hon. Member for North Durham on the Treasury Select Committee, and we debate these matters, but while I do not accuse him of being a federalist, the position that he has just enunciated is precisely that of those who want a federal state of Europe. They take such an apparently balanced approach because it is convenient to do so. They talk of a little bit here and a little bit there, but at the end of the day they want the central core of what constitutes a new state of Europe.

Mr. Bercow: Will my hon. Friend give way?

Mr. Swayne: Will my hon. Friend give way?

Sir Michael Spicer: I seem to have a lot of hon. Friends. I give way to my hon. Friend the Member for New Forest, West (Mr. Swayne).

Mr. Swayne: I thank my hon. Friend. The vision that has been enunciated, in which we co-operate where we want and do not where we do not, is simply not available, because of the acquis communautaire. Once a competence has been achieved, there is no way back even if we decide that it is not in our interest to co-operate. The whole business of qualified majority voting reinforces that and makes the process irreversible.

Sir Michael Spicer: My hon. Friend has made the second half of my speech much better than I could have done. I could not agree with him more. Let us now hear what my hon. Friend the Member for Buckingham (Mr. Bercow) has to say.

Mr. Bercow: I thank my hon. Friend for his generosity in giving way. Does he agree that there is a disconnect between the words uttered by Labour and Liberal Democrat spokesmen and the reality of the policies for which they vote, and that in order to make credible their claim not to be federalists they must, at the very least, identify examples of requests for extensions of QMV that they have opposed and that, better still, they should be able to cite examples of occasions on which they have sought the repatriation of powers away from the institutions of the European Union to the House of Commons?

Sir Michael Spicer: I completely agree with that. Several of us have tried to winkle that point out of the hon. Member for Somerton and Frome (Mr. Heath) during this debate. It is absolutely right that, if one picks and chooses but basically goes along with the process—with the logic, as my hon. Friend the Member for Altrincham and Sale, West said—not only must one justify the end point towards which one is heading, about which the Liberal Democrats tend to be vague or even disingenuous, but, if one thinks there is a distinction to be made between those things that should and should not be accepted, one should say where the line is to be drawn and what the principles are behind that line-drawing process. The Liberal Democrats do not do that, so I could not agree more with what my hon. Friend said.

I wish to develop briefly my point about IGCs. The hon. Member for Merthyr Tydfil and Rhymney made an interesting and valuable speech. He asked some interesting questions and I hope that the Government will answer them. Among those questions was whether the IGCs represent a brake on the process. In my view they are becoming a distraction and are convenient for those who wish the process to continue its inexorable way.

Various treaties in the past—notably Maastricht—laid down a momentum, a logic and a set of institutions, especially on the acquis communautaire and other political objectives that the European Court of Justice can now interpret as it thinks fit. The court may now enter territory previously untrodden by law and even create—or at least give backing to—new institutional arrangements, which make the IGC discussions almost irrelevant and, at worst, a distraction from what is really happening in Europe. After all, Governments usually get their way. The great hope on Amsterdam is that the Danes will veto it at the end of March, but if that does not happen the process will continue.

Mr. Nicholas Winterton: If memory serves me correctly—I speak as an officer of the all-party Denmark group—the Danes have voted against European issues in the past, especially the Maastricht treaty. What did the masters of Europe do on that occasion? To get their way, they forced the Danish Government to hold a second, and unprecedented, referendum.

The First Deputy Chairman: Order. The hon. Gentleman keeps making speeches, not interventions, which should be brief.

Sir Michael Spicer: I answer my hon. Friend rather blushingly, because unfortunately the presidency was held

[Sir Michael Spicer]

by the British Government when the Danes were being bullied on that point. The legitimacy of that second referendum is certainly open to question. However, I shall leave that point, because we are discussing the future and Amsterdam and the only possible brake on the process is a Danish vote against it.

Mr. Winterton: Will the same thing happen?

Sir Michael Spicer: My hon. Friend asks an interesting question, but we have on record a Government statement that the same thing probably will not happen. Back in July, I asked the Government what plans they had for the implementation of the Amsterdam treaty if it is not ratified by one or more member states. The Minister with responsibility for European issues replied:

"The Treaty must be ratified by all 15 Member States in accordance with their respective constitutional requirements, before it can come into force. Should any Member State fail to ratify the Treaty, it could not be implemented in its current form."—[*Official Report*, 16 July 1997; Vol. 298, c. *186*.]

We therefore have a firm position from the British Government on the issue.

Mr. Winterton: That was also the case in the past. The Danes were supposed to ratify the Maastricht treaty by 31 December of the year in question. They failed to do so and the second referendum took place after that date. Will not the masters of Europe resort to the same duplicitous actions as they have in the past?

Sir Michael Spicer: It would certainly be a resigning matter for Foreign Office Ministers if they ratted on deratification in that situation. I must draw my remarks to a close because I had not intended to speak at such length.

If the IGCs are a distraction from what is really going on—the inexorable advance towards monetary union, via Maastricht, the ECJ, the acquis communautaire and the other principles that the court has established—the discussions at them cannot achieve very much. If we as a nation believe in the continuation of the independence of the nation state—and all the other issues in which the hon. Member for North Durham said that he believes—the Government of the day must make a firm decision to retrieve powers from the European Court.

My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) is one of the few people who has given specific examples of areas in which he wants a retrieval of powers. Once powers had been retrieved in any area, the acquis communautaire would have been torn apart and we would have started the process of bringing powers back to this country. That is what is now at stake, because we have moved on from discussions about tinkering at the margins of the process. We must of course argue against any extension of powers, but in reality the process will be stopped only if we retrieve powers from Europe. Any retrieval will demand the breaking apart of the acquis communautaire and, one day, someone will have to grasp that issue.

5.45 pm

Mr. Nicholas Winterton: I shall be brief, but I wish to touch on one or two of the issues that you felt I was speaking on at too great a length in my interventions, Mr. Martin.

I understood that all the countries of the European Union had to ratify the Maastricht treaty—we are talking of an extension of the Maastricht treaty when we discuss Amsterdam—by 31 December of the year in question. Some countries ratified the treaty by way of referendum. France held a referendum although, even in a country that is at the heart of Europe, the majority for a yes vote was only 1.5 per cent. over the no vote. In Denmark, there was a no vote, but the establishment, the powers that be, the bureaucratic oligarchy that now governs Europe—because we have not a people's Europe but one ruled by a limited number of people who wield considerable power—forced the Danish Government and people to hold a second referendum after the date by which the Maastricht treaty should officially have been ratified.

I speak with some knowledge of the issue, because I visited Denmark with colleagues from both sides of the House and talked to all the political parties. I regret to say that a number of the parties that had voted no and campaigned for a no vote in the first referendum campaign told me that they would not campaign for a no vote in the second referendum. That was not because they did not want a no vote, but because they did not believe that the United Kingdom would support them as it had promised. Those political parties did not wish their country to be isolated in Europe.

It is clear that the overwhelming majority of people in the countries of the European Union do not want a federal Europe, or any further integration of their cultures or laws. They certainly do not want an integration of their currencies. By the way, if the hon. Member for North Durham (Mr. Radice) believes that a single currency would not lead to a federal Europe, he is living in fairyland. Undoubtedly, if any country loses control of its currency it loses control of its economy, and if it loses control of its economy, it loses control of the country and the government of that country, and that inevitably means that its people become subservient to some other form of government, which in this case would be Brussels and Strasbourg.

The hon. Member for North Durham is living in cloud cuckoo land if he believes that he is in favour of a nation state and is not in favour of a federal Europe, because much of what he stands for will inevitably lead to a federal state of Europe. Any extension whatever of qualified majority voting is another notch on the ratchet to integration and to a federal Europe. For that reason, I strongly oppose what the Government are seeking to do.

It is not easy to stand up against the power of Government. I did it when the Conservative party was in government; I have done it previously when I have been in opposition. I find opposition quite easy to understand and to accept. As I have said in the Chamber before, some people say, "The hon. Member for Macclesfield has been in opposition for all of the 26 years that he has been in the House." However, Mr. Martin, let me say to you and the Committee; that there has never been an occasion in those 26-plus years when I have not sought to represent what I, personally, fervently believe to be the interests of the people of the United Kingdom, and especially the people of the Macclesfield constituency, whom I have the great honour to represent.

Any extension of qualified majority voting is not merely to ensure the better implementation of the Single European Act and the single market. I believe in the free market. I also believe in fair competition and a level

playing field. I believe that the hon. Member for North Durham—for whom I have the greatest affection and regard—believes fervently in everything that he says, but I believe that he is fundamentally wrong in much of what he says and believes. He could not have highlighted that better than by the intervention that he made on my hon. Friend the Member for West Worcestershire (Sir M. Spicer). My hon. Friend challenged him about a single currency. For the hon. Gentleman to say, as he did, that a single currency for Europe will not inevitably lead to a single Government in Europe and a federal states of Europe, shows that he must be living in an entirely different world from myself.

Sadly, we shall not win the argument. As my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) said in his excellent speech, the people of this country do not want a federal Europe. They do not want any further integration into Europe. They want to work as a nation state within Europe. They want the free market of Europe, but they do not want a federal state of Europe. That is clearly shown by the level of interest in Europe, as my hon. Friend said—

The First Deputy Chairman: Order. It may help the hon. Gentleman if I remind him that the subject of amendment No. 66 and the other amendments grouped with it is "Qualified Majority Voting and co-decision procedure"—not a federal Europe.

Mr. Winterton: If "Qualified Majority Voting and co-decision procedure" has nothing to do with a federal Europe, Mr. Martin, I do not know what does have anything to do with it. I am—

The First Deputy Chairman: Order. There could be a connection, but I am saying that that is the idea of amendments: that they are specific, and that the hon. Gentleman must tie himself into the specifics of the amendments before us and not go too wide.

Mr. Winterton: That is what I am trying to do. Mr. Martin, I find your comments remarkably effective, and I take your advice. From the Opposition Back Benches, I can accept the way that you have put it very readily.

I am saying to the Committee, with great emphasis—in support of my hon. Friend the Member for Altrincham and Sale, West—that the people of this country do not want what is being done in their name. They do not want further co-decision making; they do not want further integration; they do not want what inevitably flows from what is happening in that area—and they have shown it by their lack of interest in voting in elections. If it is the people's will, the people will reflect that by going out to vote.

Mr. Denis MacShane (Rotherham): They did on 1 May.

Mr. Winterton: I say to the hon. Gentleman, who has a wonderful apartment in some ski resort and who is extremely good on the ski slopes—the hon. Member for Verbier, or is it Les Diables?—that, in any European election, the vote is less than half of that in a parliamentary election. People believe in their national Parliament, not in the European assembly.

I am saying that we do not want further transfers of power and I believe that, as history proceeds, the speeches that have been made by Conservative Members will be shown to have reflected the views of the British people.

Dr. Rudi Vis (Finchley and Golders Green): The hon. Gentleman says that the low turnout in Britain for European elections suggests that there is no desire on the part of the British people to come closer to Europe. In my country of birth, the Netherlands, where there are many federalists—and I am one—by the hon. Gentleman's definition, the turnout in the European elections is no higher. That shows that there is no evidence, empirical or otherwise, in the points that the hon. Gentleman just made.

Mr. Winterton: That is a matter of opinion, and I only hope that the Government of the day have the courage to put the whole matter of Europe to a referendum in this country. They have promised to do so, as have the Conservative party and the Liberal Democrat party.

In answer to the hon. Gentleman, I suspect that my view will be proved to be the one that represents the majority view of the British people. He said that the view that I expressed about the level of turnout in elections was not relevant; I can say only that I believe that it is. The Labour party received a very substantial vote in the general election on 1 May. Members of the Labour party took full credit for that; they said that it gave them a mandate. I am not sure that a mandate of about a 28 to 30 per cent. turnout in a Euro-election gives those who are Euro-federalists the mandate that they seek. I believe that it does the opposite.

I say to my hon. Friends that I concur entirely with the arguments that they have advanced. As a believer in history, I believe that history, which is the best teacher in life, will prove us, in due course, to have been right.

The Minister of State, Foreign and Commonwealth Office (Mr. Doug Henderson): It is difficult to know where to start, given that we began this debate in early December and have been going for about an hour and a half this afternoon.

We have all enjoyed the opposition of the hon. Member for Macclesfield (Mr. Winterton) during his 26 years in Parliament. I have watched, enjoyed and respected his opposition in the 11 years that I have been in the House, and I enjoyed it no less today.

I was surprised by the contribution from the hon. Member for Stone (Mr. Cash), whom I had always believed to be the hard rock of anti-Europeanism in the House. The hon. Gentleman conceded that qualified majority voting might be desirable in some circumstances related to trade. I am beginning to think that he has gone soft compared to some of his colleagues who joined us at the last general election. However, those hon. Members who joined the hon. Gentleman in previous debates, such as the hon. Member for West Worcestershire (Sir M. Spicer) and the hon. Member for Macclesfield, redeemed the reputation of the old guard in their contributions.

6 pm

Mr. Cash: The hon. Gentleman will know that I have argued consistently in favour of free trade in Europe. I have also argued that the Single European Act is

[Mr. Cash]

acceptable—although it needs reform—because it delivers just that. The Minister fails to distinguish the difference between qualified majority voting on trade and commerce and matters of that kind and QMV in the arena of government, which is what monetary union and common foreign and defence policies and so on are about. There is a fundamental difference. I said earlier that I am concerned about the answer to the question, "Who governs Britain?" and about the democratic rights of the British people. For that, I shall fight to the death.

Mr. Henderson: I am glad to hear the hon. Gentleman's protestations—he obviously does not want to be left out of the coterie comprising his hard-line anti-European colleagues.

I shall begin by referring to the contribution of the hon. Member for South-West Devon (Mr. Streeter) on 3 December. In essence, he made the accusation that the treaty and the clauses to which we are referring in this debate have transferred influence and power from this Parliament to the organs of the European Union. He claimed that that was a damaging process and that the Government have given away power without charge. In later debates today, and possibly on Monday, I shall turn to what has been achieved and at what cost. I am happy to explore that issue now, but I shall have to repeat myself later.

I shall restrict my comments to the question of qualified majority voting. It is not acceptable for the Opposition to argue that, ideologically, there is no case for extending qualified majority voting. They claim that, if we agree to qualified majority voting, it will be the end of a democratic European Union. That is the accusation levelled by Opposition Members. However, they should recall that the previous Conservative Government agreed to 15 extensions of qualified majority voting in the Amsterdam treaty and 12 extensions in the single market. There were 30 extensions of qualified majority voting in the Maastricht treaty, which enjoyed Conservative Front-Bench support. In case I should forget, I am sure that the hon. Member for Stone would remind me that not all of those extensions were related to economic and trade matters—some of them went beyond that classification.

It ill behoves the Opposition to complain about the extension of qualified majority voting as a matter of principle. That does not mean that I shall endorse qualified majority voting on every issue that comes before the institutions of the European Union—that is not my position. However, when it is in the interests of Britain and of the European Union to support the extension of qualified majority voting, I think that Parliament has a responsibility to consider those matters objectively and to deal with each issue as it arises.

It is not acceptable to oppose the anti-fraud provisions in the Amsterdam treaty because it is claimed that they will lead to further integration of the European Union—to which the Opposition are ideologically opposed. Those measures are crucial if we are to ensure that the money of British taxpayers and of taxpayers throughout the European Union is used effectively and spent in the manner intended. That is why it is essential to extend qualified majority voting.

If the finger were pointed at a country and redress demanded because of the misdemeanours of that country's officials or institutions, without qualified majority voting, it is extremely unlikely that the European Union—as a corporate organisation—would be able to ensure that that country used the money that it was allocated for that intended purpose. If there were no qualified majority voting and if unanimity were required, that country could veto any measures proposed. That is clearly a nonsense. If one believes in an effective European Union, any objective examination of the issues leads one to conclude that qualified majority voting must be extended in that case.

My hon. Friend the Member for North Durham (Mr. Radice) summed up the effect of the treaty's provisions, which will afford the limited extension of qualified majority voting and co-decision. When matters are agreed only by majority, it makes sense to allow the European Parliament to have a say on those issues also so that minority groups have another opportunity to air their views. That is essential if we are committed to the effectiveness of the European Union.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) raised several points in his contribution today. The question whether a settled constitution has been achieved in the European Union as a result of the treaty of Amsterdam has no answer. The hon. Member for Macclesfield mentioned history. History tells us that we can never predict what will happen in the future—and it is often foolish to try to do so.

There have been many changes in Europe in the past 10 years, to which the European Union must respond. For many years, both sides of the House condemned the political and economic structures of central and eastern Europe and demanded change. When totalitarianism was overthrown, we had a responsibility to respond—to offer the hand of friendship to the people of central and eastern Europe and, where necessary, to change the way in which we operate politically in the European Union to accommodate their needs and priorities. That makes sense. I do not believe that there will ever be a settled constitution politically. Change will occur in any dynamic process—and it is right that it should.

Those who oppose further change in the form of more co-operation within the European Union are engaging in the politics of the past. That is the politics of isolation and remoteness, and it ignores the changes that are taking place in the world. As a country that seeks to provide a democratic example to other parts of the world, we should look forward. We should judge issues on their merits and consider when it is in our interests to enter into international agreements with other countries through the European Union and in other forums. We should begin to make those changes that are necessary to ensure that we are forward looking and can respond to the real issues.

Mr. Llew Smith: My hon. Friend said that we should take the lead and set a democratic example to other countries. I am sure that every hon. Member agrees with that. However, what sort of democratic example is set by article 109 of the Maastricht treaty, which makes it illegal for a democratic and accountable Parliament to put pressure on, or try to influence, an undemocratic and unelected European central bank? Does my hon. Friend accept that that is what the treaty says? Will he comment on that point?

Mr. Henderson: My hon. Friend knows that that is a narrow point—although I concede that it is an important

one. We must look at a much wider area of economic involvement. When Britain signed up with the International Monetary Fund in 1944, it was the beginning of co-operation on economic matters. In that sense, Britain could no longer adopt an economic policy, regardless of what the IMF would say about it. That was not possible under the agreements that were reached. We are witnessing an extension of international agreements over a wide area. The European Union is one of the principal extensions. The matter must be seen in that democratic context.

Mr. Cash: On a point of order, Mr. Martin. It is outrageous for the Minister to refer to international agreements. He knows perfectly well that that is a matter of a legal framework; it is nothing to do with international agreements.

The First Deputy Chairman: The Minister has been in order.

Mr. Llew Smith: Does the Minister accept that it is right that democratically elected Parliaments and assemblies, as we shall have in Wales, will not have the legal right to try to influence an undemocratic and unaccountable European central bank? That is not a narrow point, because it relates to the power of Parliament. If we as a Parliament do not have that right to control our community, people will increasingly pose the question, "What is the use of elections, if the people for whom we vote do not have the power to change things, and the people for whom we do not vote—that is, the European central bank—have those powers?"

Mr. Henderson: I say to my hon. Friend that we operate in a global world. There are international economic links of immense importance to his constituency, as to mine and to most constituencies in this country. It is necessary for us to view economic policy in that context. This Parliament has the ability to take the Executive out of office, if it chooses to do so. That is one way in which the Government, contributing through their decisions to the decisions in Europe, are accountable to the people. I stick to that.

Mr. Rowlands *rose—*

Mr. Henderson: We have had a long debate, starting on 3 December. We have had an exhaustive discussion this afternoon. I do not accept the amendments.

Mr. Gary Streeter (South-West Devon): I should be delighted to give way to the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), something that the Minister failed to do. I think that we know why.

The Minister's response to the debate, like his negotiating performance at Amsterdam, has been extremely disappointing. He has failed to explain why, at Amsterdam, the Government made so many concessions, with so little in return. He has failed to deal with the excellent points raised by his hon. Friends about enlargement being used as an excuse for further QMV. He has failed to deal with the substantial points raised by many of my hon. Friends about the ratchet effect of QMV and co-decision. He has again used the bogus argument about voting arrangements on fraud.

Why does not the Minister accept that no one is talking about enforcement measures being drawn up by unanimity? We are talking about making the law itself on fraud by unanimity, and the enforcement measures by QMV in the ordinary course of events. We have made the point repeatedly.

The Minister's response has been woeful. He has failed to deal with the arguments. We are left with no alternative but to press the matter to a Division.

Question put, That the amendment be made:—

The Committee divided: Ayes 135, Noes 284.

Division No. 129] **[6.13 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert

Tapsell, Sir Peter
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waller, Robert
Wardle, Charles
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Nigel Waterson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Coventry NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Austin, John
Baker, Norman
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Paul
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cable, Dr Vincent
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Denham, John
Dismore, Andrew
Dobbin, Jim
Dowd, Jim
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Liddell, Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McFall, John
McGrady, Eddie
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morris, Ms Estelle *(B'ham Yardley)*
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Palmer, Dr Nick
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Roche, Mrs Barbara
Rooker, Jeff
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Wareing, Robert N
Watts, David
Welsh, Andrew
Whitehead, Dr Alan

Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and Ms Bridget Prentice.

Question accordingly negatived.

Mr. Streeter: I beg to move amendment No. 5, in page 1, line 13, after '9', insert

'(except Article 2 paragraph 40)'.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 6, in page 1, line 13, at end insert

'(except Article 2 paragraph 41)'.

No. 24, in page 1, line 13, at end insert

'other than in Article 2, paragraph 5)'.

No. 52, in page 1, line 13, at end insert

'other than in Article 2, paragraph 39)'.

No. 53, in page 1, line 13, at end insert

'other than in Article 2, paragraph 40)'.

No. 54, in page 1, line 13, at end insert

'other than in Article 2, paragraph 41)'.

No. 55, in page 1, line 13, at end insert

'other than in Article 2, paragraph 42)'.

No. 56, in page 1, line 13, at end insert

'other than in Article 2, paragraph 43)'.

New clause 17—*Preparations for enlargement of the European Union*—

'.—Pursuant to the Protocol on the Institutions with the Prospect of Enlargement of the European Union annexed to the Treaty of Amsterdam, stipulating a conference of the Member States in order to carry out a comprehensive review of the provisions of the Treaties on the composition and functioning of the institutions, Her Majesty's Government shall—

(a) publish and lay before both Houses of Parliament a statement regarding the reform of the composition and functioning of the institutions, no later than one month prior to the commencement of the conference, and

(b) not agree to such reform until a draft of the agreement has been lain before both Houses of Parliament, and approved by resolution of the House of Commons and noted by the House of Lords.'.

6.30 pm

Mr. Streeter: Of all the changes agreed by the Government in Amsterdam, those set out in article 2, paragraphs 40 and 41 carry the most long-term significance. That may be why the Government have sought to curtail debate on those paragraphs. Nowhere in the treaty is Labour's negotiating failure at Amsterdam more clear; nowhere in the treaty is the great new Labour give-away more apparent than in the reforms to the appointment of the President of the Commission and new Commissioners from member states.

Being composed of experts, the Committee will understand that, under the current arrangements, the President is appointed by common accord by member states after consulting the European Parliament, so the power to appoint the President currently lies, quite properly, with member states. The Committee will be aware that, under Maastricht, the nomination must be unanimously agreed by the member states. That is an important power. We all recall one famous occasion when unanimity could not be reached because the Conservative Government were not afraid to stand alone in Europe to defend the national interest.

Under Maastricht, each member state has an unfettered right to put forward its own nominee to become a Commissioner, although there is a duty to consult the President of the Commission. That, however, is simply consultation. Member states are free to ignore the President's views if they choose, which means that they can, in practice, appoint whom they want. That has been the position since the treaty of Rome. Every time a Conservative Government renegotiated the European treaties, we successfully defended the arrangement, but new Labour failed at its first attempt.

All that will be changed: those important national powers were given away at Amsterdam. Under article 2, paragraphs 40 and 41, it is now proposed, first, that the European Parliament should have a veto over the agreed nominee for President of the Commission. In other words, the person whom all the member states want can be blocked by the European Parliament. That clearly takes away an important power from member states and gives it to the European Parliament. Secondly, it is proposed that the President should have a veto over the nominee for Commissioner of each member state. Thus, if the United Kingdom, France or any other member state wants a particular person as its Commissioner, the President of the Commission can say no.

I detect that Labour Members are beginning to feel uncomfortable at that news, perhaps in disbelief that their Government have agreed to such a proposal. I am saddened to tell them that it gets worse still. Article 2, paragraph 41, says:

"The Commission shall work under the political guidance of its President".

The "political guidance of the President" is an apparently innocuous phrase in what many people say is an innocuous treaty, but like so much at Amsterdam, just a moment's reflection reveals the true picture.

First, does the Minister think that it is in our national interest that no President of the Commission can be appointed unless the European Parliament agrees? The European Parliament can veto before breakfast, lunch or dinner until it gets the person it wants, and we can be sure that it wants a person who is unreservedly committed to its interventionist agenda. Secondly, does the Minister think that it is in our national interest that member states can no longer choose their own Commissioner?

Now that the President is to have a veto, can he not effectively pick the other 19 Commissioners? On what criteria will selection by the President be based? What assurances are there in the treaty that the Commissioners who take office in 2000 will not all be drawn from one political party, from one point of view, or that all members will not share a common federalist view? None whatever.

What assurances did the Minister seek on those issues? If he sought none, why not? If he did, why did he get none? The President can use his veto again and again to ensure the right result for himself and for the Commission,

[Mr. Streeter]

but possibly the wrong result for Britain. Once the President of the Commission is appointed, the Commissioners must all work under his political guidance.

Whichever way we look at the matter, it clearly amounts to a fundamental shift in the nature of the Commission. We are entitled to ask what possible justification there could be for agreeing those proposals. What justification is there for removing our right to decide who we want as our British Commissioner? Why has the independence of Commissioners been removed? What mischief are the proposals designed to correct? What was wrong with the present arrangements? The people of Britain require answers.

The proposals are a significant step towards an overtly political Commission. They concentrate unprecedented powers in one individual's hands. In that sense, it is after all a typical new Labour solution, but it is bad for Britain and for Europe. Why did the Minister agree the proposals? Taken together with the extensions in qualified majority voting and the substantial additional powers for the European Parliament that we have already debated, the Minister must admit that the treaty he signed represents a significant shift from the nation state to the central institutions of the EU. What did he bring back in return? Absolutely nothing.

I am afraid that there is even worse to come. Article 160, left unchanged by Amsterdam, provides:

"If any Member of the Commission no longer fulfils the conditions required for the performance of his duties . . . the Court of Justice may . . . compulsorily retire him."

That is worthy of careful reflection. Clearly, article 2, paragraph 41 imposes a new condition on each Commissioner—to work under the political guidance of his President. If he, in the President's opinion, fails to toe the presidential line or shows too much independence of thought, or if he questions the President's political direction or disagrees with it, the Commission can apply to the European Court of Justice to remove him. If the Commissioner has failed to follow the President's political guidance, the court will have little option, under the treaty, but to remove him.

In practice, those matters would not come to court, because the President would simply use all those powers to force a Commissioner's resignation. The significance of that is that the President has now acquired the power to hire and fire. That is a radical new departure. He now has the ability to gather around him political placemen and placewomen to do his bidding. If I am wrong in my interpretation of the treaty or my logic, I invite the Minister to intervene now and tell me. He does not do so.

The whole balance of power in Europe has therefore shifted still further away from nation states and towards the centre—away from intergovernmental control and towards a political Commission, led by a political President. From experience, we can have little doubt that the direction set by such a body will be an increasingly centralised and inward-looking Europe. Just when Europe needs to become more flexible and outward-looking to survive in an increasingly competitive world, the Government have agreed to proposals that have the opposite effect.

This is a major change, but it has been tucked away in the small print. It was not even mentioned by the Prime Minister in his statement to the House on 12 June 1997. The Minister has a duty to tell us when he replies to this debate why he agreed to those proposals and to confirm that he has fully considered the implications for Britain and found them to be in the national interest.

This group of amendments also raises the issue of flexibility. We welcome the inclusion of that concept in the treaty. Not for the first time, the whole of Europe agrees with a reform suggested by the Conservatives, often in the teeth of fierce opposition. We have always advocated the concept of a flexible Europe. Flexibility is essential if the European Union is to be enlarged successfully. A wider Europe makes the case for a flexible Europe more compelling. We cannot force a diverse, enlarged Europe of 25 member states into a rigid straitjacket of uniformity.

We believe that flexibility must be carefully introduced following certain key principles, the most important of which is that any arrangement that allows groups of fewer than 15 member states to use Community institutions must be agreed by all. Sadly, the Amsterdam treaty does not grasp the essential point that any future projects must be agreed by all member states.

Under the treaty, a group of member states can decide to go ahead with further integration in any area without the support of the full European Union. New article 5a provides that only those member states that want to take part in a new activity have any part in that decision. It is obvious that a new activity operated by just a few states could have significant implications for all member states, and should be sanctioned by all before it begins.

There is provision for a veto similar to the so-called Luxembourg and Ioannina compromises. Does the Minister accept that, for the first time, that provision appears in the text of the treaty and not as a Council declaration? We would have dealt with the matter as a declaration, to ensure that the Council of Ministers alone and acting unanimously had the power to interpret the use of the veto.

Having agreed to incorporate the form of words into the treaty for the first time, does the Minister not realise that he has opened the door to rulings from the European Court of Justice on the veto, and has given the court the power to overrule the use of that veto? I look forward to his response on that point.

Mr. Cash: Does my hon. Friend accept that, as the Commission said, the arrangements under the Maastricht treaty for allowing other member states to go ahead with proposals for economic and monetary union amounted to the best form of flexibility yet devised? Does he agree that we should reflect on that, and do something about it?

Mr. Streeter: My hon. Friend makes an interesting point. The difference is that economic and monetary union is within the exclusive competence of the European Union, whereas these provisions allow some member states to go beyond that.

There are real concerns about the additional powers that are being given to the European Parliament and to the President of the Commission under paragraphs 40 and 41 of article 2. It is now clear beyond doubt that, in a number of vital areas, the Government failed the nation

at Amsterdam. I invite the Minister to answer all my questions, and to explain how on earth these changes could possibly be in the national interest.

Mr. Cash: The issue I just raised goes to the heart of the amendments on flexibility. I secured an Adjournment debate on this matter about 18 months ago, so, having put my arguments against flexibility on that occasion, I do not need to delay the Committee now.

My remarks are directed at the Government, as they have responsibility for the conduct of the treaty. What worries me is that flexibility—or variable geometry, as it is sometimes called—is a cop-out. The object of the exercise is to allow a legal framework to be created, so that institutional arrangements can be put in place for the Community as a whole as part of a legal instrument enforceable by the Court of Justice.

Within that, with what I often refer to as weasel words, we can go for an opt-out or an opt-in, the object of which is to allow the other member states to go ahead on the assumption that, sooner or later, through pressure or after the passage of time, and faced with the problem of whether we remain outside the institutional procedures that have been created, we would have to catch up and join in.

One point regarding the protocol and third stage of monetary union is not often appreciated. Although we had the right to opt out in the first place, under the protocol we have the right to opt in later on, as we have with other matters, such as immigration and visas.

6.45 pm

A common legal area and a new process are being created. It is not, as the Minister said, a matter of international agreements. I am astonished at the Minister's ignorance: he could not possibly justify such a statement—which he made twice in his speech on the previous amendment.

A legal framework is being created: it has not been fully consummated yet. It is not merely partly on the way—it is substantially on the way: in many respects, it is already in place. The Minister knows that. Flexibility enables that process to continue, while pretending that the opt-out represents a reservation over the process. Theoretically, that is so, but in practice it is not a sustainable argument, and that is the problem.

During the debate on the confidence motion on the Maastricht treaty, I made the point to our previous Prime Minister that, sooner or later, under the process that includes flexibility as it is now interpreted, we will have to renegotiate the treaties, go along with everything contained in them or get out altogether. That is a serious but avoidable problem.

I agree with hon. Members who said in the previous debate that the process of flexibility is being allowed to go ahead, and no real restraint is being imposed on it. There are reservations and doubts, or so we are told, but in practice the whole thing is being allowed to go ahead.

I invite the Government to consider the enormity of the problem. This process of salami slicing is going on the entire time. However, we are moving beyond thin slices to enormous chunks of our sovereignty being taken away from us, or being pooled with those of other countries and put into a legal framework, which will create impossible difficulties for us in the future. That is why I am so resistant to the concept of flexibility.

I agree with my hon. Friend the Member for South-West Devon (Mr. Streeter) on institutional changes. It is an outrage that the Commission will be given these powers, and that the President will, in effect, have the role of a political commissar, which is what it boils down to, because he will be accountable to no one. That is the worst concession made during the negotiations, because it is the ultimate concession. The process is undemocratic.

Furthermore, under the common foreign and security policy, the high representative—I think that the deputy Secretary-General will be given that role—will be able to conduct foreign policy on the basis of so-called co-operation and on his own initiative. We should reflect on what happened in Bosnia, because that was a total and unmitigated disaster.

In fact, the arrangement does not work. As I recall, Lord Owen—who was in the area for a long period, and was at the rock face when everything was going on—witnessed the absurdity of the attempts to enable the European Union to co-ordinate foreign policy through a high representative. As I have said, the whole business was an unmitigated disaster. The Americans and NATO had to come in to save the day.

As I said earlier, my accusation is that the amendments represent a complete cop-out. We are kidding ourselves if we think for one minute that the arrangements in the amendments, and in the treaty, can possibly be justified. They are thoroughly undemocratic. They will not work. They will bring the whole European Union into a state of chaos within years. Otherwise, as is intended—the Minister knows this perfectly well—we shall end up with what I described earlier: the eventual creation of a country called Europe, for which these provisions are ultimately designed.

Mr. David Heath: I wish to speak to new clause 17, which I tabled along with my hon. and learned Friend the Member for North-East Fife (Mr. Campbell). First, however, let me say something about the amendments tabled with it.

I listened carefully—as I always do—to the case made by the hon. Member for South-West Devon (Mr. Streeter), who spoke to his amendments Nos. 5 and 6. I still believe that he sees the Commissioners as delegates from national Governments. I prefer to see them as functionaries of the Council and the European Union—as, in effect, civil servants, working within the confines of settled policy and settled decisions; instigating policy, of course, but instigating policy for decisions by elected Members.

I find it extraordinary that the view can be taken that a Commissioner can be mad, bad, incompetent or worse, and still cannot be removed on the recommendation of the President of the Commission, if the member state that sent the Commissioner there happens to believe that that person is acting in the interests of one nation. That, surely, is an abuse of the democratic process, rather than an underlining of its strength.

I also listened carefully to the hon. Gentleman's explanation of his support for moves towards greater flexibility—the so-called variable geometry, a concept that the Conservative party rightly instigated and followed

[Mr. David Heath]

through. The hon. Gentleman seemed to be trying to find reasons why he could not accept and, indeed, applaud a recommendation promoted by a previous British Government—a previous Conservative Government—which was now finding its way into a treaty obligation. His arguments struck me as spurious rather than founded in common sense.

As the hon. Member for Stone (Mr. Cash) said, the amendments deal with the high representative—who is the Secretary-General of the Council, was appointed following a unanimous decision of the Council, and can act only within the compass of policies decided unanimously by the Council. In the amendments to which he did not speak, the hon. Gentleman argues against moves that increase the transparency of the Council. Our only criticism is that such moves do not go far enough: they are going in the right direction. I am not persuaded by those arguments, and would not support them if they were pressed to a vote.

New clause 17 addresses one of the key omissions from the Amsterdam process and the treaty. The process did not address the institutional changes that are required for enlargement; it skirted around the problem, rather than meeting it head on. The wording of the treaty almost constitutes an admission of failure. We know that the protocol is there, and it must be returned to in a conference of member states. The new clause seeks to ensure that the British Government are clear about their intentions in regard to such negotiations.

Of course, we do not intend to bind British Ministers in advance of negotiation. That would be foolish. We note, however, that the last Government were able to indicate the main heads of negotiation that they would pursue at the intergovernmental conference. We believe that it would be common sense and good practice for the new Government to take the same view. The special conference will have to tackle four key questions, some of which were mentioned earlier in the debate.

When the first wave of enlargement takes place, the big member states will lose their second Commissioners: that is inevitable. How will the process be managed, and what will be the compensatory mechanism to ensure that those states retain influence in decision making? Let us look further ahead, to even more enlargement of the Union. What will happen to the Commission then? What will happen if, at some stage in the future, we have a European Union with 25 members? Will each have an individual Commissioner, and what jobs will those Commissioners do?

The structure will become unwieldy and top-heavy. It is clearly sensible to establish some form of agreement at this stage about how such a development may take place, so that we do not have to keep coming back to conferences on institutional change. How will the votes in Council be re-weighted to reflect the new balance of members and the loss of the second Commissioners? We have heard indications from the Government that they have discussed that, but there has been no firm resolution in regard to the direction in which they are moving.

The European Parliament currently has 626 Members and a cap of 700. If all the applicant countries gain admission to the European Union, who will lose seats—proportionally, in terms of the population—to maintain the cap at 700? That question has not yet been dealt with, but there is clearly a de minimis requirement for some of the smaller states, if they are represented at all, to be over-represented in the European Parliament, just as some smaller communities are over-represented in the House of Commons in order to be represented in any meaningful way. We must find a mechanism for divesting some of the larger states of some of their European Parliament membership. That is not an easy process: it is not one in which we can engage without careful thought about the consequences.

New clause 17 provides a mechanism enabling the British Government to make plain their negotiating objectives and their view on these important issues. It also provides an incentive to ensure that the new member conference will take place at an early stage, and with a sensible agenda that the British Government will effect through their presidency over the next six months. I hope that the Minister will be able to assure me that the issues are being considered carefully, that there is an agenda that he can share with the House and that he will, in due course, make the British Government's position plain.

Mr. Oliver Letwin (West Dorset): I should like to restrict myself to what I believe the Minister will refer to as a narrow discussion of what he will probably call a narrow point. The Minister's view is, presumably, that a murderer armed with a stiletto is engaged merely in a narrow action of piercing the heart.

I shall restrict myself to amendment No. 6, which deals with article 2, paragraph 41, which in turn relates to what used to be called article 163 and is now article 219, which my hon. Friend the Member for South-West Devon (Mr. Streeter) has not only alluded to, but admirably exposed. I should like to take his discussion a little further.

A new Member of the House often feels impatient when others are called ahead of him. When you, Mr. Lord, called the hon. Member for Somerton and Frome (Mr. Heath), I felt impatient, but your wisdom was demonstrated because from the hon. Gentleman's speech I learnt the necessity of making my own.

Mr. MacShane: Come to the point.

Mr. Letwin: I am coming very much to the point.

The hon. Member for Somerton and Frome made the Committee believe that he preferred to see the Commission as functionaries. The Commission, which is dealt with in article 219, is described in article 211, which has existed since the treaty of Rome, and is given four functions, the third of which is that it should have its own power of decision. There has never been a body of civil servants on the face of the earth who have been given their own power of decision; nor have they been asked to deliver opinions or initiate legislation. The Commission has not been, was not conceived as and is not intended to be a mere civil service. On the contrary, it is one of the fundamental pillars of the European Union; its nature and how it conducts its affairs are critical to the development of the European Community and the European Union as a whole. *[Interruption.]* I am surprised that Labour Members are reacting to that as if it were a controversial statement; I am quoting almost verbatim from Monet, who made that point very clearly in his original propositions.

The amendment deals with the article in which the treaty gives the President the right to guide politically the actions of the Commission. What does that mean? I took the trouble to investigate the texts in the other languages, to check whether the English was giving us a false impression, and I found that it does a little. The other languages make it clear that "policy leadership"—the most accurate translation of the German—or "policy orientation"—the most accurate translation of the French—is being given.

The article introduced by the treaty is saying that the President of the Commission is to give directions about the policy to be undertaken by the Commissioners. To return to the observations of the hon. Member for Somerton and Frome, it is odd for a group of people who are, in his view, extensively civil servants, to have a policy orientation or to be driven in a particular policy direction. What is the article building up to? What is the intention of giving the President policy direction over the Commission?

7 pm

In order to understand that question, we must refer not to Monet or Schumann, but to Spinelli, who spent much time thinking seriously about this issue. Were the hon. Member for North Durham (Mr. Radice) present, his long disquisitions on the views of Spinelli would drive him to the same conclusions as I have reached. In 1972, Spinelli said that

"the Commission, the central driving force of the Community"—

not, as the hon. Member for Somerton and Frome said, a civil servant—

"has been unable to play its full part"

because of

"the absence of a political image".

Spinelli continued:

"successive Commissioners have only at rare moments been able to pursue a line of action resulting from a political choice".

It seems clear that the article is intended to remedy what Mr. Spinelli saw as that defect and to allow the Commission, not on rare occasions, but continuously, to pursue a line of action resulting from a political choice—in particular, the political choice of the President of the Commission.

Why should those framing the treaty desire to give the President the ability to drive forward the Commission and to make political choices on a continuous basis? Spinelli tells us; it is interesting that in 1972 he foresaw the article—that suggests that it did not arise by accident. Spinelli tells us that if that objective were to be achieved, the

"President could devote himself entirely to the direction of the college, to political contacts, and to prospective political developments."

He also said that that was necessary

"if the Commission is to take an effective part in the formation of a political Europe."

That is what underlies the article. The intention is to give the President of the Commission the ability to make the Commission a driving force towards the formation of a political Europe. I cannot see what that could conceivably mean, other than that the Commission is to be used by a President to drive towards the creation of a nation state, a state that governs the politics of Europe. It is extremely difficult to put any other construction on the article, or its intentions.

We must take this a step further. It must be that if a President is chosen in the manner suggested in article 2, paragraph 40, to which my hon. Friend the Member for South-West Devon referred in the early part of his speech, that method of selection will be thought inadequate by the peoples of Europe once it becomes clear that the President is acting as a driving force, through the Commission, towards political ends. It is too undemocratic for the President to be selected merely by the member states.

What is the end of the process? We do not have to refer to Spinelli or the Government for an answer, as we have a higher authority. Mr. Delors made the agenda quite clear. The President having been given the power, the agenda is to speak of the democratic deficit and then to assert that it is necessary to elect the President directly. We have a clear stepping stone, a sort of scala mobile. As we move up the staircase, we shall discover ourselves being remorselessly drawn by the logic towards the direct election of a President in a way that exactly mirrors the position of the President of the United States, who gives political guidance to a Cabinet which he chooses and which he can cashier in order to further the interests of a nation state. That is where the article is taking us.

I do not think that this is an apocalyptic vision: it is based on the theories and doctrines exposed by the leading proponents of the European Union on the continent of Europe. If we in the House accept this part of the treaty, we are signing up to that process. I fear; I prophesy; I am wholly confident that some years from now when these things have happened, we in the House will be told that we accepted the logic because we accepted the article.

Assuming my Front-Bench team asks me to do so, I shall go into the Lobby tonight with more fervour than at any time since I entered the House and, possibly, with more fervour than at any time in the future.

Mr. John Hayes (South Holland and The Deepings): I am delighted to follow my hon. Friend the Member for West Dorset (Mr. Letwin). He spoke of the necessity of speaking after hearing the contribution of the hon. Member for Somerton and Frome (Mr. Heath); given the alacrity of my hon. Friend's remarks, I follow him with some trepidation.

I wish to draw particular attention to the nature of the institutions with which the group of amendments deals. Those institutions lack democratic and political legitimacy. How do we test this assertion? First, do they enjoy popular support? Secondly, are they structures that deliver political accountability? Thirdly, are they rooted in coherent political traditions?

Democratic support for institutions must be founded, first, on a degree of comprehension and on some suggestion of empathy. To take a parochial example, parishes, local authorities and even this Parliament itself depend for their democratic legitimacy not only on an understanding of what they do, but also on a feeling of empathy with and sympathy for them as bodies. I suggest that the European institutions fail this test comprehensively; people neither understand nor care what they do. The problem was referred to earlier with particular respect to the turnout in European elections, but any measurement—polls, surveys or any other test of public opinion—suggests that my assertion is close to the truth.

[Mr. John Hayes]

Secondly, I suggest that the European institutions are unaccountable because of a mismatch between the exercise of political power and the expression of popular will. There is no better example of this than the Commission. It typifies the paradox because it is not an organisation of functionaries, as suggested by the hon. Member for Somerton and Frome, but it is an organisation that takes political decisions entirely detached from the exercise of popular will.

My hon. Friend the Member for West Dorset suggested that some democratic legitimacy might be considered to be offered to the Commission in terms of its relationship with and communications with the President. As my hon. Friend so accurately pointed out, however, the President himself currently lacks democratic legitimacy. My hon. Friend suggested that to give the President that necessary legitimacy—Labour Members might believe that my hon. Friend is being fanciful, but I believe that he is being pertinent—there will ultimately be a call for him to be directly elected. The European institutions, therefore, also fail the test of accountability.

The third test of legitimacy is that the European institutions must have some connection with the history of the nations that they represent. There must be a sense of evolutionary, democratic political development. The European institutions have no such connection to history; they are not part of an unbroken tradition. They are the creations of a blueprint; a dream; a big idea. They are not born of the pragmatism that the Minister recommended when he talked about the need for a flexible, forward-looking and imaginative view of international affairs—far from it.

The problem with the institutions is well illustrated by new clause 17, a point to which the hon. Member for Somerton and Frome drew attention. Paradoxically, the very flexibility and pragmatism that are necessary for enlargement run entirely contrary to the rigidity of institutions that jealously guard their existing power and vie for more power among themselves. This rigidity in Europe will make the imaginative, pragmatic view that the Minister recommended and to which the hon. Member for Somerton and Frome also referred impossible.

I assert that this treaty goes no way towards dealing with these fundamental problems. One could say that the problems are inherent in the European institutions, but one would have hoped that the treaty would at least have taken steps towards addressing the issues. The treaty fails by that measure, too.

Against that background, we heard the Minister comparing the European Union to an international treaty organisation. We must remember that the EU is a lawful political structure, which sees itself as being constitutionally valid and, in its most extreme form, as a sovereign political superstructure. How then can we compare the EU to the International Monetary Fund, to NATO or to any other international treaty organisation entered into freely by sovereign, independent nations? It is a farcical comparison, which is not worthy of a Minister. In fact, the comparison displays either a remarkable lack of understanding of the subject or an attempt to mislead not the Committee, because the Committee is far too wise to be misled in such a way, but the British people. For all those reasons, I support the amendments.

Mr. Swayne: I shall be extremely brief because I have only one point to make. I wish to draw the Committee's attention to the way in which all the different elements in the treaty are of a piece. When we discussed the previous group of amendments, we saw how the right of co-decision given to an assembly makes it a Parliament. To be a real Parliament, a people must be found for that Parliament to represent.

In this group of amendments, we see exactly the same process in train. Powers are given to the President which, for the first time, make him politically responsible for the operation of his Commissioners—in effect, his Cabinet. By giving him political direction over them, we shall make him a President in the sense in which we ordinarily understand the word. The search must, therefore, be on for a state or country for him to be President of. That is the process by which all the different elements of this super-state are gradually falling into place.

7.15 pm

Mr. Doug Henderson: I shall deal first with new clause 17. I have some sympathy with the views expressed, but I cannot accept the new clause because the requirements laid down in it would be too rigid and would not permit the British Government of the day sufficient scope for negotiating in any institutional matters that were before the European Union. On such matters, it is essential not only to know where one is going, but to know that there are a number of different avenues that could be followed to get there. It would be a little counter-productive to say too much about that in advance. In addition, unless there was already a relevant legislative provision, anything agreed under the scope of the new clause would require legislation, either primary or secondary, depending on the nature of the business.

As a general principle, we want to see an extension of scrutiny, and we have made our position clear on that. I made it clear when I appeared before the Select Committee on European Legislation that in principle it would be helpful to see further scrutiny of legislation under both the second and third pillars. My right hon. Friend the Leader of the House will shortly make an announcement on a wider range of issues. I hope that the hon. Member for Somerton and Frome (Mr. Heath) will accept my assurances on that point.

The other issues raised in the debate include the question of flexibility. The flexibility provisions were widely debated, as the Opposition will realise from their time in government, and the matter was discussed over many months in the IGC negotiations. I was personally involved in dealing with those aspects before the Amsterdam meeting, and they were again dealt with at Amsterdam. All along, the principle that I adopted in negotiation—I hope that the Opposition accept this principle as essential—was that flexibility might be required in some instances, but that it should not be used as an excuse for breaking up the single market. The integrity of the single market and moving forward in the single market are extremely important for a trading nation such as Britain. It is very much in our interests that that should be the case, and we do not want flexibility to undermine that.

We would also not want flexibility to be used as a method of making the circumstances that pertained in countries that wished to accede to the European Union different from the circumstances that pertained in countries that were existing members. If it is necessary for there to be a period of transition, the transitional arrangements should be quite separate from any general flexibility provisions and should be dealt with as part of the negotiations for the accession of those countries.

I do not believe that flexibility should be used widely. In the original IGC talks, there was a long list of circumstances in which flexibility could not be used, and it was subsequently agreed to outline in principle the circumstances in which it could be used. Those uses are limited, and I do not think that flexibility will be used greatly in the near future.

I should remind the Committee of the safeguards built in by the Government in the IGC negotiations. I do not know, but I presume that the previous Government might have wanted to win some of the same safeguards.

The first safeguard is that any flexibility must involve a majority of member states. Secondly, it can be used only as a last resort measure. Thirdly, non-participants' interests are fully protected. Fourthly, flexibility must be open to all who subsequently wish to join. Fifthly, flexible actions will be transparent. Sixthly, non-participants in a flexible action may attend and take part in discussions. Seventhly, flexibility must not distort competition or restrict trade, discriminate between nationals of member states or affect existing Community policies.

Eighthly, and critically, although flexibility proposals can be agreed by majority voting, the Government ensured in the Amsterdam negotiations that the clauses will be subject to the emergency brake—the veto mechanism—that allows any member state that opposes a specific flexibility proposal to veto it by bringing it back to the Council.

Those safeguards deal with tightly defined circumstances, and they therefore have my full support as part of the treaty package. I hope that the Committee will accept that and reject the amendments that would undermine those safeguards.

Mr. Cash: Does the Minister accept that although the consequences of the concept of flexibility will be to allow the process to move forward as a legal framework, by accepting those who do not wish to join with the others on certain functions, the net result of the process will be to advance the integration process, which—as with economic and monetary union, as the European Commission has stated—has always been the intention?

Mr. Henderson: I should hope that everything in the treaty is movement forwards—from Europe's previous political and economic circumstances, to anticipating the circumstances that we may face in the future. Flexibility will undoubtedly be part of integration in some circumstances. The single market is part of the concept of integration, and it is very much in the United Kingdom's interests, which is why the Government support it.

Mr. Streeter: Before the Minister leaves the issue of flexibility, will he confirm that the point I made about the European Court of Justice having the final say in interpreting whether a member state has validly exercised the emergency brake or veto procedure is correct?

Mr. Henderson: The European Court of Justice will have authority to intervene, should it be asked to do so, to ensure that the rules on the flexibility clause have been properly applied. That will be its remit, and it is a very sensible involvement of the court. If the Union does not follow those rules for some reason and if the safeguards have not been guaranteed, the court will be able to judge the matter.

The second issue dealt with by this group of amendments is the structure of the office of the President and of the Commissioners. It has been said, especially by Conservative Back Benchers, that this is the thin end of a wedge, which will lead to the direct election of the President, who will be the executive and President of the European Union state, under whom the Commissioners will act as his Cabinet. Those concerns reflect an unreal world.

Opposition Front Benchers, who were in government, will know how the European Union works, will be aware of the Commission's role in relation to the Council of Ministers and will realise the resolve of nations other than the United Kingdom to ensure that sovereignty is retained except when we agree to pool it, to influence decisions. They will know also that, on crucial decisions, unanimity is required, and that the Commission cannot force through any proposal regardless of the views of the Council or a nation that is a Council member.

The changes are very much in Britain's interests. They are about the nations of the European Union agreeing on who will be the President, and about the European Parliament also giving its approval. Those requirements can be justified on the ground of democracy. Nevertheless, I am a practical person, and I cannot foresee a situation in which the European Parliament would reject someone as President if the Council had agreed on who he or she should be. It is not a realistic scenario.

The European Parliament will, of course, want to express its view on who is President. However, as Members of the European Parliament come from the same countries and political parties as Council members, I do not think that their views will be very much out of line with the majority Council view. The fear is therefore unrealistic.

Currently, states nominate a Commissioner, who then takes his or her post. Although it has not happened in the eight or nine months that the Government have been involved in the process, and although it does not happen with British Commissioners—who have been very co-operative and helpful, backed the President and seriously undertaken their responsibilities to the Commission and to the Union—some Commissioners do not always take the Commission or European Union view and grind their own axe. Some Commissioners have a view of their own and go off on their own track, regardless of what might be the Commission or the Council policy.

The changes are intended to minimise those risks, so that those who are appointed as Commissioners will work with the President in undertaking the Commission's

[Mr. Henderson]

responsibilities. The clause will do nothing more than that. It is necessary to modernise and to give the Commission greater impact and effectiveness.

Mr. Hayes: I should like to draw out from the Minister the implications of his comments. He said that some Commissioners grind their own axe, by which he presumably meant that they stand up for their own national interests. Therefore, is he not really saying that the changes minimise opportunities to defend national interests within the institutions and deliver a more communautaire perspective of Europe, which will lead to the type of contradiction that I tried to describe in my earlier comments?

Mr. Henderson: The hon. Gentleman has returned to political theorising, because he has not described how the Commission works. When Commissioners express idiosyncratic views, the views tend to deal more with party politics than with nation states. The changes are to combat a Commissioner pursuing his or her own track, rather than following the consensus agreed after all the arguments. The changes will not guarantee that that will happen, but they will encourage the Commission to work as a body and give it greater unity and effectiveness.

I recommend that the Committee should reject this group of amendments.

Mr. Streeter: I am grateful to the Minister for responding to the debate. I am sure that he read the Amsterdam treaty before he signed it—I certainly do not suggest that he did not—and that he understood the words in it. As I listen to his responses to our debates, however, I increasingly believe that he has not thought through the long-term implications of what he has signed. While the Government are undertaking constitutional reform on domestic issues without considering the long-term implications of unstitching our Union, the Minister has agreed matters at Amsterdam without considering their long-term implications.

The Opposition understand that, ultimately, it is for member states to decide by unanimity the big issues in Europe, but we would be blind if we did not realise that the Commission drives the European Union forward and sets the agenda. The Commission is very much more than the civil service described by the hon. Member for Somerton and Frome (Mr. Heath)—who will be delighted not to have to correct my pronunciation of his constituency.

I should like to make two points, because the Minister's reply to the debate was again unsatisfactory. If, as he says, the European parliamentary veto over the appointment of a President could never be used—he said that it was inconceivable that the Parliament would set aside the unanimous view of member states—why on earth was it written into the treaty? Why are the words in the treaty if they will never be used? Of course they could be used and there are no safeguards against their being used promiscuously.

Secondly, it is an alarming development that the President of the Commission can gather around himself political placemen and placewomen to set off on a frolic of their own. The Minister has failed to give me the assurances that I was seeking.

Mr. Doug Henderson: The hon. Gentleman should understand that before the President can agree to a Commissioner, that Commissioner has to be nominated by a nation state.

Mr. Streeter: I am grateful to the Minister for making that point, but it does not address the point that a nation state can nominate a Commissioner, but the President can reject him. The President has an unlimited veto.

I appreciate that we are now coming up against the limit imposed on us by the cruel guillotine that is clearly stifling debate on an important group of amendments. We do not find the Minister's answers satisfactory. We believe that he has not thought through the long-term implications of what he has signed, and we intend to press the amendment to a Division.

Question put, That the amendment be made:—

The Committee divided: Ayes 132, Noes 260.

Division No. 130] **[7.30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey

Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Nigel Waterson.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Austin, John
Baker, Norman
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, John *(Hornchurch)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dismore, Andrew
Dowd, Jim
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Etherington, Bill
Ewing, Mrs Margaret
Fisher, Mark
Fitzpatrick, Jim
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Liddell, Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonnell, John
McFall, John
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Malisber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morris, Ms Estelle *(B'ham Yardley)*
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Palmer, Dr Nick
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Ward, Ms Claire
Warsing, Robert N
Watts, David
Welsh, Andrew
Whitehead, Dr Alan

Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and Ms Bridget Prentice.

Question accordingly negatived.

Mr. Cash: I beg to move amendment No. 58, in page 1, line 13, at end insert 'except Article 2(3)(b)'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 28, in page 1, line 13, at end insert

'other than in Article 2, paragraph 9.)'.

No. 29, in page 1, line 13, at end insert

'other than in Article 2, paragraph 10)'.

No. 33, in page 1, line 13, at end insert

'other than in Article 2, paragraph 15)'.

New clause 1—*United Kingdom accession to Schengen Acquis—*

' .—No notification shall be given to the Council of the European Communities of a request from the United Kingdom to take part in some or all of the provisions of the Schengen acquis under Article 4 of the Protocol integrating the Schengen acquis into the framework of the European Union unless Her Majesty's Government has laid before Parliament a draft of the request, together with a statement affirming that its request extends to Gibraltar and will not be pursued unless accepted by the Council without qualification.'.

New clause 28—*Border controls: implications for Gibraltar—*

'.—The opt-in to border controls pursuant to Protocol 4 to the Treaty of Amsterdam shall be exercisable by Her Majesty's Government only when each House of Parliament has come to a Resolution on a motion tabled by a Minister of the Crown considering the implications of the voting arrangements for such opt-in for the people of Gibraltar.'.

Mr. Cash: Thank you for calling my amendment, Mr. Lord. I also thank Madam Speaker and the Chairman of Ways and Means for selecting the amendments in my name.

I have grave reservations about the provisions to which my amendments refer. The Minister woefully failed to address flexibility in detail in the previous debate. It is at the heart of this group. We are on a slippery slope. The Government's negotiated opt-out on border controls and Schengen is another example of allowing the other member states to go ahead with the process and then claiming that we have secured a tremendous advantage.

I accept the distinction between the opt-out for monetary union, which is an on-going process of integration that continues to cause extreme embarrassment and difficulty and should have been vetoed at Maastricht, and this opt-out. There is a physical difference between us and the rest of Europe on border controls. Leaving aside the channel tunnel, I accept, as do the Irish Government, that being an island puts us in a different situation from the other member states. In that respect, the border controls opt-out is better than that for economic and monetary union. However, the arrangements presuppose that we will be able to opt in later. Although that would be subject to unanimity, it is still a serious failure by the Government. They are clearly keeping open the possibility of opting in. Given their European philosophy, I believe that they intend to do so in due course.

7.45 pm

The Government have displayed considerable subtlety and, if I may say, some deceit in their approach to the issues. They know that the issue of border controls is contentious, as is immigration and asylum. They know that conceding the idea of the removal of border controls in the treaty would have been trespassing on dangerous territory. The negotiations that were being conducted by the previous Government with a view to ensuring that we would have an opt-out were well intentioned, although, for the reasons that I have already given, I believe that we should have shown more deliberate intention and action. I like to believe that a Conservative Government would have vetoed the Amsterdam treaty, including the provisions that we are discussing. I have heard it said that that was our intention. I sincerely hope that it was. I was also glad to note that we once mooted a referendum on the treaty. That idea has now been disposed of, as far as I can tell. There is not much enthusiasm for the new clause proposing a referendum.

Mr. Mike Gapes (Ilford, South): In view of the hon. Gentleman's remarks about referendums, will he say that he is very disappointed that the Conservative party has changed its position? Why does he think that that has happened?

Mr. Cash: The Conservative party is committed to the idea of a referendum on the single currency, for which I campaigned during the Maastricht debates in 1993 and with my Referendum Bill shortly before the general election. I am delighted that the Government have also been forced to accept a referendum.

I have expressed before my views on a referendum on the Amsterdam treaty alone to my hon. Friends on the Front Bench. My views are, in a sense, not dissimilar to those expressed by the hon. Member for Somerton and Frome (Mr. Heath) on the previous group of amendments. We need a review of the whole process and there should be a referendum on the treaty on European union as a whole.

Mr. Gapes *rose—*

Mr. Cash: I shall not give way just yet because I want to finish my argument.

For reasons that I have already given, it is illogical for us to allow the process of integration to continue, nibbling opt-outs and opt-ins here and there in the desperate hope that, like King Canute, we shall somehow be able to prevent the onward flood of the Rhine, as Chancellor Kohl described it in 1990.

The fact is that there is a total intention. We are kidding ourselves with the opt-outs if we believe that we shall be able to stem the flood, and we are creating more and more difficulties. The Amsterdam treaty, in particular, makes the position more difficult.

There is only one answer, and clearly it is not the Government's answer. It is to renegotiate the treaties. My suggestion in the amendment that I tabled on renegotiation was that a conference of all member states should be held—as should have happened with the intergovernmental conference that led to Amsterdam—to review not only provisions such as Schengen, border controls, immigration and so on, but all the treaties. The conference should make a judgment about the state of the Union, decide where it has been going wrong and then, by a process of review and renegotiation as proposed in my new clause, make a European Union or Community capable of working in the interests of all the member states. That would also avoid the difficulties inherent in opt-out arrangements such as those before us now.

The idea that we are not intended to be included in the areas of the opt-outs at a later stage is somewhat naive, to say the least, especially when one considers the fact that the opt-out from the social chapter was accompanied by provisions in a schedule saying that we would have to bear the administrative costs of running the operation when it went ahead. Of course, the same applies to other provisions in connection with the opt-outs.

With that general point in mind, and having expressed my grave reservations about the nature of the opt-outs—or opt-ins, whichever one cares to call them—I shall now deal with the question of what is inherent in the provisions before us. During the negotiations and discussions, much of the argument turned on the interpretation of article 7a, which had caused trouble and on which the European Commission had strong opinions.

The Commission and other member states believed article 7a committed them all to work towards the abolition of internal border controls for both Community and third-country nationals. However in 1986, at the time of the Single European Act, the United Kingdom had negotiated a declaration consistent with what was understood at that time. I must admit that the declaration was not legally binding.

Under the previous Government the United Kingdom consistently refused to accept the Commission's interpretation. I would have thought that the wording of the declaration was pretty clear:

"Nothing in these provisions shall affect the right of Member States to take such measures as they consider necessary for the purpose of controlling immigration from third countries, and to combat terrorism, crime, the traffic in drugs and illicit trading in works of art and antiques".

However, after the intergovernmental conference we discovered that the negotiations, including the Government's acceptance of the Commission's interpretation, took us beyond that. The Government may argue that they established and obtained an exception for the United Kingdom, and that Ireland did the same for itself, but in fact they allowed the process to go ahead in line with the Commission's interpretation. For that they are woefully in default.

In article 63 there is a provision with respect to the five-year timetable for new measures on immigration into the Union, including those affecting refugees, displaced persons and the granting of asylum, which says that there should be

"a balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons".

That is accompanied by a further provision in article 64 which says:

"This Title shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security."

Anybody can see that there is an inherent conflict between those two provisions. It is clear that the legal significance of that quotation from article 64 is not intended to contradict the ultimate commitment to abolish internal border controls. For that reason too, the Government are in default.

The Government have put a plausible but spurious spin on the negotiations that they conducted. Indeed, on 18 June when the Prime Minister came back from the intergovernmental conference he stated:

"We have the power within the treaty to go into any of these areas if we want to. If we do not want to, we need not, but if we do, no other country can block us going in".—[*Official Report*, 18 June 1997; Vol. 296, c. 319.]

That was about the provisions in respect of the new title on immigration, asylum and visas.

Moreover, the Government's opt-out was entirely contrary to their declared policy of having no permanent opt-outs. In October 1995 I was rather encouraged when I heard the Labour party in opposition saying:

"we reject permanent opt-outs or 'variable geometry'".

Yet we have just heard the Minister advocating a policy of flexibility that is precisely the reverse of his party's 1995 position.

I have opposed the concepts of flexibility and variable geometry for reasons that I gave during the debate on the previous group of amendments, and I make the same point in connection with the group before us: it is a slippery slope. In my judgment the policy is one of weakness and appeasement, because it will eventually lead to our being put in an impossible position.

That policy has already led us into an impossible position on monetary union. The European Commission was right to describe it as the best form of flexibility yet devised. None the less, what the Prime Minister said on 18 June was totally wrong, because the opt-outs have to be decided by unanimity.

That gives any of the member states the right to veto future opt-ins, so although the Government have the right to exercise a veto on future opt-ins—for Ireland, say—at the same time other countries will be in a position to veto our going in.

To make the situation even worse, we have allowed the others to go ahead already, so in many respects we shall get the worst of both worlds. I must make my point yet again, because the fact that for the time being we have what I prefer to call an exception, gives us at least a breathing space and an opportunity to renegotiate, so that we can have the comprehensive review of the state of the Union that is not only necessary but—I believe, as I see what is going on in Europe now, despite all the talk and claptrap—increasingly essential.

Sooner or later Europe will find that the British people will not accept the arrangements. We know that there is serious disquiet in other countries too. The problem is that the task of giving expression to that disquiet, and of revealing the uncertainty and unsettling nature of the

[Mr. Cash]

arrangements, is not helped by the lack of attention given to the matters that we are discussing today in the media, including much of the British press.

Mr. John Wilkinson (Ruislip-Northwood): My hon. Friend is making some very important points. Do not the influx of Kurdish refugees into Italy and the substantial influxes of Czech and Slovak refugees—largely of Romany origin—into the Federal Republic and on to the UK demonstrate the grave threats that large movements of population pose to internal social harmony within the member states of the European Union? A number of Governments of the Union are clearly of the opinion that the Schengen arrangements cannot work and potentially pose a real menace to their societies.

Mr. Cash: That is true, and the Albanian situation in Italy last year makes that point. There is no point in people who are full of optimism and idealism, which is wholly misplaced, constructing legal frameworks in the belief that somehow we will end up with a single political union—in my judgment, one country—by taking down all border controls, and then, in the context of enlargement, imagining that we will not have floods of people coming in to take advantage of what they see as a honeypot. That will cause great civil unrest.

8 pm

Those are my reasons why the arrangements for enlargement will cause so much difficulty. If we are to continue to exercise a degree of sensible discretion over the people who are allowed to come in, things should stay as they are now. We should retain stability.

My objections to the provisions are not merely that they are the slippery slope to flexibility, but that we will be affected and contaminated by the civil unrest which I believe will visit the other countries when they are affected by influxes of refugees within the external borders that will be created around the new European entity called "Europe". That entity will be one legal area as well.

There is a proposal in directive 23 to create what is known as a corpus juris which would have the most dramatic consequences for the legal systems of the countries concerned. It would invade domestic jurisdiction with respect to extradition, habeas corpus and trial by jury. I would be departing from the central provisions of the amendments if I went into all those matters, but the Minister knows what I am talking about. He knows that this is a serious proposal and although it is not incorporated in the treaty at this juncture, it is all part of the thrust.

The reason why those involved want to bring down the borders is that they want to create one country. It is not just a matter of the free movement of goods, or anything like that. These provisions concern the freedom of persons—but which persons?

Not only was the Prime Minister entirely wrong in his interpretation of the proposals at the IGC, but the Foreign Secretary had to admit that there had been a misunderstanding, as he conceded in November last year. The Spanish Prime Minister moved an amendment early in the morning during the negotiations which meant that opt-ins were subject to unanimity. We do not know what was on their minds at the time, but the Prime Minister and the Foreign Secretary—and, no doubt, their advisers—must have nodded off.

Unfortunately—I suspect that other hon. Members will want more of an explanation of this with respect to Gibraltar—the effect of the amendment was to give Spain the ability to insist on concessions on Gibraltar if the British Government ever decided to exercise the opt-in. In other words, it would be able to exercise the veto over us because unanimity is needed to allow the process to continue. I suspect that those more expert in that area will explain that.

Mr. MacShane: That has nothing to do with Schengen.

Mr. Cash: I hear the parliamentary private secretary muttering from a sedentary position that I have somehow departed from Schengen. It is quite astonishing that when we are talking about the removal of border controls—and about Gibraltar in particular—he should even consider raising objections. This matter is of grave concern to the people of Gibraltar.

Mr. Wilkinson: Have not these blackmailing tactics been used effectively by the Spanish before; particularly at the Edinburgh summit, where they said that unless they gained access to the Irish box and gained greatly enhanced arrangements for their fishing fleet, they would not allow enlargement to go ahead as previously envisaged?

Mr. Cash: My hon. Friend makes not only a good point on fishing, but an extremely good general point about the extent to which a country wishing to defend its national interest must be prepared to exercise the veto. It is the kind of arrangement currently under discussion where I believe the veto should have been used. We hear that the Dutch are threatening to use the veto with respect to the prospective entry of Italy into monetary union.

Mr. Doug Henderson *indicated dissent.*

Mr. Cash: The Minister shakes his head. He knows more about this than me—I only know what I have read in the newspapers. It has certainly been circulated that that is the case.

The group of amendments raises questions about the validity of opt-outs or opt-ins and their worth, and I have shown that they are not worth much when we are dealing with the question of Gibraltar. I have grave differences with some members of my own party on this matter, as some Labour Members have differences of opinion with their colleagues. However, the 1971 White Paper said clearly that it was essential that we retained our sovereignty and the veto so that we could exercise it in our national interests. The interesting thing is that it went on to say that to do otherwise would imperil the very fabric of the Community.

The retention of the veto is regarded—as the Spanish understood—as a means of managing to preserve one's national interests. I am not saying that I agree with the Spanish, but they were smart enough to make sure that they did not lose out. By going for opt-outs as the second-best option and by a policy of appeasement and flexibility, we have ended up prejudicing our position and we are left swinging in the wind.

The other matters which arise in the context of this group of amendments include article 68, with respect to the European Court of Justice. Normally, being a part of the treaty establishing the European Community would mean that the ECJ would have jurisdiction. However, article 68 makes a substantial change. It modifies article 177, which deals with references by national courts to the ECJ for preliminary rulings on matters relating to Community law. Now, instead of references being able to go through the lower courts, only the highest national courts will be entitled to make references. I do not know if it is specified what the "highest national court" means. It could mean—although I am open to correction—the House of Lords, and that would be a serious matter.

I would like to hear from the Minister about that: is it intended that the highest national court should be only the House of Lords—after all, Factortame was initiated there—and that the other courts, such as Queen's Bench, should be excluded? There are procedural rules that would enable us, if we so wished, to initiate actions that could have direct applicability. If my concerns are justified, there could be a serious inhibition of the rights of people in this country to initiate action, because people cannot simply walk into the House of Lords and ask it to make a reference.

I have not heard that point made before, and I am not absolutely certain of my ground, but I am entirely sure that it is a matter that needs careful consideration because of the way in which article 68 is formulated, and that this is the time to do it. I hope that the Minister will have an answer for me by the end of this debate.

Furthermore, not only are the highest national courts the only ones entitled to make references, but they must do so when they consider that a European Court of Justice ruling is necessary to enable a judgment to be given.

That takes us back to section 2, I believe, of the European Communities Act 1972. It is certainly true that under that legislation we are obliged to give effect to judgments of the European Court, but article 68 puts the position the other way round: it is not only a matter of whether, as a result of due process of law, a provision ends up in the European Court; as I read it, an obligation is imposed on the national courts to go to the European Court. That could lead to some extremely expensive and difficult situations that would otherwise have been avoidable.

Article 68 is an "Open, sesame". Instead of our being able to decide, as the previous Government sometimes rightly did, that we do not need to refer a matter to the European Court, it appears that the presumption is being reversed. With the obligation on a court to make the reference where it is deemed necessary, it will be extremely liable to make such a reference. That should have been thoroughly analysed and dealt with in the treaty.

A great deal of criticism has been heaped on article 68 by the United Kingdom-based Immigration Law Practitioners Association. I do not agree with its conclusions, because it would prefer more movement towards allowing people to enter the country willy-nilly, but it takes an objective view about the article, and says:

"In view of the length of time which it takes for a case to make its way to a court of final instance in any Member State, this means that we can expect at least five years of major legal uncertainty in this field."

The association specialises in European law, and I do not know whether the Minister has had a chance to assess its statement, but I hope that it has had a satisfactory answer from the Government.

The new title, because it is a separation out of the original third pillar, has brought such matters into Community competence, and therefore, for the first time, within the aegis of the Court of Justice. It also has the overall effect, which I deplore, of increasing the influence of the Court of Justice over the national courts. I do not know what the reasoning behind that is. It is a retrograde step.

Every time that we examine such treaties, we find that almost all the concessions are running in one direction. Everything is a concession to more and more jurisdiction by the Court of Justice and more and more administrative controls by the European Commission; and so it goes forward inexorably.

The other provisions that cause me concern add up, in a nutshell, to the creation of a new border arrangement that will have extremely detrimental effects on the rest of Europe and that, in my judgment, will also have an extremely detrimental effect on the United Kingdom, because the cumulative uncertainty and instability that they will create will ultimately damage all the member states.

8.15 pm

Mr. Andrew Mackinlay (Thurrock): I want to speak mainly to new clause 1 and, coincidentally, to new clause 28, which relate to Gibraltar. When the parliamentary private secretary to my right hon. Friend the Foreign Secretary, my hon. Friend the Member for Wolverhampton, North-East (Mr. Purchase), and I visited Gibraltar with some other hon. Members last autumn, as the guests of the Gibraltar Government, the real democratic deficit that exists for Gibraltar came home to me. That, in a sense, is why I am standing here today: there is nobody else to articulate the Gibraltar people's concern about the implication of the articles relating to the Schengen acquis.

I do not want to rake over old coals or to refer to how we got into this position, which I have done on several previous occasions both in the Chamber and in the Foreign Affairs Committee, but clearly there is a need to table the new clause so as to probe the Minister on how he intends to ensure that the interests of the people of Gibraltar are protected, not only for as long as he holds office but in relation to his successors, be they Labour, Tory or whatever.

People may ask what all the fuss is about, given that we do not intend to sign up to Schengen. That may be the position at the moment, but it could change. I am a pro-European, but I join company with those who are opposed to Europe in believing that there will inexorably be a move for us to sign up, wholly or in part, to some aspects of Schengen in the foreseeable future. It may be in the next decade or in the next score years, but I believe that, as sure as night turns into day, a United Kingdom Government will find that they have to sign up to some of it.

Under the treaty as it is, that Government will have to seek the unanimity of the other states to sign up to the acquis, and it seems to me pretty certain that Spain will exercise its veto in relation not to the United Kingdom

[Mr. Andrew Mackinlay]

of Great Britain and Northern Ireland but to the United Kingdom of Great Britain and Northern Ireland along with Gibraltar.

The present Government have closed down the option to go in, having given an undertaking that they will not surrender the interests of the people of Gibraltar, but I am not confident that future Governments, whatever their political complexion, would not sacrifice the people of Gibraltar if they considered that it was in the interests of the United Kingdom as a whole to go into Schengen. That is the great problem that we face. All too often, successive Governments of both parties have disregarded the interests of the people of Gibraltar. It is time that that stopped. I hope that my being awkward about the issue means that someone in the Foreign Office has had his backside kicked and will be a bit more sensitive in future to the interests of the people of Gibraltar. I also hope that that message will endure for some years to come.

In the Amsterdam treaty and the other treaties, references to the United Kingdom are always deemed to include Gibraltar. If a future Government decided that the United Kingdom should sign up to Schengen, would it be possible to hive off Gibraltar, or would the Government be bound by the treaties to include Gibraltar? If that were so, my new clause 1 would not be necessary.

To buttress my argument, I remind the Committee that the United Kingdom has opt-outs on the social protocols. As a result, Gibraltar is also outside the social protocols. It does not say in the treaty, specifically, that Gibraltar is "outside", but because the United Kingdom is out, Gibraltar is out too. It follows that treaty references to the United Kingdom include Gibraltar unless the contrary is specifically stated. The provision under which the United Kingdom and Ireland can apply to enter the Schengen acquis, in whole or in part, contains no specific exclusion for Gibraltar.

I hope that the Minister will tell me that new clause 1 is unnecessary because the Government and any future Government would be bound by the treaties to take Gibraltar along if they applied to sign up to Schengen. I invite the Minister to say that I am wrong in believing that the new clause is necessary, because the issue is buttoned up by the treaty.

The Gibraltar Government and I fear that the treaty has also closed down a constitutional option for the future of Gibraltar. Under the treaty of Utrecht, it is possible for Gibraltar to be incorporated into the United Kingdom and we should not close down that constitutional option. The future constitution of Gibraltar is open to discussion, but by suggesting to the Spanish Government that we might be prepared to separate Gibraltar, we prejudice our ability to incorporate Gibraltar into the United Kingdom for electoral and other purposes in the future. That would be a pity.

I hope that I have made it clear that reference to the United Kingdom in the Amsterdam and other treaties must also include Gibraltar. I hope that the Minister will confirm that it is not within the competence of the Government to exclude Gibraltar, as a matter of expediency, if and when they make an application to join Schengen. If that is not the case, I hope that I will obtain support for new clause 1. My hon. Friend the Minister of State is an decent man and will not let the people of Gibraltar down, but we do not know who will sit on the Treasury Bench in future. Future Ministers must not forget the interests of the people of Gibraltar. I want it locked into the Bill that the interests of the people of Gibraltar cannot be disregarded.

Mr. Michael Howard (Folkestone and Hythe): The hon. Member for Thurrock (Mr. Mackinlay) made some cogent points and I shall return to the subject of Gibraltar myself in due course. I hope that the hon. Gentleman will receive answers from the Minister at the end of the debate.

The provisions in the treaty relating to the free movement of persons and citizenship, and the attitude of the Government towards them, are among the most significant to come before the House of Commons. It is an absolute outrage that we are allowed barely an hour under the guillotine motion to consider matters of such fundamental importance.

The treaty incorporates the Schengen agreement, which provides for the dismantling of internal frontiers in the European Union and free movement of persons within its area. It is ironic that within such a short time of the treaty being agreed we read daily reports of action taken by various member states to strengthen their border controls.

The questions raised by border controls pose in acute form the dilemmas that arise when a choice has to be made between different desirable, but irreconcilable, objectives. In an ideal world where there is no threat to the stability of nations from the prospect of unlimited immigration, where there is no sudden shift in populations as a result of political or economic changes and where there are no dangers from the importation of drugs or arms, the free movement of persons unhindered by frontier controls would be desirable. It would be desirable not only in the European Union, but across the world. It is undoubtedly an attractive concept, but we do not live in an ideal world. We live in a world where there are such threats, such shifts and such dangers and where nations need the protection of frontier controls.

I suspect that the future course of these provisions will be fraught. I believe that the member states of the Union, when the provisions are in force no less than now, will wish to escape their full vigour and to retain an element of control. They may find that it is too late. The provisions will be subject to the jurisdiction of the European Court of Justice and if it adopts its customary approach to the interpretation of the treaty the countries involved may find themselves defenceless.

The previous Government had a clear view on the matter: we always refused to join the Schengen agreement and we made it plain that we would never join it, but we had no objection to other member state incorporating the agreement into the treaty as long as we had a watertight opt-out from it. The Labour party's attitude in opposition was equivocal, as it was on so many issues. It proclaimed its devotion to frontier controls, but it also insisted that it was against opt-outs, as my hon. Friend the Member for Stone (Mr. Cash) pointed out. The Labour party's policy document of October 1995 stated:

"we reject permanent opt-outs or 'variable geometry'".

How those contradictory positions were to be reconciled was never explained.

In any event, agreement was reached before the election by the previous Government. Other member states would get what they wanted, which was the incorporation of

Schengen into the treaty, and we would get what we wanted, which was a watertight opt-out. That was a done deal. It does the present Government no credit to claim it as their own.

The present Government were left with the difficulty caused by their previous opposition to opt-outs, so the Prime Minister hit on the characteristically disingenuous tactic of describing the provisions as an opt-in. When he made his statement to the House on 18 June, he said:

"Under the treaty, the United Kingdom can also participate in areas of interest to us if we so choose, at our option. That is not an opt-out but an opt-in, as we choose."

He later stated:

"We have the power . . . to go into any of these areas if we want to. If we do not want to, we need not, but if we do, no other country can block us going in."—[*Official Report*, 18 June 1997; Vol. 296, c. 313-19.]

We now know that the Prime Minister was utterly wrong. He had not achieved what he thought he had achieved and what he told the House he had achieved. The truth is that any country can block our going in because the treaty provides that we can go in only with the unanimous agreement of the other member states. That is bad enough, but what has made matters so much worse is the inability of the Foreign Secretary and the Minister to give any consistent explanation of how that blunder, on a matter of considerable importance, came about. My hon. Friend the Member for Stone advanced one scenario. He says that it happened because in the early hours of the morning, in the closing stages of the summit, the Spanish Prime Minister put forward an amendment and, literally or metaphorically, the Prime Minister and the Foreign Secretary were nodding off and they failed to spot it.

My hon. Friend incorporated into his criticism the advisers to the Prime Minister and the Foreign Secretary. I must say on their behalf that they are immune from criticism: they were not present. At the closing stages of the summit, only the Prime Minister and the Foreign Secretary are present, so no criticism should be attached to advisers for what may or may not have happened in the early hours of the morning in the closing stages of the summit.

8.30 pm

That scenario, suggested by my hon. Friend the Member for Stone, is very far removed from the extraordinary series of explanations, each of them inconsistent with the rest, that have been put forward by the Foreign Secretary and the Minister of State. The first explanation was that the presidency's note keeping was not what it should have been. That was what the Foreign Secretary told the Foreign Affairs Committee on 4 December 1997.

Then it was a hole in the corner deal done between Spain and the Dutch presidency, kept secret from the other member states and incorporated in the treaty after the negotiations had finished. That was the explanation given in an oral answer at Foreign and Commonwealth Affairs Question Time on 25 November 1997.

The next explanation was that it was a deal done not after the negotiations, but during the summit on the night of 16-17 June before the negotiations had finished, but still kept secret from the other member states and incorporated in the treaty without their knowledge. That was what we were told on 2 December 1997.

Then it was both—a deal done in the margins of the summit and discussed afterwards. That is what we were told by the Minister of State, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), when he wound up the debate on the European Union on 4 December 1997.

What we do know is that the Dutch Government sent a letter to the British Government about this matter on 16 July 1997. Alas, we could only surmise about the contents of that letter. Despite the Government's lip-service to openness—indeed, despite the provisions on openness in the Amsterdam treaty—they will give us no clue about the contents of the letter.

Why, given the seriousness of the allegations, have the Government taken no action? I hope that the Minister of State will tell us tonight why they did not raise the matter at the Luxembourg summit. Why are they not insisting that the procedures of these summits are revised so as to ensure that nothing of the kind ever happens again? We are entitled to a full explanation. We have not had one, but we shall continue to press for one.

Whatever the cause, the upshot of it all is that any single country can block any application by the United Kingdom to join any part of the Schengen arrangements. It is not an entirely academic question. The hon. Member for Thurrock says that the Government have no intention of joining any of the Schengen arrangements, but he knows that the Foreign and Commonwealth Office submitted a memorandum to the Foreign Affairs Committee that is printed in that Committee's report. The memorandum says that there may well be advantage in applying to join the information arrangements of the Schengen agreement. So this is not an academic question; it is a live question. This is something that matters, and it matters now.

Any country, as a result of what is a bungle for those who believe my hon. Friend the Member for Stone, treachery and underhand dealing by Spain and the Dutch presidency for those who believe the Government—

Mr. MacShane *indicated dissent.*

Mr. Howard: Oh yes. Is it not treachery and underhand dealing to do a hole in the corner deal that is kept secret from the other member states? That is the allegation made by the Foreign Secretary.

Mr. MacShane *indicated dissent.*

Mr. Howard: The hon. Gentleman shakes his head in disbelief. I quite agree that it is an absolutely extraordinary state of affairs, but that is the allegation made by the Foreign Secretary. If the hon. Gentleman is in any doubt, I invite him to read *Hansard* for 25 November 1997, column 754. It is all set out there.

Spain can therefore block any application for the United Kingdom to join any part of the Schengen arrangements and we are told by the Government that Spain was responsible for the extraordinary shenanigans over this matter.

Spain has a history of using any and every bargaining counter to further its claim to Gibraltar and putting as much pressure as possible on the United Kingdom in relation to Gibraltar. That is why my hon. Friend the Member for South-West Devon (Mr. Streeter) and

[Mr. Howard]

I tabled new clause 28. The exigencies of the timetable motion mean that we cannot press it to a vote, but it marks our concern at the incompetent bungling that was the hallmark of the approach of the Prime Minister and the Foreign Secretary to the negotiations at Amsterdam.

Mr. David Heath: I shall be brief because I know that other hon. Members wish to speak before the guillotine strikes.

To my surprise, I agree with the hon. Member for Stone (Mr. Cash) that the position on opt-ins and opt-outs is not satisfactory. I also agree with him that there is a need for regular review of the Schengen arrangements. Britain is not currently part of those arrangements, but it is appropriate, now that the Schengen acquis is to become part of the acquis communautaire, that those arrangements are regularly reviewed, and I hope that they will be.

One of the aspects that I hope will be reviewed in the near future, given the prospect of enlargement, is the unnecessary—but perhaps unavoidable—waste of the continual shifting of the entire border control mechanism from border to border as each country accedes, and the inevitable expense. I can see no one easy way around that—other than an arrangement to make it possible to purchase second-hand border control points—but there appears to be a need to see how the Schengen acquis works in the context of enlargement.

My principal reason for speaking is to take up the matter of Gibraltar, which was amply illuminated by the hon. Member for Thurrock (Mr. Mackinlay) and the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). Questions must be answered about Gibraltar.

I am very disappointed that the Foreign and Commonwealth Office is not including Gibraltar in the independent territories review, because there are serious questions to be asked about the democratic deficit in Gibraltar—and in the other dependent territories. Those issues should be addressed. The specific aspect that applies only to Gibraltar is that it is part of the territory of the European Union by treaty yet has no access to the democratic machinery of the European Union. That position is unsustainable.

I shall now discuss the failure of the Foreign Secretary and the Prime Minister, or whichever of them was involved, to realise what was happening in the Amsterdam negotiations. As I have said, I believe that the appropriate response of the British Government is to say sorry that they failed to do their clear duty to the people of Gibraltar and to the people of Britain: to ensure that their interests were properly protected.

The episode in which the Foreign Secretary tried to explain his position to the Foreign Affairs Committee, of which I am a member, and failed utterly to be convincing in doing so, followed by a memorandum from officials in the Foreign and Commonwealth Office that did nothing to assuage the feeling that a blunder had occurred, and the extraordinary allegation that this was a matter of poor record keeping, was extraordinary.

The conference at Amsterdam was an intergovernmental conference under the Dutch presidency. I do not believe that the Dutch are especially renowned for being an inefficient people, yet it is claimed they cannot keep a simple record of proceedings that accords with the recollections of members present. That claim beggars belief. If it is impossible to examine the records and check what happened, that reveals a huge gap in the record keeping processes.

All that is history. We now have a Spanish veto. In the previous debate, the hon. Member for Reigate (Mr. Blunt) supported the fact that the Spanish had a veto. I find that hard to reconcile with what his Front-Bench colleagues say, but in any event the Spanish have their veto. We now need some assurances from the Minister.

First, we need assurances on the argument that the hon. Member for Thurrock made about the definition of the United Kingdom. I fear that the hon. Member for Thurrock will not be satisfied on that. I fear that the definition of the United Kingdom will not include dependent and Crown territories unless they are specifically included, so any future United Kingdom Government who apply to join the Schengen arrangements will have expressly to include those areas.

Secondly, the Minister should announce what strategy he will employ to overcome any future Spanish veto during negotiations. The Foreign and Commonwealth Office must have thought about that. The Government have been landed in a position in which they may wish to accede to all or part of the Schengen acquis, and they must have some way of overcoming the Spanish veto.

Thirdly, the Minister should tell us how he will ensure transparency of the British position that gives confidence to the people of Gibraltar that they will not be left out. That is what the amendment—and new clause 1, tabled by the hon. Member for Thurrock—would achieve. If they were put to the vote, I would support them, but it appears that that will not occur, so we shall have to accept the Minister's assurances—if any are forthcoming.

Mr. Gapes: I am pleased to see that the hon. Member for Stone (Mr. Cash) has re-entered the Chamber in order to hear my speech. He used some interesting language in his contribution. He talked about the establishment of a new European entity called Europe. Whatever one calls it, the British people have lived on the continent of Europe for many thousands of years. The reality is that Europe is a complex entity that is changing. It comprises individual sovereign states that have chosen to co-operate and to come together for mutual benefit.

I must address the interesting remarks of the hon. Member for Stone about borders. Many of the countries of Europe share land borders. The United Kingdom is unique in that it is an island and shares only the border between Northern Ireland and the Irish Republic. That is an interesting border. For many years, people have moved freely from the Irish Republic to Northern Ireland and vice versa. There is passport-free travel between Holyhead and Dublin on the ferry and citizens of the Irish Republic are able to live, work and vote in elections in the United Kingdom. According to the hon. Member for Stone, we should have put up the barriers, built the watch towers and stopped those people entering the country. Had we done that, Britain would not have benefited from the significant contributions to its economy by the Irish in Britain over many years.

Another interesting example is the border between two recent members of the European Union, Sweden and Finland. I am fortunate to have had the opportunity to

travel a few years ago along the Nordkalloten highway through Sweden, Finland and Norway and north of the Arctic circle. People can travel from Rovaniemi in Finland, through a border post at Pello and into Sweden. There is no physical means of preventing them from doing that; there is no impediment to travel—people simply carry on along the road.

As I like to collect mementos of my travels, I wanted to get a stamp in my passport to show that I had crossed from Sweden to Finland. When I went to the passport control office on the Finnish side of the river in Pello to get my passport stamped, I was greeted warmly by officials who acted as though they had not seen anyone in days or weeks—perhaps even years or decades. My passport was duly stamped with the Finnish entry stamp, and it was obviously a great occasion for passport officials who were not used to doing that.

The fact is that people travel freely across European borders. Sweden and Finland are sovereign independent states with an interesting history. Anyone who has visited southern Finland will know that the relationship between the two countries has not always been amicable—in the past, there were conflicts, wars and questions of national identity. Nevertheless, there is no physical barrier to travel between those two countries.

8.45 pm

The countries of continental Europe that share land borders have decided that they wish to allow ease of movement in order to facilitate trade, human contact and relationships between towns that are situated either side of common borders. Anyone who has visited Strasbourg will know that a suburb of that city is situated in Germany and that people travel across the border without any complications. Countries have taken that step for perfectly good, logical reasons.

Britain is in a different position geographically: we are an island with our own history. Therefore, our Government took the appropriate decision when the matter was discussed during negotiations at Amsterdam. There is no doubt that there are problems with Schengen. Difficulties have arisen with Turkish immigrants, many of whom are fleeing oppression and some of whom are pursuing economic opportunities. That movement is putting great pressure on several European Union countries.

If we are to have a single market and if people are to travel easily between countries, we must work out a common relationship regarding the external frontiers of that economic union. That is why the proposals make a great deal of sense to countries such as Germany, France, Holland, Belgium and Luxembourg.

However, the proposals do not make absolute sense in all circumstances. We are in a different position: apart from the channel tunnel rail and road links, we do not share common land borders with other countries. We can exist quite happily outside the Schengen arrangements adopted by other European Union states. I think that that answers the questions raised by the hon. Member for Stone in one of his familiar scare stories.

Mr. Howard: Is the hon. Gentleman aware that, as a result of the guillotine motion for which he voted, only 10 minutes remain for debate on this question? Is he further aware that several hon. Members have put forward specific questions for answer by the Minister of State? Is the hon. Gentleman engaged in some kind of filibuster to protect the Minister from having to answer those questions? Labour Members are among those who put questions to the Minister of State. Will the hon. Gentleman please conclude his remarks so that we may hear the Minister's answers?

Mr. Gapes: The right hon. and learned Gentleman should refer his remarks to the hon. Member for Stone. I came into the debate from a Committee upstairs, where I had to listen to what could have been regarded at certain times as a filibuster by Conservative Members, so I could not take part in the debate in the Chamber until the present set of amendments. I have been present for that entire period, and I believe that I have a right to speak, as does any other Member. Although I am not a former Minister or a Privy Councillor, I believe that I have the right, like every other Member, to raise matters that are of concern to me. I shall continue to do so for one more minute, and then sit down.

Amendment No. 28 deals with citizenship. It is clearly designed to undermine the Amsterdam treaty and stop the United Kingdom ratifying it. The amendment does not take account of the fact that the Amsterdam treaty is a great improvement on the Maastricht treaty, because a phrase was inserted in the Amsterdam treaty at the suggestion of the Danish Government which makes it clear that citizenship of the Union shall complement and not replace national citizenship.

I do not understand why those who have emphasised national aspects wish to remove that from the Bill and the treaty. That is ridiculous. If they are keen to emphasise the national aspect of the European Union, they should welcome the fact that the Danish Government, supported by our Government, inserted that provision in the treaty.

Mr. Christopher Gill (Ludlow): I am appalled that the guillotine on this important matter prevents me from making the speech that I wanted to make, particularly with reference to Gibraltar. Fortunately, most of the questions relating to that serious problem have been posed by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) and the hon. Members for Thurrock (Mr. Mackinlay) and for Somerton and Frome (Mr. Heath). I shall sit down so that the Committee may have the opportunity of hearing the Minister answer those important questions, which the people of Gibraltar want to hear answered satisfactorily.

Mr. Doug Henderson: I am grateful to colleagues on both sides who have restrained their remarks to allow me to make important responses to important questions. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) should not blame my hon. Friends. The Opposition have had since 4.30 pm today to discuss a series of amendments. If it was the Opposition's judgment—I can tell the right hon. and learned Gentleman that I know about being in opposition—that a three-hour debate on this matter was necessary, they could have had it. Until this set of amendments, only one contribution from the Government Benches was not directly in support of the Government's position. The Opposition have the authority and could have insisted on a three-hour debate.

I would not have raised the matter, if the point had not been laboured by the right hon. and learned Gentleman. Within the period allocated to this subject, his colleague,

[Mr. Doug Henderson]

the hon. Member for Stone (Mr. Cash), took 35 to 40 minutes to make his point. I am not complaining about that. It is up to the Opposition how they divide their time. There are important issues to discuss, and I must move on.

In the sections of the treaty covered by this group of amendments there was a recognition of the British system of border controls, which is so important to our nation, as both sides of the Committee would acknowledge. Such recognition was never obtained by the previous Government. We have recently seen further evidence of the difficulties experienced by the Schengen countries in regulating the flow of people. That draws attention to the different systems, and emphasises the strength of our system.

As my hon. Friend the Member for Ilford, South (Mr. Gapes) described in his contribution, other landlocked countries prefer to adopt different ways of regulating the flow of people. The Amsterdam treaty provides, for the first time, protection for both systems. That is a major achievement which the British people will recognise as a huge gain for this country.

The hon. Member for Stone asked what was achieved in return for movement by the British Government. That was a major achievement, which the previous Government could not make. No decisions were taken, in effect, by the IGC for about six months before the British general election, because there was no engagement in the issues by the then British Government, which would have allowed our partners in Europe to say, "This is an important priority to you; these are important priorities to us. Can we put them together and produce an acceptable formula that we can present to the summit in Amsterdam, which would allow decisions to be made?" That is how progress is made. The right hon. and learned Gentleman is not correct to say that, before the fall of the previous British Government, they had the agreement of the other EU partners.

Mr. Howard: The Minister is distorting history shamefully. Is he aware that we were not asking the other countries for a favour? They wanted something from us. They wanted the Schengen agreement to be incorporated in the treaty. We had a veto over that. We agreed to accede to their request, as long as we had a watertight opt-out. That was the basis of the agreement that was reached at the Foreign Affairs Council in March last year.

Mr. Henderson: I hear what the right hon. and learned Gentleman says. He demonstrates my point. I am not suggesting that the previous Government did not know what they wanted to achieve in the negotiations. However, because of the ossification of those negotiations, there was no movement, and no confidence from the other partners. They made that clear to us. When I walked through the doors of the IGC in May, the first thing that they asked me was, "Are you here to pontificate to us or to negotiate?" I replied that I wanted to be positive and constructive. By implication, I recognised that I could not have my way all the time. That was a realistic position.

I shall move on, in the time that is left, to the case presented by my hon. Friend the Member for Thurrock (Mr. Mackinlay). I assure him that, in relation to Gibraltar, it is the British Government's intention to protect the interests of Gibraltar and to do that in co-operation with the Gibraltar Government and the people of Gibraltar. He asked whether Gibraltar would automatically be covered by any agreement reached in relation to Schengen, were it the British Government's intention at some time in the future to enter into the Schengen acquis.

The answer is that, where a measure is introduced under the European Community treaty—in other words, a first pillar measure—Gibraltar is included by virtue of article 227, paragraph 4, of the treaty, except where Gibraltar remains outside a Community policy—in some instances in the past, the Gibraltar Government have wanted to remain outside a Community policy—or where it is expressly excluded. The answer to the first part of the question is that, in pillar 1, Gibraltar would not necessarily be covered.

In the third pillar, in relation to Gibraltar, as in the case of anything else, the Government would have to take a position at the time. Gibraltar may or may not be included, depending on what was desired. That would be determined in conjunction with the people and the Government of Gibraltar. I hope that that answers the point.

The hon. Member for Stone raised a fairly complicated legal point. I could give him an answer now if he wished, but I would run out of time. Therefore, in the remaining minute, I propose quickly to summarise the position, and I shall write to the hon. Gentleman before Third Reading with the answer that I would have given now. If he wishes to raise the matter again then, I am sure that, given his parliamentary ingenuity, he will be able to find a way to do so.

In essence, many things could be said about this section of the treaty. It is vital for Britain's interests that included in the treaty are the provisions that we believe are essential to protect our traditional system of border control. We do not have the same system as many other countries in landlocked Europe of identity cards, where the forces of law and order traditionally check people's identity where required. That is not the way in which we operate or want to operate.

Our system has served us well. That does not mean that it will not change. It will have to change technologically and in other ways to meet the demands of the day. However, those changes will be determined by the British Government, and the same is true for the Irish Government. That was a major achievement in the treaty, and that was something which the previous Government found unobtainable.

Mr. Cash: Having listened to the debate and expressed my grave reservations about the provisions in question, it will not be necessary for me to press the matter to a vote. However, I feel strongly that the Minister has completely failed to answer some severe criticisms—

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. I take it from what the hon. Gentleman says that he seeks the leave of the Committee to withdraw the amendment.

Mr. Cash: Yes. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

9 pm

Mr. Cash: I beg to move amendment No. 26, in page 1, line 13, at end insert

'other than in Article 2, paragraph 7)'.

The amendment deals with the question of discrimination and arises by virtue of article 6a inserted into the Amsterdam treaty. Article 2, paragraph 7 states:

"Without prejudice to the other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation."

My concern about that provision is simple. Within the context of the principle of subsidiarity, and the argument that we hear over and over again that that which is better dealt with at a national level should be dealt with at that level, there is no reason whatever for that provision. I note that it states that the Council would have to act unanimously, but the reality is that it is a step forward in the total integration of the cultures of the European Union.

There is, I am afraid, an underlying theme, which is to undermine the individual decisions that may be taken within any one member state as to the kind of provisions that they wish to have made in terms of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. No one could accuse the United Kingdom of having anything other than an enlightened statutory framework in respect of those matters. Any attempt to impose standards and requirements upon us in the context of those various matters would be wholly inappropriate.

Let us for a moment consider what the words "may take appropriate action" are intended to mean. Do they mean that we could be visited by not only directive but regulation, which would be enforceable upon us as a matter of law without further legislation? I do not know. If it had said that there would be a power to introduce these matters by way of directive, I might have taken exception to that. We have the right and the power to decide such matters for ourselves. We already have the effective Race Relations Act 1976, and I see nothing wrong with that. I am completely against any suggestion of discrimination on the ground of race, and, as far as I am aware, the United Kingdom has long operated perfectly satisfactorily with those laws. I think that those laws were passed as long ago as 1965 or 1968.

Before Labour Members get stirred up—I see them looking through their papers—in the hope that they can cause me some embarrassment because they think that I am about to say something that gives rise to the idea that I am in favour of discrimination, I must tell them that I am not. I am concerned that the proposal is outside the proper jurisdiction or understanding of how the European Union should function. On the principle of subsidiarity, it is completely and utterly outside the arena where such laws should be implemented.

Some difficult questions arise with respect to age, for example. Does the Commission propose to change the law with regard to compulsory retirement? People do not seem to have thought the matter through. I speak as a member of the European Select Committee, which considers over and again provisions that are merely called "communications". Would it be appropriate for there to be a communication, or would it be a directive or a regulation? We do not know. Perhaps the Minister can throw some light on the matter. He may have given it no thought—to judge by his face, he has not.

The idea that we should be subjected to a flow of legislation on those questions is extraordinary. Let us consider the words:

"to combat discrimination based on . . . religion".

What is the reason for that? Why is it thought necessary to have a Europewide arrangement to deal with such questions? I cannot believe that it is necessary in the United Kingdom, and if it is good enough for us to govern ourselves as we do at present, why should we think in terms of accepting a provision in a treaty that makes a different provision for the Community as a whole?

Discrimination in respect of religion in the United Kingdom was dealt with more than a century ago. My family happened to be Quakers in the 17th, 18th and 19th centuries, when there was severe discrimination. Indeed, a famous case in the House of Commons was that of Bradlaugh, who refused to take an oath and was suspended from the House as a result—and worse, I think. As it happens, I am also a Catholic, and I have experienced no discrimination whatever in the United Kingdom. I see no reason why it should be necessary for us to be a party to a treaty that applies legislation across the whole of the Community—even if it is proposed that it should be unanimous—with respect to religion. What on earth is going on? What is the purpose of that?

We know that the real purpose is to create a homogeneous society—to change individual countries' cultures, and thereby also change their identities, to produce a degree of homogeneity in respect of matters relating to sex, racial or ethnic origin, religion, belief, disability and sexual orientation. The object of the exercise is to try to create uniformity in law across the Community. That fits in with title II of the Maastricht treaty, which deals with citizenship. The question of citizenship was raised in the last group of amendments.

I distinctly remember that title II of the Maastricht treaty states that citizenship should be left undefined for the time being, but that the blanks should be filled at a later date when the manner in which it should be prescribed is decided. This provision is an attempt to put flesh on the bones of citizenship in a European context. Its purpose is to deal with discrimination based on sex, race and ethnic origin, but it will cause great difficulty.

I am concerned about the implications for age, agism and the elderly. Who is to say that legislation would not be introduced by the Council of Ministers, which would not be described as discrimination as it would come from such a high authority, that would alter the provisions on age or sex in a manner prescribed by member states acting together, but which would change the laws of the United Kingdom in a way that no one had envisaged?

The reference to sexual orientation is extraordinary. Is not paedophilia a sexual orientation? There has been a spate of serious cases in Belgium and in the United Kingdom. Will people pray such provisions in aid to generate the impetus for bringing paedophilia into a homogeneous European legal framework? I envisage serious difficulties as a result of this ridiculous attempt to create such a European law. The argument that what I have described is far-fetched can be repudiated by reference to the United States, where laws are being strictly construed by the courts along those lines in individual states. Those laws have been introduced to combat discrimination, but they have had the reverse effect. Tensions are created by politically correct laws,

[Mr. Cash]

and that is causing enormous embarrassment to the people who originally introduced them with the best of intentions.

I have no doubt that such issues as race should be covered by proper legislation. However, I cannot for the life of me understand why it is thought necessary for the treaty to provide, albeit with the requirement of unanimity, a framework within which such matters can even be conceived of as matters to be dealt with at a European level. What is the reason for that?

Some Labour Members are brimful of political correctness and want to lower the age of consent to 16, but many other people in this country are not at all happy for such a provision as is set out in this article to be applied in this country, let alone at a European level.

A simple question lies at the root of my amendment. Why is it thought necessary to deal with these matters at a European level? The Minister obviously considers this a laughing matter, but I should be grateful if he would explain it. Will he answer my simple question? Why is it thought necessary or desirable for these measures to be taken at a European level, albeit with unanimity?

If the Minister says that he does not think that we will ever exercise the powers—because, with unanimity, we would veto any such provisions—I am bound to ask him a second question. Why did he not prevent the provisions from being introduced in the first place? The provisions are in the Bill—with the consent of this Labour Government—for a reason, and I think that the House is entitled to know what that reason is.

9.15 pm

Mr. Tony McNulty (Harrow, East): I happily accept that the hon. Member for Stone (Mr. Cash) is not pro-discrimination. It would be silly to charge him with that, and I am grateful to him for clarifying his position. I have to say, however, that his interpretation of the part of the treaty that is under discussion was, to say the least, perverse.

I have been reading *Hansard*. In an earlier debate, the issue of paedophilia and sexual orientation was raised. It seems that we are now really digging in the dirt to create an anti-European, indeed Europhobic, dimension. In fact, the situation is quite the reverse. I hope that the Government will support this part of the treaty, because—as the hon. Gentleman said—Britain has such a good, strong record in all these legislative areas, although its record is not impeccable.

Interestingly, even in her wildest moments as Premier, Lady Thatcher did not touch legislation on sexual discrimination, race relations and similar matters. That is not because our legislation was perverse; indeed, I do not think that it goes nearly far enough—but, as has already been pointed out, it is probably the jewel in the crown in terms of anti-discrimination legislation in Europe. Why not use such experience and expertise, which until recently could be used in a non-partisan way?

With the best will in the world and the greatest respect, I must say that, until the cranks took over what appear to be all aspects of the official Opposition's policies, there was cross-party support for all anti-discrimination proposals. That being the case, why not go further? Why not proselytise, and exploit that strength and expertise in a European dimension? Who could oppose Europewide anti-discrimination directives?

It is interesting to note that one shibboleth that the hon. Member for Stone could not employ was the word "unanimity". Time after time, we have heard the words "albeit by unanimity". I do not understand how combating, Europewide, discrimination based on sex, race or ethnic origin, religion or belief, disability, age or sexual orientation—short of the perverse interpretation of "sexual orientation" that has just been mentioned—can be opposed. Perhaps we need to look further to discover some of the underlying reasons.

As I have said, I fully accept that the hon. Member for Stone is as opposed to discrimination as anyone else, but I do not extend that generous interpretation to some others in his ranks. The hon. Member for Buckingham (Mr. Bercow) is not present, but it is nevertheless worth pointing out that part of his rich and varied history involved his being secretary of the race and repatriation committee of the Monday club. That is entirely up to him, but, if he had tabled the amendment in the terms used by the hon. Member for Stone, I would find it rather more difficult to believe that he was against discrimination.

Mr. Wilkinson: On a point of order, Sir Alan. Is the hon. Gentleman aware that, before making personalised attacks of this kind, it is normal to inform the Member concerned in advance, so that he has the opportunity to hear the observations and, if necessary, defend himself and his motives?

The Chairman: It is not so much a matter of order; it is a matter of courtesy to the House that an hon. Member who intends to refer to another hon. Member should advise him beforehand or refrain from making such comments.

Mr. McNulty: With the greatest respect, I was merely quoting historical fact in relation to some of the confreres of the hon. Member for Stone in order to challenge their reasons for supporting the amendment in the Lobby if and when there is a Division. I fully accept that the hon. Member for Stone is not in favour of discrimination, but it is entirely appropriate to suggest that others in his ranks are not of that persuasion. I would say further—

The Chairman: Order. The hon. Gentleman is teetering on the brink of great discourtesy. The point has been well explained: if an hon. Member refers to another hon. Member, he should, out of courtesy, inform him beforehand.

Mr. McNulty: I accept that, Sir Alan, and am grateful.

In general terms, there is a wing, a faction, in what is currently called the Conservative party—at least, in England, although I think that it is changing its name in Scotland—that has, at best, a murky past when it comes to issues of discrimination.

Mr. Swayne: Does the hon. Gentleman accept that there is a body of religious opinion which extends well beyond the bounds of the Conservative party and which believes that homosexual practice is immoral? That opinion is based on scripture. How does the

hon. Gentleman view the treaty's provisions with respect to the right of those people to practise discrimination in their own affairs on the basis of that belief?

Mr. McNulty: The hon. Gentleman has missed the point entirely. It is not a morality or anti-morality clause in the treaty; it is an anti-discrimination clause. Clearly, those—and I accept that there are plenty—who, on moral grounds, take the rather intolerant view that homosexuality is perverse or wrong are fully entitled to that opinion. But they are not entitled to have that moral position frozen into law, whether on a European or a British basis.

Mr. Swayne: If I were to believe that homosexuality was odious to men and detestable to God, and based that view, as many do, on scripture, would I not have the right if, for example, I owned a small shop and wished to take on an employee, to ensure that that employee was not a homosexual?

Mr. McNulty: That has proved my point entirely; no, the hon. Gentleman would not have that right under employment law. He would not have that right any more than I, were I the proverbial small shopkeeper, have the right to decide that people with frazzled, grey hair were not suitable employees—that is as perverse a point as the one that the hon. Gentleman made. I am grateful that the hon. Gentleman has made his position on discrimination against women clear—it is equally as daft as some of his other suggestions, and I do not think that it is appropriate.

It is appropriate to challenge, at least in part, the underlying motives behind at least some of those who will support the amendment. Some—there has been a litany of them tonight—will do so purely to wreck things so that we cannot ratify the treaty, which is fine; they are entitled to that position. Others, who shall remain nameless as a courtesy to them, belong to the wing of the Conservative party that agrees with comments such as those made in an immigration and repatriation committee report in the early 1980s. In that committee

"it was formally agreed that the policy of the Committee should be an end to New Commonwealth and Pakistani immigration; a properly financed scheme of voluntary repatriation, the repeal of the Race Relations Act, and the abolition of the Commission for Racial Equality; particular emphasis on repatriation".

That is an historic view that has been prevalent, albeit among a minority, in the ranks of the Conservative party. Happily, I have no evidence that it is prevalent among those who are here tonight. But there are those who sit in the twilight zone of intolerance and who are not in favour of anti-discrimination legislation, whether in a British or a European dimension.

Under our presidency, we have a real opportunity to say to most of the rest of Europe, which in many cases has dragged its heels in anti-discrimination legislation, "Here is the starting point. Here is Britain's happy record which was established on a cross-party basis throughout the 1970s and 1980s. Not even Lady Thatcher changed our approach." Britain can be a beacon for European legislation.

Some would say—I would not necessarily say this—that there are far too many caveats and qualifications in terms of the implementation of anti-discrimination legislation. There are references to unanimity and to legislation being appropriate to the legislative body of each member state. Those qualifications mean that, by the time anti-discrimination measures come before national legislative bodies, they will not be as effective or as strong as our proud history of anti-discrimination legislation, which is a pity.

From the 1960s onwards, Britain has been in the vanguard—one of the few instances where this has been the case—in achieving a level playing field in employment practices. We now want to take that forward on a European basis. All hon. Members should be saying that we have a lesson to teach Europe on anti-discrimination legislation.

We should not go for some of the perverse interpretations of anti-discrimination legislation. We should fully support article 6, and we should have no truck with the wrecking nonsense proposed by the hon. Member for Stone or with the more intolerant, cranky and frankly racist views of some Conservative Members. I repeat that none of them is present tonight. I ask the Committee to reject the amendment.

Mr. Wilkinson: I support amendment No. 26, partly because I was not fortunate enough, as a result of the guillotine so shamelessly imposed by the Government, to speak in the debate on citizenship. Amendment No. 26 illustrates the ramifications of the concept of European citizenship being universally applied, whether with or without their consent, to all nationals of countries within the European Union.

Article 6a will codify a power for the European Union to be at its most intrusive in those aspects of its citizens' lives which are particularly private or sensitive, and which ought in any normal jurisdiction to be a matter for them. As my hon. Friend the Member for Stone (Mr. Cash) rightly argued, the article demonstrates the total fallacy of the Labour Government's claim to be upholders of the principle of subsidiarity. How can a bigger organisation at the centre of the ramshackle and often fraudulent and corrupt empire that is the European Union presume to have any legislative role in people's domestic, social or employment arrangements in the member states?

I am sure that the hon. Member for Harrow, East (Mr. McNulty) and others will argue that there are safeguards, inasmuch as the Council will have to act unanimously. Over the years, however, we have come to learn the hard way that, by a process of horse trading, moral blackmail and political intimidation, powers encapsulated within the treaties can be used by member countries of the European Union to impose their will in other areas on other countries of the Union.

Let us examine the detail of the provision. First, a proposal must come from the Commission. Under the treaty, the citizenry of the European Union have the right, do they not, to petition or to make representations to any institution of the European Union? Presumably, therefore, if a citizen feels that he cannot in this country get adequate redress from the Commission for Racial Equality—if it is a matter of racial discrimination—off will go his submission to the Commission. That type of representation can be replicated throughout the European Union.

The Commission, as the guardian of the treaty, with the European Court of Justice, will wish to justify its existence in this area of competence. Man hours and

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expenditure will therefore be devoted to a matter that is properly one for national Governments and not for the bureaucratic institution—the Commission—at the centre of that ramshackle empire.

9.30 pm

The European Parliament will also be involved, because it must be consulted. Presumably, therefore, in the Parliament's busy schedule of peregrinations between Brussels, Strasbourg and Luxembourg, it has time to consider those matters, too. That will mean further cost and a further burden on the citizens of the European Union. How can Members of the European Parliament—more remote as they are, because they do not hold the same surgeries as we do and are not in the same daily contact as we are with our electors—presume to have better understanding than elected representatives in the nation states on matters of discrimination

"based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation"?

What will be the appropriate action in the eventuality that, by means of that horse trading or blackmail, an individual country is induced to relinquish its veto and accept European jurisdiction in that sphere? There would, I presume, be a directive; there might be a regulation. Whatever it was, it would not be as appropriately tailored to the needs of the individual nation state as a nation's own legislation. We know that from the way in which directives are discussed in our European Standing Committees. We cannot amend European directives, or even vote them down. As for European regulations, they are imposed from above our head, without any consultation in this Parliament.

There could, I suppose, be some other type of measure—some countervailing measure—that is perhaps harder to envisage now but that could be equally a nuisance to individual countries.

The matter may seem trivial, and we may seem far-fetched in our objections. However, we are witnessing yet another attempt—in which the Government are wholly content; they acquiesce in and encourage such activity—to make the Commission and the institutions of the European Union even more intrusive in the daily lives of our people than they are already.

In our country as in other countries of the European Union, a feeling of deep resentment and of bitterness is understandably building up. They—our people—have never been consulted on those matters. They assumed that their own Parliament was the custodian of their interests and their civil liberties—but no. We look now to a superior authority in Brussels. Even in such intimate matters as sexual orientation, belief, religion or ethnic discrimination, Brussels will have the final say—to some extent by virtue of the treaty—rather than national Governments.

Mr. Fabian Hamilton (Leeds, North-East): Before I came to the House, I had heard that the hon. Member for Stone (Mr. Cash) was somewhat anti-Europe, so I was taken aback by some of his views as to why the article was included in the Amsterdam treaty. He said that it was a step towards the total integration of the European Union, that the United Kingdom's enlightened legal and statutory framework was quite sufficient and that we needed no more legislation to prohibit discrimination in the rest of Europe. I totally reject that view.

I represent a constituency with one of the largest and most diverse multicultural communities in the United Kingdom. People from different parts of the Commonwealth and the world now reside in my constituency as British citizens. They have different religions and different colour skins. I wonder whether the hon. Gentleman has asked anyone such as Norris Pyke, one of my good friends who was born in St. Kitts, who is a British subject and who is a black West Indian, whether he has had problems when travelling in Europe and whether he has ever suffered discrimination. Of course he has, simply because of the colour of his skin.

The hon. Gentleman is right to say that in that respect the United Kingdom has excellent legislation—the Race Relations Act 1976. Indeed, we have led the way internationally in showing how legislation can overcome discrimination, especially against people from different racial backgrounds. We do not have the type of political correctness to which the hon. Gentleman alluded. The Race Relations Act outlaws positive discrimination.

In the United Kingdom, we do not believe in positive discrimination. It was deemed illegal to have women-only shortlists for Parliament, as positive discrimination went against the spirit of all the legislation that we have passed over the years, which promoted equality of opportunity. Positive discrimination has brought into disrepute many of the laws in the United States that were supported by those who believed that political correctness would overcome discrimination. We do not have that in the United Kingdom. We have a model set of laws, which have gone a long way in fighting racial discrimination.

The hon. Gentleman mentioned religious discrimination. He said that he was brought up as a Quaker and is now a Catholic and that many of the laws that discriminated against Catholics and other denominations of Christianity were passed in the last century. However, there is still enormous discrimination against Muslims in the United Kingdom and in Europe.

One of my constituents, Shakeel Razak, was born in Karachi, came to the United Kingdom when he was three years old and was brought up in Leeds. He is a citizen of the United Kingdom, but he has encountered discrimination in the United Kingdom and in Europe. When travelling as a British citizen abroad, he has suffered a great deal of discrimination in Europe because of his religion.

The article could help to block the appalling material that is appearing on the internet, especially some of the 250 or so websites about holocaust denial, for example. Tomorrow I am travelling to Bonn with Lord Janner, a former Member of this House, to meet the President of the German Bundestag and members of the German Government responsible for trying to police the internet. They have ideas that could be adopted Europewide, given that the internet knows no boundaries. Such legislation could help us to counter the racist and offensive material that is increasingly appearing on websites.

I hope that that trip will make us better informed here. It will certainly give us a lot of information on how Parliament can frame legislation through Europe and conduct a Europewide fight against the horrible material that appears regularly on the internet.

The hon. Member for Ruislip-Northwood (Mr. Wilkinson) said that the provision was part of a tendency to be increasingiy intrusive in the daily lives of the citizens of Europe. It will give us a Europewide framework to help us to overcome some of the discrimination that is seen and felt by our citizens from different racial backgrounds and religions travelling in Europe, as well as such citizens who live in France, Germany and other parts of Europe. Overcoming racial discrimination and bringing us closer to racial harmony, multiculturalism and a way of living together throughout Europe, embracing not just the different nations, but the different cultures, religions and racial backgrounds, will help to produce a better Europe for all the citizens of the United Kingdom and abroad.

Sir Teddy Taylor (Rochford and Southend, East): The hon. Member for Leeds, North-East (Mr. Hamilton) spoke with great sincerity. I hope that I can convince him that he is wrong. I am sorry that the hon. Member for Harrow, East (Mr. McNulty) has left the Chamber. Harrow may be a lovely place, but it has a nasty habit of returning Members of Parliament of all parties with whom I disagree. He said very clearly that we should not worry about the measure and that anyone who voted against it was anti-European. Now he has departed, after making a scandalous and offensive speech, but he should appreciate that those of us who agree with the amendment moved so ably by my hon. Friend the Member for Stone (Mr. Cash) support democracy.

Considering how the Labour party has fought so vigorously in the past for the rights of individuals to have a say in their own affairs, it is very worrying that a Labour Government are bringing forward a treaty that takes more powers away from democracy. I am sure that the Minister appreciates, as Conservative Ministers have found before, that to get what he wants at European meetings, any Minister has to agree to lots of other little clauses being inserted. The Government would not necessarily have inserted the provision on their own.

The protection of unanimity has been mentioned. If the Minister speaks to the Minister of Agriculture, Fisheries and Food, he will be well aware that many measures are introduced in Europe simply because one Government are anxious to get a measure through. Because they are so anxious for something to be done, they agree to bring forward legislation that they do not want. That is the basis of horse trading, not democracy, but that is how legislation is put through.

I hope that the hon. Member for Leeds, North-East appreciates that using European institutions is not necessarily the best way to get the right law. When there are 12 people sitting round a table, the result is often a thorough mess.

Handing over more power to the European Court of Justice will not necessarily give us the right sort of justice. The rulings of the European Court of Justice are not an interpretation of law or fairness. It brings forward crazy proposals, based on its desire to be a legislative assembly without democracy. Recent decisions of the European Court of Justice on discrimination have had devastating consequences for member countries.

For example, if hon. Members speak to their friends from the Republic of Ireland and ask about the consequences of the Grogan judgment in 1991, they will be horrified. They could also look back to 1994 in Cornwall, when the most unusual decision was made about someone who had changed sex.

Hon. Members should be well aware that if we pass over powers to the European Court of Justice, we are passing that power totally outwith any democratic control. For example, on a different subject, we should look back at the repeal of the Merchant Shipping Act 1988, which was passed by the House of Commons on the basis that it had been approved not only by the House but, by the back door, by the Commission. Yet it was retrospectively repealed by the European Court. We must realise that that was a huge intervention in the democratic process.

9.45 pm

It is appalling to hand over more power to Europe, because it means the passing of legislation that we cannot change. If, after his appalling speech, the hon. Member for Harrow, East ever comes come back into the Chamber to listen to a debate, I hope that he will appreciate that the principle of democracy in this country means that if we pass a law that does not work or turns out to be unfair—to a particular ethnic minority, for example—we can do something about it. The tragedy with Euro-law is that once it goes through, nothing can be done.

I have not spoken in the debate before, so I hope that I shall not be accused of wasting time when I say that anyone who doubts what I say—especially if he or she believes in democracy, as true socialists should—should ask himself or herself why such an organisation has not been able to resolve problems. An example is the appalling protection racket of the common agricultural policy, which is so unfair to the poor and wastes so much money.

If, following the proposal before us, we hand over more power to the European Court and European legislation, we are simply taking away the power of the people. Some people feel that that does not matter, because at the end of the day the same people will decide the same things. I know that some individuals in the House regard the whole business of democracy as a bit of a joke and say that the same people decide things, no matter which system we have. I do not believe that.

If we pass over such a massive chunk of activity to Europe, it will simply mean bad law, not because Europeans are nasty people, but because when 12 countries are sitting round to try to determine something, we never seem to get the right or the fair answer. Moreover, the people's power to do anything about that bad law will fade away.

Finally, I shall say something about the views that have been expressed about the measure. The organisation Christian Action, Research and Education was worried about the proposals, especially those on sexual orientation. It was concerned about what they would mean for its employment policies, so it wrote to the Foreign Office asking whether litigation could arise. The answer, on 7 July, was that although the Foreign Office

"would not expect litigation to arise",

it could not be ruled out.

If Euro-legislation comes forward, it will be interpreted by the European Court, and that is not good news. Unfortunately, we find that rather than interpreting law,

[Sir Teddy Taylor]

the European Court tends to expand the powers of the European agencies. I therefore hope that the Government will do one simple thing arising from the amendment.

I ask the Minister, and especially exciting new Members such as the hon. Member for Harrow, East, why more and more power has gone away from democracy to the European Union since we signed the treaty of Rome, and nothing has come back to democracy. Does the hon. Gentleman think that it is a good idea to pass such treaties giving additional powers to Europe when nothing comes back to the democratic process?

Would it not be a great thing if at the next meeting of the European Council, Ministers, some of whom I greatly respect, because on some issues they have achieved a great deal, for which I am grateful, set up some kind of committee or tabled a proposal to ask whether some things could come back to the democratic process and away from the European situation?

If we simply sit back and let more power go to the European process, which is devoid of direct democracy and in which nothing can be resolved even if it turns out to be nonsense, and more power is given to the European Court, over which the people and their democratic assemblies have no control, it will be bad not only for democracy in this country but for the whole of Europe.

I therefore hope that after such a silly proposal, which could produce nasty results, the Government will take the initiative and concentrate on trying to find out whether there is some way of taking some power back to democracy from non-democratic organisations, rather than taking away powers from democratic Parliaments that could do something about the problems. Issues of sexual and racial discrimination are important, and we have a duty to protect minorities and people with problems. I believe that a democratic assembly that can pass laws and then change them if they are wrong, unfair or offensive is the right way to pass law—not simply giving more power to non-democratic institutions in the EU.

Mr. Bill Rammell (Harlow): First, I wish to refer to the comments of the hon. Member for Rochford and Southend, East (Sir T. Taylor). From the speeches that I have heard from him in the Chamber, I can say that I respect his belief in democracy and that he speaks with passion and conviction on these issues. However, I have to say that he is fundamentally wrong, and I ask him to reflect on some of the points that he made.

The hon. Gentleman referred to issues of concern to him within the European debate, such as the money wasted on the common agricultural policy—a view that many of us share. Part of the problem with the CAP is that it was designed when Britain was not participating in Europe and was not involved in the discussions. Therefore, the CAP was framed for the needs and concerns of other countries that had different farming industries from Britain.

In terms of a single European currency, one of my fears is that we might miss the boat, but will be forced to join later because we shall not be prepared to pay the price of staying out of a strong single currency. However, the key decisions will have been made on the framing of the currency. I ask the hon. Gentleman to reflect on that.

I was also interested in the hon. Gentleman's remarks on the European Court of Justice, about which many criticisms can be made. One of the issues about which I am concerned is that the European Court of Justice has difficulty in interpreting European Union law because it has no access to the deliberations when the law is framed. The key decision-making Council, the Council of Ministers, is not open and members of the European Court are not aware of the discussions that have taken place.

The remarks of the hon. Member for Ruislip-Northwood (Mr. Wilkinson) caused me great concern and confusion. He said that, in his experience, there was resentment and bitterness among the British people with regard to Europe and the EU. Genuinely, that is not my experience from talking to people on the doorstep about the treaty, the European Union or other European matters. However, there is confusion and a lack of understanding about the way in which Europe works.

We have heard comments this evening about the low turnouts at European elections. The turnouts are low not because people lack interest in what is happening in Europe, but because they treat the European Parliament with the respect that they believe it deserves in terms of its power. They do not believe that the Parliament has power and teeth, and therefore accord it the power that they think it deserves.

I was also taken by what the hon. Member for Ruislip–Northwood said about anti-discrimination legislation which, he said, intrudes on private and sensitive areas of people's lives. I struggled to come to terms with what he meant by that. In my view, discrimination is about the use of power actively to discriminate against someone because of their sex, race, ethnic origin, disability or sexual orientation. That is not a private activity: it is a public abuse. To say that the state has no role in combating discrimination shows an unwarranted disrespect towards the issues.

Mr. Wilkinson: The hon. Gentleman touches on the core of the issue. If the power were to be vested in the state—the nation state—whose Government's actions are modified by an elected Parliament that is close to the people, those people could have confidence. The article gives to Brussels, a more remote and bureaucratic institution, the power to intervene in matters that are often for subjective judgment and on which the Commission for Racial Equality in our own country finds it hard enough to give an opinion.

Mr. Rammell: If Brussels and the operations of the European Union are remote from people's understanding and experiences, that is an argument for opening up decision making in the European Union, opening up the Council of Ministers and improving the scrutiny process. A person who has directly suffered from either sex or race discrimination will not be concerned whether the relief comes from Brussels or from a national institution.

The hon. Member for Stone (Mr. Cash) said that we did not need any proposals or articles from Europe because Britain had an enlightened attitude and record. I ask him to reflect on the Asylum and Immigration Act 1996, pushed through by the previous Government, whereby responsibility was placed on employers to check the nationality status of their employees; small employers' groups took the view that that undermined confidence in race relations. That is not an enlightened approach.

I ask the hon. Gentleman also to reflect on what was known as clause 28, which went out of its way to pillory people because of their sexual orientation and to encourage discrimination against them. That was not an enlightened approach. Before we get on our high horse and say that everything is perfect in our back garden and that discrimination is a problem only in Europe, I would ask Conservative Members to reflect on what has happened in our country in the past 18 years regarding discrimination and equal opportunities.

The hon. Gentleman asked the rhetorical question where the instances of sexual discrimination were, and said that we did not have a problem in the United Kingdom. My hon. Friends have already drawn attention to some problems that we have. One of the most pressing issues in the House at the moment is the struggle to find a resolution to the conflicts in Northern Ireland; communities on both sides of the divide would say that discrimination on the basis of religion at the very least has something to do with the situation. It is wide of the mark to say that such problems are nothing to do with us.

The hon. Gentleman said that he was not in favour of discrimination. I accept that, because I know, from working with him on the Select Committee on European Legislation, that he is indeed an honourable Gentleman; but he went on to distort completely the aims of the article and of the treaty. He said that article 6a was about changing the culture and the identity of the nation states and the people in them. I ask him to reflect on his contention that it was about changing cultures and identities. What aspect of British culture would be eroded by preventing discrimination?

There is often a problem with the language used by Conservative Members in debates such as this. They do not bring enlightenment or open up the issues to ordinary people, but distort what is taking place. That was especially the case, regrettably, when the hon. Gentleman mentioned paedophilia and claimed that it was a sexual orientation that could come under the auspices of that part of the treaty. That is wide of the mark and his accusation had no basis in fact. Paedophilia is illegal in every state of the European Union and that position will not be affected by the legislation. The hon. Gentleman was making an unworthy attempt to smear the treaty and the proposal.

It seems as if we have been participating in debates on the Bill for a lifetime, since before Christmas. I sometimes feel as if I am participating in a meeting of a strange sect, or at least a caucus meeting of the Members of Parliament who were expelled from the Tory party and lost the Whip before the general election.

It being Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again tomorrow.—[*Mr. Dowd.*]

Committee report progress; to sit again tomorrow.

Tuition Fees (Scotland)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

10 pm

Mr. Andrew Welsh (Angus): I am grateful for the opportunity to debate a matter of great concern to students, their families and higher education institutions in Scotland. The Government's policy on higher education is full of flaws and anomalies. Tonight, I wish to address one of those anomalies—the unwillingness of the Department for Education and Employment to fund adequately the fourth-year tuition fees for non-Scottish-domiciled UK students at Scottish universities.

I was appalled when the Government first announced proposals to introduce tuition fees in July. I tabled an early-day motion that pointed out that the proposals would discriminate against students in Scottish universities and the traditional four-year Scottish honours degree. The Garrick report also highlighted that problem and recommended that

"the Secretary of State should ensure that the contribution from Scottish graduates for qualifications gained in Scotland is equitable with the contribution for comparable qualifications gained elsewhere in the UK."

The Minister for Education and Industry responded by announcing that

"to ensure equity of treatment for Scottish students with students on shorter courses in England and Wales, the Government has decided that Scottish students should not pay the £1,000 tuition fees for the final year of a degree course where it is a year longer than the comparable course in England and Wales."

However, in solving one problem the Scottish Office exacerbated another. The problem stems from an ambiguity in the word "Scottish". When Garrick spoke of Scottish graduates, he clearly meant all those graduating from Scottish universities, regardless of nationality. The Minister's solution will create a situation in which Scottish students at Scottish universities will have their fourth-year tuition fees paid, but non-Scottish UK students will not. That is clearly discriminatory towards potential English, Northern Irish and Welsh students who recognise the value of a Scottish four-year honours degree.

I welcome the fact that there is no similar discrimination against European Union students who will be protected by European Union rules. The Scottish Office has said:

"The Government is committed to treating students from European Union countries on the same basis as students from the UK as far as tuition fees are concerned."

However, that is not actually true. What that means is that the Government will treat European Union students applying to Scottish universities in the same way as Scottish applicants and, therefore, European Union students will not have to pay tuition fees in the final year of their course. That only highlights further the discrimination against non-Scottish-domiciled United Kingdom students.

English, Welsh and Northern Irish applicants to Scottish universities will be expected to pay up to £1,000 more than Scottish or European Union students for exactly the same course, given the same background

[Mr. Andrew Welsh]

circumstances. To put it simply, at St. Andrews university, a student from St. Ives or St. Albans will have to pay £1,000 more than a student from St. Etienne.

In a written answer, the Under-Secretary of State for Education and Employment, the hon. Member for Pontypridd (Dr. Howells), said:

"The EC Treaty requires Member States not to discriminate on grounds of nationality against nationals of other Member States, on matters within the scope of the Treaty. However, EC law does not intervene in internal matters and require each Member State to treat all its own"

citizens

"in exactly the same way."—[*Official Report*, 1 December 1997; Vol. 302, c. *10-11*.]

In other words, because European law does not prevent the Government from discriminating against their own citizens on the ground of nationality, the Government can do as they please.

That principle simply cannot be justified. There would have been a massive—and justified—public outcry, had the Government proposed the imposition of up to £1,000 extra for tuition fees on ethnic or religious grounds. How, then, can the Government justify this discrimination against English, Northern Irish and Welsh students?

Hon. Members may wonder why it is left to the Scottish National party to oppose the Government's proposals for higher education. For those who portray us as "narrow-minded nationalists", it might seem strange that the SNP is defending the rights of the English, the Northern Irish and the Welsh, but for those who know us it is simply a case of the SNP promoting a just cause and opposing discrimination within the British Union. The SNP, in co-operation with the Scottish Ancients, the National Union of Students and the higher education institutions, has identified three main reasons for opposing this policy. I am happy to acknowledge that we have received support from other political parties that join us in this campaign, but I wish to state the three main reasons.

First, the SNP and the Scottish universities warmly welcome students from other parts of the United Kingdom, who form an integral part of the diversity of the Scottish education system. Those students make up 48 per cent. of students at Edinburgh university, 45 per cent. at St. Andrews, 36 per cent. at Dundee and 32 per cent. at Stirling. English, Welsh and Northern Irish students must not be deterred from coming to Scotland, but they will be under the Government's policy.

Secondly, the SNP fears for the future of the Scottish higher education system. Any sizeable drop in applications from other parts of the United Kingdom will force universities to downsize their diverse range of courses. There is also a danger that Scottish universities may well be forced to consider abandoning the traditional four-year honours degree, replacing it with a three-year course, so as to compete on a level playing field to attract non-Scottish UK students.

As one university lecturer commented to me,

"The four year degree is being killed"

by Government policy.

"Tuition fees will back us into a corner, forcing a cut in the course length with the resultant loss of jobs and the drop in standards of the traditional honours degree."

Thirdly, there are important implications for the Scottish economy. The McNicholl report, published by the Committee of Scottish Higher Education Principals two years ago, identified that "rest of UK" students at Scottish universities contribute more than £110 million annually to the Scottish higher education system. In addition, every year they contribute £100 million in off-campus expenditure on Scottish goods and services.

Mr. Tam Dalyell (Linlithgow): One hundred million. He said billion.

Mr. Welsh: I very much appreciate the hon. Gentleman's correction because it is £100 million—would that it were £100 billion.

Therefore any fall in applications to Scottish higher education establishments from other parts of the United Kingdom will have a considerable impact on the wider Scottish economy.

What of the cost to students? Since the introduction of student loans, the drop-out rate has dramatically increased—by 12 per cent. Without Government action by the DFEE to remedy the anomaly, we shall witness a drop in student applications to higher education, and spiralling student debt. There was a time when the Labour party in opposition fully endorsed the principle of free education for all according to ability and regardless of wealth. In 1994, 42 current Labour Members of Parliament—including three current Ministers—called upon the Conservative Government to

"halt the slide towards self-financing by students".

With the abolition of maintenance grants and the introduction of tuition fees, one may ask where it will end.

When the Australian Government introduced tuition fees, students had to pay only an average of 23 per cent. of the total fee. However, that figure has now risen to 45 per cent. Top-up fees were also ruled out, but will be permitted from next year. The reassurances that the United Kingdom Government have given to students here are similar to those given to Australian students. Our student organisations and educational institutions are right to be wary about the future.

The unwillingness of the DFEE—the Secretary of State is absent from the Chamber tonight—to provide funds for its own students will have an adverse effect by discouraging students from the rest of the United Kingdom from applying to Scottish universities and colleges on financial grounds. It is not acceptable for the Secretary of State to insist:

"quality of education at universities in Scotland is such that those who are privileged enough to have earnings that will oblige them to pay the full £1,000 fee will feel that it is worth the investment."—[*Official Report*, 13 November 1997; Vol. 300, c. 1020.]

If that is the case, why do Scottish students have their fees paid? The Government's policy is simply inconsistent.

The DFEE will go on to use a second flawed argument to justify its current stance. In an oral answer to the House, the Under-Secretary of State for Education and Employment, the hon. Member for Pontypridd said:

"Many Scottish universities offer students with good A-levels the option of entering the second year of a four-year honours course, so it should be possible for students from England and Wales to get a Scottish degree after paying for the same number of years as they

would have taken to graduate at a university elsewhere in the United Kingdom."—[*Official Report*, 13 November 1997; Vol. 300, c. 1028.]

That assertion is not a solution for several reasons. Only a small number of non-Scottish United Kingdom students currently receive direct entry into the second year of undergraduate courses at Scottish universities, and that figure has decreased in the past three years. In percentage terms, more Scottish than English students gain access to the second year of university courses.

Direct entry into the second year is not possible in all courses—nor is it advisable for educational reasons. The Association of University Teachers has stated:

"many students find the transition too difficult and either drop down into first year or have to retake the second year."

Perhaps the most surprising aspect of this debate is what it will cost to create a level playing field. The DFEE has estimated the total cost of funding the fourth-year tuition fee for English students attending Scottish universities at £1.5 million. That is a small part of the overall Government budget, but it will have a large effect on individual students and their families and on the Scottish higher education system.

I would like to help the Minister by suggesting where he might find some of that money. During the summer, the Government spent £170 million on seven new Trident missiles. That commitment to weapons of mass destruction would abolish the fourth-year tuition tax for non-Scottish United Kingdom students for the next 100 years. In a choice between nuclear weapons and education, the SNP knows which priority should prevail.

I shall address three key inconsistencies in the Government's position. Take, for example, a Scottish pupil who moves from North Berwick to Berwick shortly before he applies to a Scottish university. Even though that pupil has spent all his education years in the distinctive Scottish system, if eligible, he will be forced to pay the fourth-year fee due to his place of residence at the time of application. That is both absurd and unjust.

The Department for Education and Employment's failure to recognise the uniqueness of the four-year degree and to fund students accordingly leaves an interesting paradox for the Minister. If an EU migrant worker living in London applies to a Scottish university for a four-year degree, under the provisions of the Maastricht treaty, the local authority will have to fund that course. The DFEE will have to make provisions for dealing with that request, so the mechanism will be in place to finance tuition fees for its students' fourth years at Scottish universities. The DFEE is discriminating against its own European nationals in favour of students from other member states.

Lastly, the Minister is on record as stating:

"Students who take a year out between two separate courses of higher education will have their eligibility reassessed as new entrants at the beginning of the new course."—[*Official Report*, 12 January 1998; Vol. 304, c. *126-27*.]

That would leave the anomaly of a non-Scottish UK student successfully applying for a Scottish university course, funded by his local authority, then leaving and reapplying to the Scottish Office as a domiciled Scottish student for funding to change course. That student would presumably be entitled to fourth-year funding, and the Scottish Office would have the extra costs of paying for the whole of the higher education course fees for that student.

I trust that the Minister will use all his persuasive power to influence his colleagues at the Department for Education and Employment to reconsider their unsympathetic stance over this crucial issue.

I never want to see in Scotland an education system where credit rating counts more than grade averages, or where bank balances count more than qualifications, with pay-as-you-learn in a two-tier system based on ability to pay rather than on ability to learn.

That grates against the traditional Scottish education system, open to all who can benefit to the full extent of their abilities. The Minister and I both benefited from the grants system that his Government have now abolished. I guess that in opposition he would have agreed with me, but sadly in government he does not.

The Scottish education tradition and the Scottish democratic intellect are well suited to the needs of the 21st century if—and only if—we play to their strengths and build on those traditions, and do not destroy them by restricting access and placing barriers to entry.

This tuition fee unfairness is only one example of the general problem produced by the Government's policy. I hope that the Minister can convince his English colleagues to play their part in getting rid of such obvious discrimination against non-Scottish-domiciled UK students. It would not take much money for the Government to do that, and it would end that unfairness. I hope that he will so argue.

10.16 pm

The Minister for Education and Industry, Scottish Office (Mr. Brian Wilson): There is a slightly surreal quality to this debate, on several counts. I listened as closely as I could to the hon. Member for Angus (Mr. Welsh), and he did not seem to use the figure that he has been touting all day in Scotland and at a press conference in London. He alleges that the changes to the student funding system will cost the Scottish economy £200 million a year. Even by the standards of Scottish National party economics, that is a fantasy figure par excellence.

Mr. Welsh: The Minister should stop this fatuous nonsense. I pointed out that the McNicholl report stated that £210 million was put into the Scottish economy directly and indirectly through spending by United Kingdom students in Scotland. That is the total sum they contribute. Any reduction would have an immediate effect on the Scottish economy and the four-year honours degree, and would reduce the range of courses available in Scotland.

Mr. Wilson: The hon. Gentleman has talked so much gibberish today that I do not suppose that he knows what he said. I quote from his press release:

"The likely impact is fewer English, Welsh and Northern Irish students at Scottish universities, and the loss of over £200 million which these students contribute to the general Scottish economy."

I do not have to contradict the hon. Gentleman, as he has contradicted himself. He has been talking about the loss of £200 million to the Scottish economy on the radio all day. Unfortunately, sections of the media in Scotland give

[Mr. Wilson]

credibility to the nonsense that he talks. The Scottish National party parliamentary group news release refers to the loss of over £200 million to the Scottish economy.

Mr. Welsh *rose—*

Mr. Wilson: The hon. Gentleman can talk for the entire half-hour, if he wants. Perhaps he will acknowledge that the document is not a forgery. He has issued a press release which states that the Scottish economy will lose £200 million.

Mr. Welsh *rose—*

Mr. Wilson: No, I will not give way. I shall respond to what the hon. Gentleman said.

We have heard from the hon. and learned Member for North-East Fife (Mr. Campbell) that the collapse of Scottish education is imminent because of the changes to funding that have been made.

Mr. Menzies Campbell (North-East Fife) *rose—*

Mr. Wilson: I may give way in a moment.

Let me start with the latest application figures for St. Andrews—the university which has made the most noise about potential loss and about which the hon. and learned Member for North-East Fife has spoken in apocalyptic terms. I am delighted to inform the hon. and learned Gentleman that our latest understanding is that the application figures for St. Andrews show a 6 per cent. increase for the coming year from English- domiciled students. I suppose that that will allow the ever-opportunistic SNP to revert to its more familiar role of complaining about too many English students rather than too few.

Mr. Welsh: Absolute rubbish.

Mr. Wilson: Where does a 6 per cent. increase in English-domiciled students' applications to St. Andrews leave the absurdities that we have been hearing from the hon. Gentleman tonight?

Mr. Welsh: I should like the Minister to stick to the point. If the English Department for Education and Employment stood by its responsibilities, this anomaly of the discrimination against English and other students would be stopped. The Minister is simply indulging in party political banter. He should stop that nonsense and stick to the point of the debate, rather than misquoting other people.

Mr. Wilson: I have quoted exactly what others say—to wit, the hon. Gentleman himself. He has said that there will be a £200 million loss to the Scottish economy. In order to retain a shred of credibility, he now has to link that specific prediction to the fact that applications for the coming session from English students to St. Andrews are up by 6 per cent. If he can do that, it will be a worthy achievement indeed.

There is a slight decrease overall in the number—*[Interruption.]* The hon. Member for Moray (Mrs. Ewing) seems to be trying to help the hon. Gentleman out. She is his parliamentary leader after all, and if she wants to stand by the claim that there will be a £200 million loss to the Scottish economy, she is welcome to do so. Equally, if she wants to quibble with the 6 per cent. increase in English applications to St. Andrews, she is welcome to do so.

Mrs. Margaret Ewing (Moray): Will the Minister give us an idea of the decrease in the number of overall applications to Scottish universities?

Mr. Wilson: Were I to do so, I would be going outside the terms of the debate as defined by the hon. Member for Angus. The hon. Gentleman wanted, in this rather unexpected burst of internationalism, to talk about the prospects for English students. I have just told the hon. Member for Moray—she apparently does not like the information—that the applications from English students to St. Andrews are up by 6 per cent. for next year.

Mr. Robert McCartney (North Down): There is talk about English students, but 25 per cent. of the total non-Scottish students at Scottish universities are from Northern Ireland, yet the ratio in population of Northern Ireland to the rest of the United Kingdom—England and Wales—must be very small. The reason for that is that there is a deficit on the Scottish ratio of 12,000 university places in Northern Ireland and on the Welsh ratio of 5,000. Those people go to Scottish universities because Scotland is proximate and the ambience suits them. Yet because of the absence of places, they will be punished by having to pay for a fourth year which is required by Scottish universities. Is that not discriminatory and unjust?

Mr. Wilson: It is good to hear a sensible point, about which there is a reasonable argument. But the responsibility for the funding of Northern Ireland students rests with the Northern Ireland Office. Equally, 40 per cent. of students from throughout the United Kingdom, certainly those in Scotland, will pay nothing at all in tuition fees. But it is a decision for the funding body, and in that case the funding body is the Northern Ireland Office, with which the hon. and learned Gentleman should take up the matter.

I must make progress in the time that remains. There is a slight decrease overall in the number of applications from outside Scotland. However, that is certainly less than the 6 per cent. increase in admissions that took place this session in advance of the changes in student support arrangements. So, overall, there is only a marginal change in the numbers wanting to study in Scotland, and, of course, applications are still coming in.

The SNP claims about the loss to the Scottish economy are self-evidently absurd, both in the light of the figures quoted and also on the basis of the hon. Gentleman's apparent equation of applications with admissions to Scottish universities, which will, as usual, be heavily over-subscribed this year.

If the hon. Gentleman is worried about there not being enough applications from England, I can tell him that there are already more than 20,000. There will be 30,000 new students in Scottish universities this year and there

are more applications to Scottish universities from English students than there are from Scottish students. I hope that that satisfies the hon. Gentleman's internationalism. If he thinks that it is a blissful state of affairs that 44 per cent. of St. Andrews' students and 48 per cent. of Edinburgh's students come from outwith Scotland but within the UK, that is his business. Perhaps he should start a campaign to get more English students into Paisley university, for instance, which has 1 per cent. of English students.

The hon. Gentleman seems to be ignorant of the fact that it is a long-established practice for students with appropriate A-levels to have the option of entering the second year of some Scottish degree courses. The recommendation that more should be encouraged to pursue that option has come not from the Government but from the Garrick report, "Future of Scottish Higher Education". Let me read paragraph 4.59 of the report to the hon. Gentleman, as I doubt whether he has read it.

Mr. Welsh: I have read it.

Mr. Wilson: The hon. Gentleman says that he has read it, so he knows that it is not a Government proposal. He spoke approvingly of the Garrick report, yet he asserts to the House that it is the Government who recommend that more students should enter the second year. If he has read the report, he must know that it is a Garrick report recommendation. I shall read paragraph 4.59, as I doubt whether the hon. Gentleman is aware of it. It says:

"The A level curriculum is well-established and understood. Scottish higher education institutions should, therefore, act immediately to consider how advanced standing can be achieved in more cases."

In case that was not clear enough, recommendation 6 of the report says:

"We recommend to higher education providers that they should clearly specify their requirements for combinations of A levels which will lead to entry with advanced standing within the new qualifications framework."

It is remarkable, if the hon. Gentleman has read that report, that he has only now concluded that a modest increase in the number of A-level entrants into the second year represents a threat to the very fabric of Scotland's universities. The question that I put to the hon. Gentleman, to give him due time to think about it, is whether the SNP holds the same view about Scottish school leavers who will hold advanced highers, because they too are likely to have advanced entry into higher education on Scottish university courses.

I do not know what the hon. Gentleman thinks, because we have had so many contradictory quotations from him. On 22 July 1997, in the *Press and Journal*, he said that Scottish students

"as a whole receive 5 years of free schooling, compared with 6 years in the rest of the UK.

But they are now to be penalised by being forced to pay fees . . . for one more year than their English, Welsh and Northern Irish counterparts."

That was a statement of the obvious. The Garrick report said that we should do something about it, and we did, so it will not happen. The anomaly has been resolved.

However, on 4 November 1997, the hon. Gentleman said:

"The weakness of the Government's proposals is best highlighted by one anomaly. Scottish domiciled students studying in Scotland will pay for only three years of their four year degree course, while English, Welsh and Northern Ireland students will be forced to pay for the full four years."

As a graduate of a Scottish university, the hon. Gentleman is capable of simple arithmetic. On 22 July, he thought that it was wrong that Scottish students who did five years at school and four years at university should be asked to pay more than English students, and we addressed that anomaly. Five and four make nine, but six and four make 10. He then asked that the same rule should apply to students who do 10 years. What is the hon. Gentleman's position? Does he think that there should be parity on the basis of nine years, or that nine in Scotland is the same as 10 in England?

Mr. Welsh: The Minister is betraying why he is so out of touch with educational opinion in Scotland, and why students are up in arms at the Government's policy. I am sure that he would not have supported such a proposal in opposition. The SNP's position is straightforward: we oppose the principle of tuition fees. However, if the Government want to introduce them, they should do so fairly rather than in a discriminatory way. The Government's policy is at fault.

Mr. Wilson: The hon. Gentleman may have some feelings in this matter, but in making contradictory statements, he has made a fool of himself and his party. Everything that he has said today contradicts everything that he said previously. I know his position—I looked up the early-day motion that he tabled, in which he asserts the basic right to Government-funded further and higher education for all. That is a general principle, but it takes us back not only to the position before 1992 but to the position before 1979.

I heard the hon. Gentleman on the radio this morning say that he wants the abolition of tuition fees and maintenance loans. When he and I went to university, one in 14 Scottish school leavers had that privilege, whereas now almost one in two have it. He wants exactly the same funding arrangements now as there were in the 1960s.

For the first time in Scottish political history, the SNP will be answerable for some of its mad financial calculations. We shall cost the proposal as enunciated by the hon. Gentleman in his early-day motion. If there are to be no fees or loans, that is a blissful state of affairs, but it will cost a vast sum of money. I challenge the hon. Gentleman to say whether that is the SNP's spending commitment—yes or no. He has been very free in intervening, so will he answer that question?

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Friday 16 January 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Referendum (English Parliament) Bill

Order for Second Reading read.

9.34 am

Mrs. Teresa Gorman (Billericay): I beg to move, That the Bill be now read a Second time.

The Government's constitutional changes will leave the English people at a disadvantage to Scots and Welsh people, who are currently represented in this House. My Bill will give the English the same chance as the Scots and the Welsh to determine whether they should have their own Parliament. The Labour party plans to resolve the anomalies thrown up by its legislation by having English regional assemblies for which there is no real demand. We are a bit like the Tamworth pig that is running around: if we get caught, we shall be chopped up into pieces and fed to the European Union. The English people do not want to be broken up into regions. They feel English and, like the Scots and the Welsh, we want to retain our national identity. That is not wild English nationalism but a perfectly good feeling of loyalty to our native land.

Do not take my word for it. I understand that, with my background in European matters, people will think of me as slightly paranoic.

Mr. Eric Forth (Bromley and Chislehurst): Never.

Mrs. Gorman: Good.

On 21 January 1995, *The Guardian* stated:

"The Labour Party's plans for a Scottish parliament, a Welsh assembly and optional assemblies for the English regions, are, in part, inspired by the trend to regional self-government throughout"

the European Union. Last February, the *Financial Times* stated:

"Regional administrations will create unnecessary rivalries, contribute to a new layer of bureaucracy and prove an increasing drain on public resources."

Anyone who attended the debate on Wednesday about the proposals for regional assemblies—I know that they are not being called that yet, but that is where we are heading—will agree.

My Bill calls for a referendum on the establishment of an English Parliament with similar powers to those proposed for Scotland, which is also a kingdom in its own right. What is good for the Scottish goose is good for the English gander. The United Kingdom Parliament will remain as an umbrella to deal with taxation, defence and foreign affairs, as the Labour party has decided. There will, of course, be a lot less work to do in this House, so the English Parliament could meet in this Chamber two or three times a week.

The only thing is that Scots—and to some extent Welsh—Members of Parliament will not vote on English legislation. I feel a bit sorry for the Scots. They will become almost redundant. In their new Parliament, they will not be able to vote on legislation on such matters either. I suspect that some of them might be running down to the labour exchange with their P45s in the not too distant future. That is their problem. It is something that they have sought and will have to live with.

Strictly speaking, I am not in favour of this legislation at all. I am a Unionist and would prefer that we did not have to have it. As we are going to have to have it, I want the English to receive fair and equal treatment. I believe in the Union and that there is nothing wrong with the present system. In politics, I believe that if it ain't broke, don't fix it. However, with the reforming zeal of the new Government, whose basic platform of socialism was destroyed by the previous Conservative Administration, Labour had to come up with a new gimmick. It decided that constitutional reform would take people's minds off the failure of its policies in the past.

I believe that the driving force behind all these constitutional changes in Scotland is that the Labour party is terrified of the Scots Nats up there and thinks that by introducing the legislation it can circumvent what the nationalists have in mind, which is total independence. However, there is no such thing as semi-nationhood, and the time will come when the Scottish Labour party will find itself faced with calls for independence. That is something that we shall watch and enjoy from the Opposition Benches with a degree of sadness, because none of this need happen. But here we are, and we intend to make sure if we possibly can that the English are treated fairly.

The other thing about my proposal is that it solves the so-called West Lothian question.

Mr. Forth: I am grateful to my hon. Friend for giving way before she leaves the theme that she has been developing so eloquently. She touched on fairness. Do her constituents approach her as mine do, saying that they feel increasingly aggrieved that English voters have never yet been asked their opinion on constitutional change, devolution or anything else? They are genuinely puzzled and increasingly frustrated that everyone else seems to be asked what they want, yet the English—the majority group in the United Kingdom and the people who bankroll everyone else—have not yet been asked their view.

Mrs. Gorman: My right hon. Friend is right. The Labour party's proposals are not only crafty—the Government know that they would get a different result if they balloted the population in England—but scurrilous.

I want to praise the hon. Member for Linlithgow (Mr. Dalyell). He has toiled in this garden for many years to make the country aware of the anomalies. He has received less than praise for his efforts from some of his colleagues. Therefore, if my legislation were to end up on the statute book, the work that he has put in over these years would be justified.

To develop the point made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), there are probably more Scots living in England than in

[Mrs. Gorman]

Scotland, and they are very aggrieved at not being given a say in what is happening to their homeland. I have met Scottish people who tell me that when they go home to meet their families, they are bullied by friends and neighbours because those people think that the idea of a Scottish Parliament is daft. But, of course, they have not been given a say. We know why they are not being given a say, do we not? It is because the end result would probably be different. That is why the Labour party is being less than open about what it is up to.

No one can have been in the House last week without being aware of what was going on. Constitutional changes have been rushed through with guillotines and ill-thought-out speeches all week. All those measures will lead to the break-up of the United Kingdom, an institution that has served us admirably for hundreds of years, which has defended us against our external enemies, and which has contributed to a general feeling across the nation—not only in England—of loyalty and affection for the whole of the United Kingdom and its institutions. Of course, it is not a perfect system. No system of government is, but as Churchill said, it is probably better than anything else.

The Scots voted fairly comfortably for the changes in their referendum, although not overwhelmingly. The Welsh hardly voted at all. About a quarter bothered to vote. The margin was so small, and some of the voting practices and papers so suspect, that there are proposals to review the position. So much for the Welsh wanting their own assembly.

The London referendum is also coming up. That has met slight obstacles in the past week, but I am sure that the Labour party is determined to get it through. I think that it will be a damp squib. In the soundings that Labour has made, it received from the whole of the population of the London area—about 7 million people—only 102 or 110 responses. It does not look as if the proposal will be a winner, but we have yet to see.

Then, we are also going to overturn the long tried and tested although anomalous situation in the Lords. At Question Time this week, the Prime Minister endorsed the Government's intention to dismantle the upper House. Our constitutional background and the stability that we have all taken for granted throughout our lives, our parents' lives, and way back into our ancestry, is to be turned on its head. When one does that, there are unexpected consequences. Although the Government are determined to go through with it, they may well go down as the Government who turned over the basic framework and structure of our country and the way in which we administer our affairs, and put in its place a number of rival administrations at each other's throats, fighting for the resources available, and squabbling between them.

Having been born and raised in England, I can honestly say that I have never particularly thought of myself as English, British or anything else. We had children and families who were Scottish, Irish and Welsh in our neighbourhood. We never thought of them as different from us. They were all British and part and parcel of the same family. Now, of course, if we turn on the radio and listen to the "Today" programme, and if Ministers can be persuaded to come and answer for their policies, we nearly always hear a Scottish or Welsh voice. Suddenly these people seem to be over-opinionated, perhaps overrated and over here. It is a thought that would never have crossed my mind.

Mr. Peter Luff (Mid–Worcestershire): Down here.

Mrs. Gorman: Down here, over the border, whatever.

Mr. Tam Dalyell (Linlithgow): Could we be clear? Is the suggestion that there should be a repatriation of Mr. Jim Naughtie?

Mrs. Gorman: And, of course, there is Mr. Humphrys, who is a Welsh gentleman. So there are two of them. Perhaps that is why they would not have me on the "Today" programme this morning. [HON. MEMBERS: "Shame."] Is not that dreadful?

I am particularly concerned that the English are being given a second-rate alternative. The debate on Wednesday left us in no doubt that the proposals for regional assemblies were a minefield of contention. There was squabbling over boundaries and over the siting of the headquarters of the new units, and there is competition for grants from central Government and from Europe. Somehow, setting up the new institutions is supposed to bring more money into every region in the country and we shall all do better. There is not much talk about where all the money will come from and no talk at all about the cost of the extra administration or the burden that will be placed on the business community, which is the bedrock that produces the resources. The Government do not provide jobs; businesses do. They will have to bear the burden.

Mr. Andrew Rowe (Faversham and Mid–Kent): Does my hon. Friend agree that one of the arguments for the English regional assemblies advanced by the Government is that they devolve power? Is it not extraordinary that, as a consequence of their legislation, the Secretary of State will be able to override local planning authorities on every square inch of the country? If that is devolution, all the rest of the Government's proposals are equally spurious.

Mrs. Gorman: I could not agree more. The Government made it clear in their paper that in theory the assemblies will not get any more money. The regional assemblies will not have much power except the power to interfere in planning matters. I can only believe that that will cause ructions between the existing agencies—the county, district and borough councils—all of which jealously guard their powers. I have a sneaky feeling that the Government might intend to start eroding the green belt by overriding those authorities. Part of the Bill, which needs a big debate in the House, deals with that matter.

I suspect that the Labour party thinks that, through the legislation, it will establish itself in the main metropolitan centres. That is to say that it will, so to speak, take over the politics in the main cities throughout the regions. It will build its political power base from there. Everyone knows that England is the heartland of the Conservative vote, and this is the Labour party's way of trying to undermine that. *[Laughter.]* Of course, Labour Members think that it is a great joke now. They are wallowing, and I do not blame them, in their recent electoral result, but that will change; everything changes in time. The Labour party has two aims: to build in political advantage

for itself through the regional assemblies and, at the same time, to follow the overall plan of Europe, which is to render this country into a nice set of bite-sized chunks that can be consumed. That is not my view, but the view of two papers that are much beloved of the Labour party—at least, *The Guardian* is.

Mrs. Louise Ellman (Liverpool, Riverside): Will the hon. Lady confirm that it is the official policy of the official Conservative party that Europe is simply about cutting up the United Kingdom?

Mrs. Gorman: The Conservative party is not proposing regional assemblies for England. It is devoted to the idea of the Union. The Conservative party would not have advanced any of the Government's legislation. We believe that the United Kingdom is the proper body and that this Westminster Chamber should not have its powers altered and eroded. We do not want to end up with Scottish Members of Parliament sitting in this House with no powers over their legislation back home—legislation that affects the very people who have sent them here to look after them.

We would not have introduced the Government's legislation. It is gimmicky stuff. It was designed to help the Labour party to secure its position, and it has done so with some success in Scotland and Wales. We do not deny that gimmicks sometimes grab the public's attention, but the Scots have absolutely nothing to gain from the changes. They are entrenched in this Parliament. More than a quarter of all hon. Members were born in Scotland or Wales. If we consider the proportion of the UK population that the Scots make up, that is enormous over-representation, but no one thinks of it in that way at present, because we do not think of ourselves as being different.

Half the Cabinet are Scots born or Welsh born, and they represent Scottish and Welsh constituencies. Scottish Treasury Ministers will be voting block grants to Scotland, but people sent them here to represent them. The Secretary of State for Scotland in the Cabinet will have no jurisdiction over those grants because their distribution in Scotland will be under the authority of the new Scottish Parliament. The question arises: what about accountability? How are the Scots in this House supposed to do the duties for which their electorate sent them here? The anomalies that that will throw up will be tremendous and, I repeat, will bring ideas into the heads of other parts of the UK, including England—ideas that I am sure all hon. Members will come to deplore. I am trying to point them out, because we still have time to talk about them.

As I said, regional assemblies are being proposed not just in England. It is happening throughout Europe. The Portuguese will have a referendum on regional assemblies in February, I think. The Dutch have gone a long way along that path. The model for all that is the German Länder. The Germans are the dominant force in the European Union, and their model is being forced on us. It may suit them—historically, the Germans have had such a system. The Italians are basically a number of nation states that have come together recently. It will not come as any great surprise to them or to the Spanish, but the English and British systems are different. Force-feeding this proposal through these crafty measures needs to be exposed.

I hope that the Minister will explain the Government's game plan in all this. My view is that the Prime Minister is seeking to reduce the power of Westminster, to weaken our resistance to European domination and, who knows, perhaps when he has finished with us, to move on to the presidency of the European Union. He will be a young man when he loses his job as Prime Minister and he will still have some life left in him.

Mr. Desmond Swayne (New Forest, West): Is it not significant that the treaty of Amsterdam that the Prime Minister brought back for the first time gives political direction to the President of the European Commission over the rest of the Commissioners, making that President a real President in the terms in which we would normally understand the word?

Mrs. Gorman: I absolutely agree. I also believe that the presidential qualities of our Prime Minister were well demonstrated at Question Time this week, when he behaved like Napoleon, slapping people around and ordering the troops. I have never seen such a performance. He clearly has this Napoleon streak in him, so perhaps that is where he is heading.

Mr. Christopher Gill (Ludlow): Still on that point, has it occurred to my hon. Friend that no leader of any country in history has ever voluntarily given his power away in the way that the power of the Prime Minister of Great Britain and Northern Ireland is being given away, so there must be an ulterior motive? As she rightly pointed out, the ulterior motive is that the Prime Minister has set his sights on something altogether bigger: the presidency of the European Union.

Mrs. Gorman: I could not agree more. The Prime Minister is going to trade up, as people say in business.

The English have shown practically no signs of wanting to assert their separate identity. They are comfortable with being in the Union. They have never made a fuss about the fact that the Scots are over-represented in this House by about 14 seats and that the Barnett formula has given Scotland considerably more funds per head than the English receive. I know that my hon. Friends will develop that theme, so I shall not go into it in great detail. We have always, almost subliminally, recognised that the energy of the UK comes from the fact that all its talents are amalgamated. Doctor Johnson said that

"the noblest prospect which a Scotchman ever sees, is the high road that leads him to England!"

He takes that road because of the opportunities.

Mrs. Margaret Ewing (Moray): Rubbish.

Mrs. Gorman: Well, he said it. I am only quoting a famous and illustrious source.

Mr. Forth: I'll say. I took that road myself.

Mrs. Gorman: My right hon. Friend is a wonderful example.

[Mrs. Gorman]

The English have been taken too much for granted. I love that song by Flanders and Swann called "Patriotic Prejudice". It ends with the words:

"The English are moral
The English are good
And clever and modest
And misunderstood."

That is true. The Scots and the Welsh wear their nationality on their sleeve, and good luck to them. The Scots love dressing up in brightly coloured clothes—tartans, for example. They love singing their national anthem and so do the Welsh. Hon. Members who are Scots and proud of it do the same, and we love to see them. It puts a bit of colour in our lives.

Mr. Lawrie Quinn (Scarborough and Whitby): Will the hon. Lady please tell me whether she has ever seen English morris-dancing?

Mrs. Gorman: I have, and morris-dancers are very jolly, but they do not appear too often.

Mr. Dominic Grieve (Beaconsfield): Is my hon. Friend aware that the kilt as currently worn was invented by a merchant from Bolton, that it was taken to the highlands in the middle of the 18th century and that he was the first to manufacture it? There is an interesting book on the subject called "The Invention of Tradition", which deals with many aspects of current Scottish culture. It shows that many were derived directly from that period and that some were produced for them by the English.

Mrs. Gorman: I thank my hon. Friend for that intervention, which gives a wonderful example, not only of English entrepreneurship, but of the fact that we are prepared to go far and wide in order to sell our goods. Anyone who can persuade a Scottish gentleman to wear a skirt must be a very good business man indeed. It certainly beats selling fridges to Eskimos.

The English have feelings about their homeland, of course. We do not usually run around shouting about them, but we do occasionally go over the top. We have our patron saint and our national flower and flag, but we do not generally make a song and dance about it—except at the last night of the proms, when the English can be seen expressing their feelings of love and admiration for and loyalty to their country. We hear wonderful songs such as "Jerusalem" and—one of my favourites—"There'll always be an England". I love that song.

"There'll always be an England
And England shall be free
If England means as much to you
As England means to me."

I wonder what that song would sound like, if we had to sing:

"There'll always be nine regional assemblies
And nine regional assemblies will be free"—

[Laughter.]—wait for it:

"If Brussels means as much to you
As Brussels means to me."

It does not scan and I shall not ask hon. Members to join in the chorus, even though we all know these songs by heart.

We are not trying to drive the coach and horses of English nationalism. We are saying that, like the Scots and the Welsh, the English do have these feelings, but are perfectly prepared to build them into the United Kingdom structure. We do not want devolution if we can possibly help it, but we cannot help it because of Labour policies.

I notice now, although I never noticed before, the number of members of the Government who have Scottish and Welsh accents. A quarter of Ministers, including Cabinet Ministers, are Scottish or Welsh. No one would have given that a thought until now. Nine out of 20 Cabinet members are Scottish or Welsh born and represent Scottish or Welsh constituencies.

Mr. Gerald Howarth (Aldershot): My hon. Friend said that a quarter of Ministers were Scottish or Welsh and then corrected herself. The Cabinet is dominated by Scots: of the 22 Cabinet Ministers, no fewer than seven—almost one third—are Scottish. Therefore, even without the Welsh, the periphery of the kingdom is grossly over-represented.

Mrs. Gorman: I entirely agree, and I know that my hon. Friend will agree that we would never have thought that, had not this legislation been around. We would have accepted the situation. When I listened to the "Today" programme, my ear was never tuned to hear the accents of those speaking. Before, it would not have occurred to me that the top posts, both in this House and in another place, are held by Scottish or Welsh people, but that thought will now start to occur to the English.

Mr. Swayne: My hon. Friend is right to draw attention to the fact that, looking at the Treasury Bench, it often appears to my constituents that they are labouring under a colonial Administration. However, at the next general election, the voters have a chance to change that, without having an English Parliament. Would my hon. Friend care to comment on that?

Mrs. Gorman: My hon. Friends' interventions are all music to my ears. I am glad that others feel as I do, even though I am saddened by my feelings, which I did not have before. The harmony of the House and of government throughout the United Kingdom is of vital importance. The legislation will throw up all sorts of anomalies, which will open a Pandora's box of problems with which we have not needed to deal. Whatever the Labour party thinks, the move towards Scottish independence may well be unstoppable. It is obvious that the Scottish nationalists will not let up, now that they have the beginnings of a Parliament.

Mr. Gerald Howarth: My hon. Friend's back was turned, but as she was saying that the Scottish nationalists would not give way, the hon. Member for Moray (Mrs. Ewing) was nodding vigorously. Does not that illustrate my hon. Friend's point? The Labour party has brought forward proposals for Scottish devolution in an attempt to stop the haemorrhaging of the Labour vote to the Scottish National party. The measure is a sop to Scottish nationalism. The Labour Government believe that they will have stemmed the tide of Scottish nationalism,

but, far from doing that, they will have given a huge impetus to the nationalist cause in Scotland. When the Scottish Parliament finds that it is constrained from taking action on some issue because it is a power reserved to this Parliament, the Scottish nationalists will say, "We told you from the start—we need complete independence." The measure is a recipe for turmoil.

Mrs. Gorman: I absolutely agree with everything my hon. Friend says. We sacrifice the United Kingdom at our peril. It is the focus of our loyalty and identity, which are key issues when our country is challenged by outside enemies. Those feelings are not ephemeral and sentimental, but radical and fundamental. As a biologist who spent a great deal of time working on animal behaviour studies, I know how important feelings of territoriality are throughout the animal kingdom and how important they are to survival. Those who are not scientists may feel that that is a flippant point, but I assure them that people's gut feeling when threatened is strongly related to the territory in which they live.

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): Towards the beginning of her speech the hon. Lady said that, strictly speaking, she was not at all in favour of this legislation. Would she be happy if the Bill received a Second Reading, went through Report and Third Reading, moved on to the other place, returned to this House and finally ended up on the statute book?

Mrs. Gorman: Obviously, I did not make myself clear. When I said "this legislation", I was speaking of the Government's proposals to dismantle and dissect the United Kingdom. My Bill is a response to that, to ensure that the English people are given equal treatment. Fifty million people live in England: many of us are Scottish or Welsh and many are of other nationalities—we are a melting pot—but we are not being asked about the proposals in the same way as other parts of the United Kingdom. The Labour party has picked off the bits in which it thinks it can win, and it is being dishonest. That is why I am here today calling for the English to be given their own referendum on whether they, too, wish to decide their own affairs with their own elected representatives, which will, by definition, exclude people from other parts of the United Kingdom that have opted out of the Westminster/United Kingdom structure. In future, English Members of Parliament will not have any say in what I would describe as the domestic issues of Scotland, even though those issues are at least debated in the House now.

Mrs. Ewing: I have listened with courtesy and a great deal of interest to what the hon. Lady has been saying, although I am not sure whether she regards me as an outside enemy or as part of the animal kingdom. Scottish nationalists have always argued in favour of an independent Scotland, and I should like to put two brief points to her. First, there is an evolutionary process working in international politics, otherwise we would not have the United Nations or other international organisations in which all of us have pooled elements of our sovereignty for the greater good of the international community. That is fundamental to understanding where the Scottish National party comes from.

Secondly, does not the hon. Lady agree that the Scots—the people and voters of Scotland, of all the different ethnic origins—have made it clear that they want some form of Scottish Parliament? At the end of the day, they will decide the powers of that Scottish Parliament. It is not for anyone else to decide, but for the people who live and work in Scotland and who are involved in Scotland.

Mrs. Gorman: The hon. Lady forgot to mention the Scots who happen not to live in Scotland, but who live in England, and who have not been given a say. If they were given a voice and the vote went the same way, we would accept it. The Conservative party accepts that that is what happened under the democratic structure that was used—there was a good enough majority for us to accept that. We are not disputing that, but we can regret the situation because it will throw up anomalies that will mean that the feelings and the relationship between parts of the United Kingdom will undoubtedly change—they have been changed by the proposal. In future, the proposal may have consequences that we have not anticipated. I do not think that there can be semi-nationhood, which is what the Scots will get with the current legislation.

Nationhood is an absolute. Someone belongs to a nation; he believes that he is part of a nation and if he is, that is it. We are witnessing the breaking asunder of the concept of nationhood and the United Kingdom, which all the regions have adhered to, certainly for the past several hundred years.

The proposed change is not a bath into which someone can dip his toe and withdraw it if he thinks the water is too hot or cold. We cannot go back on it; the damage will be done. In England, there is no demand for the regional assemblies. In that context, I believe that there is a case for an English Parliament, which is why I have introduced my Bill.

10.11 am

Dr. Alan Whitehead (Southampton, Test): There is a famous passage in that excellent film, "Some Like It Hot" where the rival mob is celebrating the birthday of Spats Columbo—

Dr. Julian Lewis (New Forest, East): Is the hon. Gentleman likening my hon. Friend the Member for Billericay (Mrs. Gorman) to Marilyn Monroe?

Dr. Whitehead: More Spats than Marilyn, I am afraid.

In the film, as hon. Members will recall, a member of the rival mob contrasts the most outrageous claims about Spats's behaviour and his personal views. In the context of this debate, I have no truck with such cynicism. Some people say that the hon. Lady's Bill has an air of white flapping coats about it. On the contrary, the hon. Lady has taken the trouble to enter the private Member's Bill ballot; she has drawn together a Bill and has argued eloquently for it this morning. We should therefore take what she says at face value and argue about the detail of her Bill.

We have been helped considerably by an article that the hon. Lady wrote in the *Parliamentary Review* in November 1997, amusingly entitled, "Wrong division". Some people say that the article is an intemperate rant; I say that it is a carefully crafted argument in support of what she has to say this morning. It is useful to the extent that the hon. Lady sets out carefully the consequences of her Bill and her view of what might happen if the Government's present arrangements on regional devolution are put into place.

[Dr. Whitehead]

The hon. Lady says that the results

"of one or more local Parliaments must have two consequences—either the conversion of our unitary parliament into a federal state, with a written constitution prescribing restricted powers of the federal and local parliaments, or complete dissolution of the nation."

She says:

"There is no third alternative."

We must accept that the hon. Lady's Bill, were it to pass successfully through the House—I was pleased that the hon. Lady seriously wishes her Bill to succeed—would lead to a federal constitution.

The notion of federalism has been advocated in some quarters and, interestingly, was analysed in some depth on previous occasions when the matter was inquired into. I am thinking particularly of the Kilbrandon commission on the constitution, which reported in 1973. Kilbrandon said of federalism:

"There is very little demand for federalism in Scotland and Wales and practically none at all in England. Few of our witnesses advocated it, and people who know the system well tend to advise against it. Nevertheless it is an important constitutional model midway between separatism, which we reject, and devolution, which in one form or another we favour."

Mr. Forth: Does the hon. Gentleman recognise that, not only was that report produced a long time ago—since when much has changed and is still changing—but, more importantly, the issue of federalism has been raised again, owing to the Labour Government's action in creating a constitutional anomaly by giving the Scots and the Welsh degrees of devolution? That is what is different and, to follow on from the logic of my hon. Friend the Member for Billericay (Mrs. Gorman), that is what may well drive us inexorably down the road of federalism, something that Kilbrandon could not possibly have envisaged.

Dr. Whitehead: I accept that matters have changed since the Kilbrandon report, but a number of principles that he set out are enduring and deserve our attention.

In her magazine article, the hon. Member for Billericay opined that there was no third way. On the contrary, there is considerable evidence that a third way has worked elsewhere in the world and can work well in this country if given the chance to operate. Therefore, I shall make a case based on Kilbrandon's initial thoughts. As the right hon. Member for Bromley and Chislehurst (Mr. Forth) suggests, I shall bring the issues up to date in terms of our present constitutional debate.

On federalism, Kilbrandon concludes:

"A federation consisting of four units—England, Scotland, Wales and Northern Ireland—would be so unbalanced as to be unworkable. It would be dominated by the overwhelming political importance and wealth of England. The English Parliament would rival the United Kingdom federal Parliament; and in the federal Parliament itself the representation of England could hardly be scaled down in such a way as to enable it to be outvoted by Scotland, Wales and Northern Ireland, together representing less than one-fifth of the population. A United Kingdom federation of the four countries, with a federal Parliament and provincial Parliaments in the four national capitals, is therefore not a realistic proposition."

Kilbrandon has put his finger on the problem contained in the hon. Lady's Bill. Were it to complete all its stages and were the referendum to be successful, we would have a federation in a form that would prove unworkable in practice and that has never been promoted by any other country.

Mr. Grieve: I am fascinated to hear the hon. Gentleman's comments because they certainly have force. He clearly did not attend the debate on the Scotland Bill; I do not think that a single Labour English Member of Parliament attended it. Had he been present, he would have heard the Liberal Democrats say that the federal solution was an option. Labour's Scottish Members of Parliament made comments to the effect that, if a federal solution eventually emerged, so be it. Perhaps he should have a discussion with some of his Scottish colleagues.

Dr. Whitehead: The fact that the Liberal Democrats have believed, quite bizarrely, that a federal solution is a good idea for the UK does not necessarily make it a good idea. Certain Scots believe that a federal solution might be a good idea, albeit on different lines from those suggested in the past by the Liberal Democrats, but that does not make that a good idea either. It certainly would be possible to move to a federal solution on the basis of a number of regional Parliaments in the UK, of a smaller size than for England as a whole, which is what the hon. Member for Billericay advocates. However, that is not what the Government, nor anybody in the House, propose.

The issue facing us this morning—the nub of the Bill—is a proposal which Kilbrandon devastatingly said was not workable in terms of the constitutional imbalance that it would create.

Mr. David Maclean (Penrith and The Border): The hon. Gentleman says that he opposes the Bill because of the constitutional imbalance that would result. Would he care to comment on the constitutional imbalance that would be created by the Government's proposals, especially given that the West Lothian question remains completely unanswered?

Dr. Whitehead: The constitutional imbalance described in the Kilbrandon report arises as a result of a thorough and permanent arrangement whereby one particular Parliament of a federation has such an overwhelming dominance in terms of decision making that it effectively becomes the Parliament of the federation as a whole. The issues that the right hon. Gentleman raises are mere fleabites compared to that central point. There are issues that need to be resolved in terms of the devolutionary process, but the critique that I am putting forward is far more central. It is that the constitutional arrangements for a federal system would be so top heavy in favour of the English dimension as to be fundamentally unworkable.

Mr. Andrew Hunter (Basingstoke): Will the hon. Gentleman explain how the constitutional imbalance which he fears would come about in a federal Parliament differs in principle from the so-called "imbalance" that currently exists?

Dr. Whitehead: The problem with some Conservative Members is that, despite their protestations, they do not understand that the activity on which the Government are embarked is a process, not a fixed point. They do not understand the difference between an attempt to achieve

a third way between a unitary state that puts into place the aspirations, the different ways of operating and the wish to have a degree of local autonomy in various parts of what is called the United Kingdom, and the idea that we simply have a separation that would benefit nobody in the United Kingdom. We need to look at what the process would lead to. Conservative Members believe that it would lead to the break-up of the United Kingdom; I believe the opposite: that it would lead to strengthening the United Kingdom because of the ability of the new arrangements to reflect the aspirations and the economic and cultural requirements of different parts of the UK.

Mr. David Davis (Haltemprice and Howden): I probably have more experience of the federal states of Europe than most others. What the hon. Gentleman has said so far shows only too clearly that the word "federal" is misused in every sense. Will he explain precisely how an imbalance will manifest itself, given that the Bill proposes no Bundesrat? When he tries to explain the imbalance, he should demonstrate the need for establishing a whole series of rules about financial funding and other responsibilities between parts of the kingdom, which the Government have so far completely ignored in drawing up their legislation.

Dr. Whitehead: A number of Conservative Members appear to believe that, if one moves in any way from a centralised unitary state, one must move towards a federal super-state in whose clutches we shall all be embroiled. The facts of history show otherwise.

In an earlier intervention, the hon. Member for Ludlow (Mr. Gill) said that no Government have ever given away power. That is patently untrue. Historical examples include the Zollverein and Benelux arrangements, the Swiss confederation, the Swabian league and the Lombard league in north Italy. Throughout history, sovereign states and sovereign entities have come together for their mutual advantage. That did not mean federation. It may mean confederation for advantageous purposes, but it simply does not mean that, by agreeing to collaborate with other states for mutual advantage, a state throws away its sovereignty, identity and separate purpose.

The arrangements on which this country is embarked attempt to make those different purposes, aspirations and histories confederally possible by means of voluntary arrangements that are mutually acceptable and add to the whole. They are therefore in line with real history as opposed to the invented history of the Conservative party.

Mr. Gill: Can the hon. Gentleman not see the difference between co-operating with other nations and changing a state's constitutional basis? When I told the House earlier that there was no precedent in history for rulers giving away power, the word that I was used was "voluntarily". The hon. Gentleman is now confusing the issue by comparing what states might voluntarily wish to do in co-operation with other states as against changing the whole constitutional basis of the state to which they belong.

Dr. Whitehead: I have given some examples to show that, in history, a number of states decided to change how they worked for the benefit of their citizens. It is simply facile to suggest that one must either stay with the constitutional arrangements, which in many people's eyes have not worked well in terms of dealing with their legitimate concerns about where they stand constitutionally, and how they wish to express themselves culturally, economically and administratively—

Mr. Grieve: I understand what the hon. Gentleman is saying and have some sympathy with it. Those matters are not written in stone and I accept that. However, is it not the case that the extraordinary aspect of the Government's proposals is that we are moving into a miasma? It has never been made clear what even the basic construct of the new constitution will be. As for regionalism, it is all murk. Does he also agree that they do not take account of English national identity? Had I suggested that Scotland should be split into two for regional government purposes, there would have been an outcry from the hon. Gentleman's Scottish colleagues on the devolution issue.

Dr. Whitehead: May I give the hon. Gentleman an example of how one might look at those issues, in terms not of an academic exercise but of something that has really happened in Europe? There has been a transition in Spain from a fascist dictatorship to a democracy—from a highly centralised state to a highly devolved state, but nevertheless a state that has retained the unitary nature of its constitution.

Mr. Rowe: The hon. Gentleman is sincere in the examples that he gives but I think that I am right to say that, in all the examples to which he has alluded, there has been a long history of coherent "personality" among all the states or provinces that have come together in some kind of agreement to give up a certain amount of their power. The Government are suggesting that, in a country where such regional identities do not exist, they should be created artificially to fit the plan. The idea that people in Kent and people in Oxfordshire have remotely anything in common that brings them together to create some kind of co-operative regional assembly is absurd.

Dr. Whitehead: If the hon. Gentleman will bear with me, he will realise that I am referring to one of the oldest nation states in Europe. One could argue that Spain has been a nation state—certainly in more or less the form that its present boundaries command—for almost as long as the United Kingdom. Spain is relevant precisely because of the points made by the hon. Gentleman.

Spain, historically, was a highly centralised nation state. Despite that, there were a number of states, areas and provinces within its boundaries that had aspirations to move along a different path. Under Franco, those aspirations were ruthlessly suppressed. The Catalonian language could not be taught in schools, and the Galician language was suppressed. In short, Spain was pursuing a path which, after Franco went, would have led to its break-up had a number of those aspirations not been taken seriously. What happened in Spain is instructive and relevant to what we are discussing today.

Mr. Gerald Howarth: The hon. Gentleman has been generous in giving way. Does he not understand that there is a world of difference between Catalonia and what my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) was talking about—a wholly artificial

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creation, spawned to give a spurious validity to Scottish devolution, from Banbury in the north, through Aldershot and round to Dover?

Dr. Whitehead: I am sorry that Opposition Members are so impatient because, in referring to Catalonia, one might make a comparison with Scotland—although not with Banbury. One might compare other areas of Spain with Banbury, and I want to make precisely that comparison. I am not suggesting—unless global warming takes a far greater hold—that Banbury will coincide exactly with Murcia, but we can make some interesting parallels.

I shall quote briefly from a section of a book entitled "Nationalism and the Nation in the Iberian Peninsula" edited by Clare Mar-Molinero and Angel Smith, a section which, I have the sad duty to inform the House, was written by me. I trust that that will not entirely prejudice it in hon. Members' eyes. They ought to take assurance from me that, at least before being elected to Parliament, I was able to discern the truth. Here is one interesting parallel:

"There are, however, other considerations such as the differing legal systems arising from the historical experience of various parts of Spain. Thus the first disposition of the constitution gives protection to the territorios forales, those territories with so-called foral rights, that some regions have gained through history and remain to the present day as distinct laws implying rights of self-government. The financial systems operated in the Basque country and Navarre which allow them to impose and collect the majority of taxes and then give an agreed sum to the central Government for centrally provided services are examples of these rights."

One might say that that is an historical version of the right to vary taxes. In many ways, the system in the foral areas operates similarly.

The Spanish experience was no mere historical accident. With the rise of democracy in Spain, the Spanish Government decided that the linguistic regions—Catalonia, Euskadi and Galicia—should be given substantial powers of autonomy, first within a unified Spanish constitution. That was done. After that,

"Other regions were then offered two routes to autonomy. They could either aim for accelerated autonomy through a series of rather more rigorous procedures deriving from article 151 or could opt for more gentle and gradual procedure under article 143 which involved the consent of two-thirds of the municipal councils of each region followed by the agreement of a central Parliament."

Some of this may be beginning to sound familiar to the House.

Mr. Luff: We have read the book.

Dr. Whitehead: I hope that hon. Members have read the book. It is a riveting read—I recommend it for Christmas stockings.

"Only one region, Andalucia, opted for the exacting but accelerated path offered by article 151, and after a referendum, obtained full autonomy in 1981. All other regions followed the second path with ultimate success."

The interesting point about that process was that, other than the linguistic regions, it was widely regarded in Spain that the regions were mere historical leftovers like Wessex, Cornwall, Anglia or Mercia. The system of government under Franco was provincial, with provincial governors. One might say that the Government's offices of the regions have, in many ways, similar powers to those of the provincial governors under Franco.

What happened was the opposite of the prediction made by the hon. Member for Billericay in her article in *Parliamentary Review*. In a wonderful passage—on which, no doubt, she worked for many hours to get right—she said:

"'No taxation without representation', the huddled English masses will soon cry. If we are not to be represented in decisions on Scottish affairs then we should not pay for them. Nor can Scottish MPs expect to vote funds for their homelands from the pockets of English taxpayers."

Mr. Grieve: I am much obliged to the hon. Gentleman. I appreciate that we have interrupted his speech, and he has shown great courtesy. Is not the point that the Spanish system had historical entities that continued up to the 15th century and beyond before they were suppressed by the central Government? Here we are talking about a country, England—I understand his argument about Scotland—that has been a unitary state since the end of the ninth century.

To make his ideas work—to have concentric circles of devolution moving outwards from the centre—the hon. Gentleman must persuade the electorate that there are such differences between people in Kent and people in Dorset that they would wish to belong to different regions and have degrees of autonomy on that basis, rather than belonging to the entity with which many will identify, particularly once the UK is restructured—England. That is the very thing that, earlier in his speech, he said was impossible because it would create an entity that was too large to be manageable within the context of the UK.

Dr. Whitehead: I thank the hon. Gentleman for a constructive intervention, but I remind him that the situation is not quite as he sets it out. It is not the case that England has had a fully unified state since the ninth century. It is arguable that the King's writ ran around approximately half of the country until the unifying of the Tudor monarchs.

The other important argument is the remarkable fact that, if one were a time traveller and left the planet in 1391 and returned recently—as some think is the case with the hon. Member for Billericay—one would have no understanding of what on earth was going on, except when one espied the county boundaries of England. It is interesting that those county boundaries are almost exactly the same as they were in 1391.

It is also interesting that, during the recent reorganisation of local government, various polls were taken on community identity. They found that people identified strongly with their counties. Those counties in some instances derive from Saxon kingdoms, parts of Danelaw and so on. The boundaries go back as far in history as that.

It is not the case that there is no regional identity and no local feeling in the English regions other than a feeling of Englishness. That is not an accurate depiction of what takes place in England. I accept that there is not the feeling of identity comparable to Scottishness or Welshness, but there are genuinely different views on culture, economic development and localness in different parts of England, which deserve expression.

Mr. Grieve: I am fascinated to hear that, because I recently attended a meeting in High Wycombe, organised

by the district council, bringing together councils in the Thames valley area. The meeting was addressed by the Minister for the Regions, Regeneration and Planning, who was shocked when he discovered that his new regional construct was not welcome, because people had county identities. The hon. Gentleman should explain to the Minister that he is barking up the wrong tree.

Dr. Whitehead: It is interesting that the county identities set out in the various polls reflected, among other things, a sense of regionalism, not just of county identity. That is evidenced by the way in which some counties and local authorities have started working well together to develop their regional economy.

My hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) has played a fundamental role in developing an economic agency for the north-west. I hope that she will attest to us this morning that there is a strong regional identity. There are some strong regional actors, and the setting up of regional development agencies and ultimately, one hopes, regional assemblies will underline that regional identity and make it work for the benefit not just of that region, but of England as a whole. The inclusion of differences is to the advantage of the entire economy and is not destructive of it.

To return for a moment to Spain—*[Interruption.]* It is an interesting example, to which I hope Opposition Members will listen carefully. They may be surprised to learn that the huddled masses of Spain—if such a thing is possible—did not declare that because Euskadi, Galicia and Catalonia had been given autonomy, they wanted a Spanish national Parliament; they did precisely the opposite. They opted for an autonomous route of their own, but not along the lines of the old provinces. They opted for autonomy on the basis of a structure quite different from that which might have been anticipated, and a variety of forms developed.

The final result is that there are now 17 autonomias in Spain. Once one demonstrates to people the opportunities that exist for expressing their cultural and economic differences within a unified whole, they will take those opportunities on board. The regional assemblies in Spain are very popular and work well. There is no evidence now, as there was immediately after the 1978 constitution, that Spain will break up. Indeed, the leaders of Catalonia in particular have veered away from the separatist arguments that they were advancing a few years ago.

Sir Richard Body (Boston and Skegness): Adjacent to Spain is Andorra, which is a member of the United Nations and has all the elements of a nation state. It is entirely self-governing, yet its population is smaller than any of our counties. Would it not be sensible to consider devolution to our counties, and giving powers back to them? Andorra is not the only such country. Among others, there is Liechtenstein. Estonia, Latvia and Lithuania have smaller populations than many of our counties. If they can be viable as nation states, can we not give power back to some of our county councils, rather than establishing regional assemblies?

Dr. Whitehead: The hon. Gentleman is right to point out that one should not be slavish about population size when considering ways in which local and regional wishes for autonomy can be expressed. I am not sure that Andorra is a good example, because its constitution is ruled by, I believe, the Bishop of Barcelona and the Bishop of Toulouse, and it is not quite the sovereign state that the hon. Gentleman suggests. There is an interesting parallel in Spain itself, where La Rioja, with a population of 260,000—

Mr. Luff: On a point of order, Mr. Deputy Speaker. It may be useful for the purposes of comparison to hear about the experiences of other members of the European Union, but this is primarily a debate about England and many of us are anxious to get on to that subject, rather than discussing the future of the Spanish constitution.

Mr. Deputy Speaker (Sir Alan Haselhurst): This is a Second Reading debate of a general nature, as the speech of the mover showed. Nothing that I have heard has been out of order.

Dr. Whitehead: If we do not learn the lessons of history, we shall be condemned for ever to repeat the mistakes of history. The case of Spain is relevant and fascinating in light of the present debate in this country.

Hon. Members will be relieved to know that I shall shortly depart from Spain. The hon. Member for Boston and Skegness (Sir R. Body) should be reminded that La Rioja, which was a Franco province, opted for regional autonomous arrangements, which were granted to it. The Spanish regional assemblies represent populations of widely varying sizes, ranging from 7 million in Catalonia to 260,000 in La Rioja. Some of the Spanish regions mirror the size of English counties in their population.

I do not believe that there should be a size formula for regionalism. I trust that, as the arrangements in this country develop, that will be taken into account. I was delighted that, when the Secretary of State for the Environment, Transport and the Regions introduced the White Paper on regional development agencies, he said:

> "As we made clear in our manifesto, we are committed to moving, with the consent of local people, to directly elected regional government in England. That complements devolution in Scotland and Wales and the creation of a Greater London assembly. Demand for directly elected regional government varies across England, and it would be wrong to envisage a uniform approach at this stage. Local authorities and their regional partners are already creating voluntary chambers. We welcome that development and intend to build on it as a mechanism through which regional development agencies will have greater regional accountability."—*[Official Report*, 3 December 1997; Vol. 302, c. 359.]

That sets out in terms of the English agenda some aspects of the Spanish experience that I described. There is no suggestion that all regions move at the same pace, that devolution should be uniform, or that the unitary nature of the UK constitution should be broken up. Different regional aspirations and economic requirements can be given voice through the Government's proposals, which I welcome.

Finally, I shall give an example from a leading French regional academic of how French regions have worked. When the French regions were introduced, it was predicted that they would be unworkable, that they would have no resonance in the minds of French people and that they would disappear as soon as the ink was dry on the

[Dr. Whitehead]

laws that brought them into being. The opposite has occurred. In referring to the French regions, the French academic says:

"Instead of becoming just another body to aid economic regeneration, regions can develop other roles through their ability to initiate policy and the way they can overcome the fragmentation of existing institutions responsible for formulating and implementing Government initiatives. In spite of their many difficulties, it is the innovative and dynamic role of some French regions which strikes the observer."

I am sure that we shall hear this morning how regions, within a unified and unitary constitution such as continues in France, can exercise that dynamic role. It must be to the advantage of our nation to liberate the energies and the good will of those in the regions who have felt for too long that they do not have a say in their own destinies.

It is not a good idea to retreat to a laager of English nationalism because of our fears for the future. As I have shown this morning, those fears will not be realised. There is a third option between separatism and centralism. Unfortunately, in this country we are concerned about those who favour separation. However, as has been demonstrated in some quarters this morning, we should be concerned about English nationalism and how that effects the willingness of the whole country to work together for our mutual benefit.

In advancing down the path toward regional assemblies, the Government have chosen that third option. It can, and will, succeed. In a few years, like the people in Spain and France, I am sure that we shall look back and wonder what we were debating in such fearful terms. I ask the House to oppose the Bill, which would send us down an entirely different route and would lead to fear, distrust and paranoia. Labour's proposals represent the constructive way forward for this country.

10.51 am

Mr. Eric Forth (Bromley and Chislehurst): The debate has inevitably been sprinkled with metaphors and analogies. My hon. Friend the Member for Billericay (Mrs. Gorman) referred to the goose and the gander and the hon. Member for Southampton, Test (Dr. Whitehead) made some rather obscure motion picture references which even I, as something of a movie buff, did not follow.

I had intended to use a canine metaphor about the tail wagging the dog and I then planned to mention the English bulldog, which hon. Members will know does not have a tail. However, I decided that I might move into dangerous territory, so I dropped that idea. It might be useful instead to consider how we have reached this stage. For as long as we can remember, there has been within the United Kingdom a pampered and privileged minority that has received every possible political advantage and yet has proved to be ungrateful. I refer, of course, to the people of Scotland.

The Scots have Cabinet representation through the Secretary of State, a bureaucracy in Edinburgh that caters to their every need and over-representation in the House of Commons. To cap it all—and driven by the aforementioned privileges—the Scots have received money transfers from England that have sustained greater levels of expenditure in key areas such as health and education than in England. As my hon. Friend eloquently pointed out, the irony is that, until fairly recently, the English were prepared to accept that in a spirit of generosity and magnanimity.

It is a small political miracle that, until now, the English were prepared to accept that privileged and cosseted group within the United Kingdom. However, the Government have made a fatal mistake. Goaded by the imagined threat posed by the Scottish National party, Labour has been driven down the road of what is now called devolution. A series of novel political institutions are being created which may feed the apparently insatiable demand north of the border for more and more political privilege while, at the same time, raising questions about the relationship between England and Scotland which had not been mentioned hitherto. I am grateful to my hon. Friend for giving us the opportunity to debate today the issue of an English Parliament—a subject that we did not need to discuss until now.

The blame—if blame there is to be—lies squarely with the Labour party and the Labour Government. Make no mistake about that. I have no quarrel with the Scottish National party. It has adopted a perfectly honourable position which it has pursued for a long time and for which it seeks political legitimacy. My argument is with the Labour party which, in a craven manner, has decided to respond to the perceived Scottish National party threat in Scotland by endangering the entire structure and nature of the United Kingdom. Sadly, we must face that fact.

We can no longer tolerate the position whereby the English are expected to sit by quietly while their neighbours in the United Kingdom are repeatedly asked what they want. In one of his few memorable phrases, the hon. Member for Test referred to the "culture and aspirations" of the Scots and the Welsh and the fact that they must be recognised and facilitated. He was attempting to justify the referendums in Scotland and Wales in which the people of those areas were asked, "Do you want more political power and privilege at no cost?" We know that most people in their right minds would, if asked that question, say, "Yes, I would rather like that. I would very much like more control over my own affairs with someone else paying." We got the predictable answer from Scotland and the same answer only just came out of Wales—some of us wonder whether that was the real answer, but we shall hear more about it in the next few weeks.

A key element of the Bill—which I hope the House will support overwhelmingly—is that no one has asked the English what they want. Will the hon. Gentleman try to tell me that the English do not have a culture, an identity, a sense of nation or aspirations? Those feelings might have been muted until they were goaded into being by the actions of the Labour Government. If, as was said earlier, the thousand years of English history have given us an English identity, culture and aspirations, why have we not asked the English what they want? It is very odd that the referendum process may be applied to other parts of the United Kingdom but not to that part which has a rich history and which is paying for the privileges in other parts of the United Kingdom. We are in the anomalous and rather dangerous position of having sought the views of everyone except the paymasters.

That is the first reason why the referendum suggested by my hon. Friend is not just essential but a matter of fairness. If I believed in the concept of natural justice—I do not,

because I have never heard it explained satisfactorily—I might apply that term to the situation, but I think that "fairness" is easier to understand.

Secondly, we have yet to receive an answer to the West Lothian question. I believe that it is a dereliction of their duty as the custodian of our constitution—at least for the time being—that the Government have failed utterly to recognise the importance of the West Lothian question and the feelings that it will arouse increasingly among people in England. That has not happened yet because the realities have not been brought home. However, I assure the House that the matter is raised with me in Bromley and Chislehurst. When the issue is in the public mind—occasionally these matters bob up and are talked about in the House and in the media—people ask me, "Is it right that under the Government's proposals Scottish Members of Parliament will be able to dictate to us in England what is happening yet we shall have no say in what happens in Scotland?" I say, "Yes, that would appear to be the case."

Mr. Swayne: My right hon. Friend will understand that the West Lothian question is not new. In theory, it existed under the arrangements for Stormont, when there were fewer Members for Northern Ireland in this place than there are now. Is it not largely a question of degree? Might not the anomaly that we have lived with in the past be dealt with by significantly reducing the number of Scottish Members at Westminster rather than having an English Parliament?

Mr. Forth: My hon. Friend makes a typically constructive and helpful suggestion. I doubt, however, whether it would do the trick. I think that we are dealing with a matter more of principle than of numbers. Even if there were a much reduced number of Scottish Members, who had no role in their own domestic affairs but came down to England gratuitously to interfere in the determination of English matters in this Westminster Parliament—that is, if we did not have the Parliament that my hon. Friend the Member for Billericay is suggesting—the same resentment would potentially exist. I think that that would be the position if only a handful of Scottish Members came south.

I suppose that none of us—perhaps not even yourself, Mr. Deputy Speaker—can give a satisfactory answer to our increasingly aggrieved constituents. When they ask us, as elected Members, "Will this be the case, and what is the answer?" we cannot give them an answer as things stand. I cannot imagine what the answer might be.

As I have said, it is a matter of fairness. There must be a proper political response to an important question. If it is not answered, it has within it the potential to increase the present level of resentment and the unhappiness that will be felt in England as we see new political institutions blooming and burgeoning at great expense—basically, at the expense of the English—north of the border and, to a lesser extent, in Wales.

Mr. Dalyell: The so-called West Lothian question, as it was dubbed by Enoch Powell, not by me, in 1977, goes back, in my case, to reading Morley's life of Gladstone. It was the classic Irish problem. There is now—I think that the term was coined by Alan Cochrane, the commentator—the BTWLQ. "B" stands for bugger. That is not a satisfactory answer.

Mr. Forth: I defer to the hon. Gentleman's long and distinguished history in thinking about these matters and seeking to deal with them. I do not pretend that there is likely to be an easy, straightforward or even non-controversial answer to the question. I am saying that there is a question, that it remains, and that the Government are exacerbating the problem, not offering a solution.

One solution—it is attractive to me for a number of reasons—is being offered by my hon. Friend the Member for Billericay, and that is to pursue the logic that certainly exists. The logic runs that if we are to have new late-20th-century, millennium-type warmness towards self-determination, which now seems to be up and running, that is fine. Let us do that. Let us acknowledge that the Scots and the Welsh have a view of matters. Let us pursue that to its logical conclusion. That means that we must ask the other constituent parts of the United Kingdom what they feel about autonomy and controlling their own affairs politically.

At that point we come straight to the identity of the English—that is their sense of identity and nationhood. Would they like to have a say in their own affairs in the same way as we have rather encouraged in Scotland? I concede that having an English Parliament would lead inevitably to considering having a fully fledged federated structure for the United Kingdom. That would be much better arrived at if we viewed the entire dispensation rather than deal with these matters in a piecemeal fashion.

If we had the referendum that my hon. Friend the Member for Billericay has suggested and there was a yes vote, which I believe we would and should have, at that point, if not before, serious and urgent thought should be given to the structure of the government and constitution of the United Kingdom, new as it would be and containing a number of self-determining and self-organising political entities in England, Scotland, Wales and, probably, Northern Ireland. I am careful when I refer to Northern Ireland because I see that my hon. Friend the Member for Basingstoke (Mr. Hunter) is listening to the debate. I am rather nervous of what he might be thinking about the Northern Ireland aspect.

Mr. Quinn: Having heard the right hon. Gentleman's confidence about the outcome of a referendum on an English Parliament, would he want to sit in that Parliament, and what role would he see himself performing for his constituency?

Mr. Forth: The answer to the hon. Gentleman's question is yes. I would very much like to be a Member of an English Parliament. I would like to be the Finance Minister of the English Administration. I would like then, on behalf of my constituents in Bromley and Chislehurst, to remove the huge subsidy that my constituents are currently expected to pay to the Scots and the Welsh. That would be the first immediate service that I could render them. I should think that that would guarantee my re-election for the rest of my political life. I would then wish to continue by querying seriously the expenditure that the new federal Government would be proposing in other areas. I am excited at the prospect. That is my first bid for my next political career and my latest political reinvention of myself, which is something at which I have become rather adept over the years.

What my hon. Friends are suggesting is a matter of fairness to the English people and a proper response to what I rather loosely characterised as the West Lothian

[Mr. Forth]

question. We could add more questions. I am tempted to say that we could ask the English in a referendum, "Would you like to continue to be part of the United Kingdom?" We could ask the English people, "Do you want to continue subsidising the Scots and the Welsh to the extent that you have been expected to do in the past?"

These questions could be asked in addition to asking the English whether they want their own Parliament. Once one starts down that road, there are endless possibilities when it comes to asking questions of the English on the simple basis of fairness. I am not saying that we should necessarily amend the Bill to include the questions that I have postulated. Perhaps we should consider a separate measure to facilitate that approach. As I have said, once we start to think in this way, many other questions arise and they all deserve and demand answers.

That is the tragedy of the position at which we have arrived. It is the tragedy, in a sense, of why we are here today. If the Government had thought out properly where they were going on these matters, had paused and thought and perhaps even set up one of their famous reviews or, dare one say, a royal commission to examine in a systematic and coherent way what our future constitution should be, that would surely have been the right way of addressing these matters. I would argue, however, that we should leave relatively well alone. It is a tragedy that half-baked and half-thought-out ideas are being imposed on us for the wrong reasons. If we are not careful, the results will be disastrous for the whole country.

Mr. Dalyell: Iain MacWhirter, the commentator, argues persuasively in this morning's edition of *The Scotsman* that there should be a Kilbrandon-type commission on, as he puts it, "the governance of England". Would the right hon. Gentleman be in favour of such a proposal?

Mr. Forth: In the absence of the referendum that my hon. Friend the Member for Billericay has proposed, and which I support, I suppose that such a commission might be the next best thing. As ever with these matters—I hope that the hon. Gentleman will agree with me—the terms of reference given to such a commission would be crucial. If it were to make assumptions such as, "We shall start from the point that we have a Scottish Parliament and a Welsh assembly," ignoring why in some mysterious way these institutions should be different, and were then to focus on the requirements of the English, without being able to look beyond that, I would be reluctant to accept such a proposal. If such a commission were given a much wider brief, it might make a degree of sense—for example, if we were all prepared to commit ourselves, even if that meant undoing some of what is now being done in Scotland and Wales, to achieving a more coherent result—and be an approach worth taking.

Mr. Quinn *rose—*

Mr. Forth: I shall give way once more, but then I really must conclude.

Mr. Quinn: On the basis of what you said—

Mr. Deputy Speaker: Order.

Mr. Quinn: I am sorry. On the basis of what the right hon. Gentleman said earlier, does he agree that there is a strong possibility that the review would develop into determining a regional identity? I represent part of Yorkshire, which is split up into different counties at the moment, and the mood of my constituents is that a regional identity within Yorkshire would be the logical conclusion of the suggested review.

Mr. Forth: The hon. Gentleman is correct. If what the newspaper quoted by the hon. Member for Linlithgow (Mr. Dalyell) has in mind is an open look at what the best arrangements and dispensations would be, I concede that it is quite possible that some regional arrangement might emerge. A word of caution, however. One must not then assume that the transfers that take place—rather invisibly at the moment, and which therefore are broadly accepted—would continue. The warning that I must give to some of my colleagues and to hon. Members on the Government Benches is that they must not assume all that currently exists and simply bolt something ostensibly rather good on to it.

If the hon. Member for Scarborough and Whitby (Mr. Quinn) were to have a Yorkshire regional assembly, which he seems to crave, I say to him in a spirit of comradeship that he must not expect huge transfers of money—which exist at the moment but are concealed—from my part of the world, in outer London, to his to continue. That is the health warning that I would place on all this.

Mr. Alan Clark (Kensington and Chelsea): It is called convergence.

Mr. Forth: My right hon. Friend has used that dread word "convergence". In a sense it would be divergence, both constitutional and economic, if we were not very careful.

I thank my hon. Friend the Member for Billericay for doing the House and the nation a service by bringing this question before us today, because it enables something that has been ignored, swept aside, buried by the political establishment up to now, to be brought to the surface and discussed in a preliminary way in the House. I hope that we give her Bill a Second Reading, as that will allow the matter properly to be carried forward in the place where it should be, the House of Commons and this Parliament.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. The average length of speeches so far has been about 25 minutes. Many right hon. and hon. Members are seeking to catch my eye, but many will not do so unless some brevity is introduced.

11.12 am

Mr. David Borrow (South Ribble): I travelled down overnight from Lancashire in the hope that the debate would demonstrate that the Conservative party had learnt something from its election defeat. One reason for its defeat on 1 May was the fact that the status quo was not acceptable constitutionally to the majority of the British electorate. The fact that the Conservatives lost all their seats in Scotland and Wales to parties that are committed

to constitutional change was a real demonstration that the Conservatives were out of kilter with the majority of the British electorate.

Dr. Julian Lewis: Will the hon. Gentleman give way?

Mr. Borrow: Yes, but I am mindful of your words, Mr. Deputy Speaker.

Dr. Lewis: I thank the hon. Gentleman. I too am mindful of your words, Mr. Deputy Speaker.

The hon. Gentleman's point is not made in the case of Wales, where, despite the best efforts of the Labour Government to persuade the Welsh to vote for an assembly, it squeaked through by a mere 6,000 votes.

Mr. Borrow: If the hon. Gentleman will wait, I shall deal with that point later.

When considering the case for constitutional change, we should not examine each individual item in isolation, but recognise that we have started a process of change to modernise the British constitution to make it more democratic and accountable. We should recognise that the principle of subsidiarity—if I may use a word that is often used by the Conservative party in relation to the European Union—is important in determining the future structure of the British constitution.

There is a dynamism in the changes that the Labour party has proposed. The fact that there was overwhelming support for a Parliament in Scotland with revenue-raising powers demonstrates the extent to which the people of Scotland want devolution and constitutional change. That, to a lesser extent—I admit to the hon. Member for New Forest, East (Dr. Lewis)—is also the case in Wales. We await the result of the referendum in London on setting up, once again, an all-London body. It is a significant contrast that whereas the Conservative party, when in government, was more than willing to remove, without the consent of the people, powers that had been given to set up structures, whether it be the Greater London council or other councils throughout the country, the policy of the Labour party in government is to seek consent before structures are set up. As I have said, the constitutional changes that we have set in train are dynamic.

A couple of Opposition Members mentioned the possibility that if people were offered in a referendum a possibility to bring power closer to them and to have more control over their decisions, they would be more likely to vote for those changes. My hon. Friend the Member for Southampton, Test (Dr. Whitehead) explained the difficulties of the Bill in respect of a federal structure based on an English Parliament, a Scottish Parliament, a Welsh Assembly and a Northern Ireland Assembly, and said that it would be imbalanced. The Labour party, in opposition, flagged up that the end process should ideally be based on elected assemblies throughout the English regions, with powers similar to those to be exercised by the proposed Scottish Parliament.

In a meeting at which I spoke last night in Leyland, in my constituency, there was very strong support—and some impatience—for an elected assembly for the north-west of England. The accountability mechanism of the regional development agencies, which we debated earlier this week, is not as strong as it should be. I am convinced that there will be a growing demand for an elected assembly, to which the RDAs will be accountable.

In accepting the need to bring power closer to the people, we also have to look at the changes introduced in the past 18 years by the Conservatives in respect of local government, and the extent to which many of its powers were removed and constrained. I want a democracy based on unitary local government with real powers and with revenue-raising powers, and a regional structure that is based on elected assemblies, again with revenue-raising powers. That may well mean that there is less to be done in this Chamber and that we need less bureaucracy in central London. In terms of the point made by Opposition Members about the English subsidising the Scots, there is a feeling in many English regions that they subsidise the south in terms of paying for the bureaucracy of government in London, when much of the structure could be based in the regions and be more accountable and closer to the people whom it is there to serve.

I shall touch briefly on the so-called West Lothian question. The simple fact that the process of democratic and constitutional change is dynamic means that to try to address that problem at this point is wrong. It is wrong because the system will change. I am convinced that, when the Scottish Parliament is up and running, demand in the English regions for similar powers will grow, and those of us in regions who have been arguing for many years for democratically elected assemblies—for example, for the north-west, Yorkshire and the north-east—will hope to be successful in referendums to set up similar elected assemblies in our regions.

There will come a time when the West Lothian question may have to be addressed, but we must allow the dynamism of devolution to take its course first. It also presupposes that the existing system of election to the Westminster Parliament will continue. The Electoral Reform Commission is considering the voting method for the Westminster Parliament, and it may come up with an alternative system, based on proportional representation.

Mr. Grieve: Would the hon. Gentleman care to share with us why he believes that a change in the voting system would alter his earlier arguments about regionalism and the West Lothian question?

Mr. Borrow: I said that the devolution debate would be protracted and evolutionary. If we addressed the West Lothian question during this Parliament, we would do so on the basis of the first-past-the-post system. I do not know what system the Electoral Reform Commission is likely to come up with, but that system may well affect the number of Members of Parliament representing different parts of the United Kingdom.

An interesting recent development is that proportional representation will be operating in the UK next year, and on a regional basis. That in itself will tend to strengthen regionalism and devolution in the coming years.

I shall mention briefly a point that may upset Conservative Members but which fits in with the constitutional agenda. Do they believe that power should be exercised as near as possible to the people, that it should be democratic and that there should be accountability? Those are reasons why I support strong

[Mr. Borrow]

unitary local government, elected assemblies with revenue-raising powers, a change in the electoral system, and a change in the method of decision making in Europe. Decision making in Europe should be open, and it should be accountable through elected members from each member state, not determined by the Council of Ministers.

Dr. Julian Lewis: Does the hon. Gentleman realise that, if proportional representation had operated in the general election of 1 May 1997, the Labour party, with 43 per cent. of the vote, would have been utterly dependent on a third party—presumably the Liberal Democrats—to form a Government? Does he believe that that would have given a more representative result than the actual result, in which the country's wish for a Labour Government was manifested by the realisation of a Labour Government?

Mr. Borrow: The hon. Gentleman is assuming that, had we had a different voting system, people would have voted in the same way. All the evidence from 1 May is that the majority of the electorate wanted to get the Conservatives out of office and voted accordingly on the basis of each constituency. In some constituencies, that would mean that Labour supporters voted for the Liberal Democrat party or for one of the nationalist parties.

Dr. Julian Lewis *rose—*

Mr. Deputy Speaker: Order. This is a debate about a referendum for an English Parliament. It is not a debate about the voting system.

Mr. Borrow: Thank you, Mr. Deputy Speaker. I am sorry if I got carried away, but I believe the point is made that different voting systems produce different voting totals for different parties.

If we are going to modernise the constitution and the way in which we govern, that should be the heart of this morning's debate. Although the Bill addresses in part the need for more devolution, it does so by a method which, as my hon. Friend the Member for Test said, may lead to the dislocation and destruction of the United Kingdom, whereas Labour Members want a strengthening of democracy, a strengthening of accountability within the structure and a system that brings to an end the pressures for breaking up the United Kingdom because people feel included and more in control of their own affairs.

11.24 am

Mr. Simon Hughes (Southwark, North and Bermondsey): The hon. Member for South Ribble (Mr. Borrow) made a welcome and useful contribution to the debate; it was worth his overnight journey down from the north-west. The debate was triggered in a welcome way by the hon. Member for Billericay (Mrs. Gorman). The Bill asks two questions—should there be an English Parliament; and should we have a referendum—but leads to a series of linked questions, too.

I whole-heartedly support the Bill. I believe that there should be an English Parliament and that there should a referendum, which should have two questions, so my cards are on the table. Many of the reasons given by the hon. Member for Billericay and the right hon. Member for Bromley and Chislehurst (Mr. Forth) add weight to the argument for those changes. I hope that the House allows the Bill to proceed, because it would reflect badly on us, in the year in which we have been dealing with legislation to give Scotland its own Parliament and Wales its own assembly and to hold a referendum on London, if we said, when it came to England, "Sorry, England; this cannot go further."

I strongly believe that, as the right hon. Member for Bromley and Chislehurst said, in this country constitutional change has been brought about by stop-go pressure instead of a coherent approach. It has troubled me since long before I was elected that the British constitution has never developed coherently. If we do not get a grip on that, as we need to, we shall continue with an enormous number of anomalies, which continue to produce an enormous number of unfair results.

In the 1980s, when Arthur Scargill and the miners' representatives met me to lobby about miners' issues, I said to them, "It is no good coming to me now to say that you do not like the Tory Government, because the electoral system gave you the Tory Government. If, 20 years ago, you had lobbied for a fair electoral system, you would not have this Government, because the policy of the day is a direct consequence of the constitutional settlement."

Majorities in this place reflect only the electoral system. That point was made in the intervention by the hon. Member for Beaconsfield (Mr. Grieve) on the hon. Member for South Ribble. If we had a system that reflected the public view, not only would there not be a Labour majority of 179, but there would be no Labour majority. There was no Labour majority in Britain at the recent general election. The country did not overwhelmingly vote for the Labour party: indeed, it clearly underwhelmingly voted for it. There may have been a desire for change—I take the point made by the hon. Member for South Ribble that, had we had a different system, the voting might have been different—but, on the evidence of the votes cast, the country did not want, by a majority, a Labour Government. That is indisputable; it was clear.

Mr. Bernard Jenkin (North Essex): I very much appreciate the hon. Gentleman's comment about the need for a coherent approach to constitutional reform. Will he explain his enthusiasm for an English Parliament alongside his colleagues' enthusiasm for regional development agencies, leading to, presumably, democracy in the regions, and are we to assume, therefore, that he wants a federal Parliament here, and elected regions, counties and districts? I appreciate that the Liberal Democrats have had some success in the local government elections in recent years, but is not this a bit over-indulgent?

Mr. Hughes: That is a perfectly proper question, and I shall answer it, but let me finish another general point. We are in a time when each of the other countries of the United Kingdom—Northern Ireland, Scotland and Wales—are going through a major change. We hope that in Northern Ireland that produces a new settlement; it clearly will in Scotland and Wales. We also have on the table the regional development agency approach in

England, which is an early stage of the Labour Government's thought that they may want regional government in England, although they backed off it a bit between the original commitment and the general election. It is not terribly clear that Labour is still strongly committed to regional government. It was interesting that in the debate on the referendum in London, instead of saying that the Greater London authority should be a regional government, Labour Members called it a citywide authority. I think that that was to give themselves a bit of space and leeway later.

I am English by birth, and Welsh, Scottish and English by background, so I may have some ability to understand the problems. I was born and first brought up in England, and then lived in Wales, and I have relatives in Scotland. The Liberal Democrats are in favour of a Scottish Parliament, a Welsh Parliament with more power than the Government propose to provide, and traditionally have been in favour of English regional government. My party has not yet formally come out in favour of an English Parliament. I think that it is wrong about that.

I also think that it is wrong to pretend that English regions are equivalent to Scotland and Wales, which are countries. Yorkshire, the north-east and north-west are regions, which is not the same. It would be absolutely wrong to end up with a constitutional settlement that gave powers to the English regions equal to those given to Scotland or Wales. Northern Ireland is obviously anomalous, but it is the fourth component country of the United Kingdom, so should also have no equivalence to a region in England, which is a lesser creation. Northern Ireland requires its own settlement arrangement, although we appreciate the all-Ireland dimension.

Mr. Grieve: I have listened to the hon. Gentleman with great interest, and agree with much of what he has said. How would he address the issue raised by the Government, which clearly has some force, about the problem of creating a federal construct with disparity between the constituent parts?

Mr. Hughes: Given that you have enjoined us to be brief, Mr. Deputy Speaker, I shall press on, because I shall come shortly to the perfectly proper questions that have been put to me.

The present Parliament has three major constitutional flaws. First—and let us not mince our words—for years Scotland and Wales have been over-represented in the House of Commons. That is not fair, because it distorts election results. The Labour party benefits from that system, so it has defended it. It would be absolutely unacceptable if, after the Scottish Parliament had been given law-making powers, Scotland continued to be over-represented. Our party has said that there should be an appropriate reduced number of Scottish Members of Parliament, so that the ratio of electors to Members of Parliament became the same throughout the United Kingdom. There is no justification for a system that distorts the results. That will be even less acceptable when we have a Scottish Parliament and a Welsh Assembly.

The second way in which this place is rigged is the electoral system. I shall not today go over the debate on that, but suffice it to say that it is clearly unjustifiable that the results of general elections do not reflect the wishes of the majority of the British people. We have never had truly majority government since the war.

The third flaw is the other place, which distorts Parliament in a most bizarre and antiquated way. I hope that it is reformed quickly. I welcome the fact that a Cabinet Committee is looking into the matter. However, I hope that the Government do not replace hereditary peers by the patronage of the Prime Minister, because replacing people who get there by birth by people who get there by appointment is arguably even a step backwards, not forwards. At least by birth there is an accidental chance that there will be a fair spread of people, whereas by patronage there is no accident at all. The other place should be all elected, lovely and antiquated though it now is. My godfather turned out accidentally to be a peer—he woke up one morning and found he was a peer because his cousin had died. The other place is an anomaly and should go.

If we had an English Parliament, the easy way forward would be for the English Members of the United Kingdom Parliament to sit as English parliamentarians. That is easy and straightforward. We, the English Members, who represent English seats, could conduct English business. There would be no extra expense, no new Chamber and no new bureaucracy would be required. To start with, we could sit on days when the United Kingdom Parliament did not sit.

The reason why we should do that touches on the West Lothian question and related questions. The settlement of money for English local government is entirely and uniquely English business, and should be of no constitutional interest to the Scots, the Welsh and the Irish, other than for observation and comparison. Such business should be decided by English Members of Parliament. There is no reason why sports policy and arts policy and many other matters should not be decided by English Members.

If we wanted occasionally to sit in York or somewhere else, that would be fine by me. I am conscious that this is a country weighted towards the south-east, and as someone who was born in the north, I believe that we should correct that. We do not have to sit in London all the time, but nor do we have to build a great new building. We could sit in the free trade hall in Manchester, or in York, which was a former capital city, or in Winchester or wherever.

We should also be conscious of the fact that if we had an English Parliament, that would not necessarily mean that we should or should not have regional government. That is a separate question. My party believes that we should have regional government, and I happen to share that view. I do not think that my formula of English Members of Parliament sitting as the English Parliament produces a duplication of representation. The case for regional government in England is strong, although I accept the point made earlier that the one area that is difficult to define as a region is the south-east. Whereas the north-west, north-east, Yorkshire, south-west, west midlands, east midlands and London are fairly obvious regions, the south-east is more complicated. Is it logical for Buckinghamshire and Kent to be in the same region?

English regional government is a lesser level of government than national Government, and should deal with regional matters. We would welcome the move from

[Mr. Hughes]

regional development agencies to regional assemblies or Parliaments where that was wanted, in the next Parliament if possible.

Mr. Jenkin: In view of the hon. Gentleman's support for the idea that English Members should sit as the English Parliament, does he think it right that the suggestion that Scottish Members should sit as the Scottish Parliament was dismissed so lightly when it was made by the Conservatives at the Scottish Grand Committee? With a Labour majority in the House and the Scottish Grand Committee, the Scottish Parliament could be given such amount of power as the Government wanted it to have without having to duplicate bureaucracies and buildings.

Mr. Hughes: As it happens, I did not think that that was a particularly bad idea, as long as the electoral system used was fair. In the event, the Scottish Constitutional Convention, in which the Liberal Democrats took part, came up with a preferred option that seemed to command widespread support among politicians and other Scottish interests. That seems a better approach. We might have gone down the road suggested by the hon. Member for North Essex (Mr. Jenkin), but in recent years there has been no coherent approach to constitutional reform.

Even if we had an English Parliament, a Scottish Parliament, a Welsh Assembly or Welsh Parliament, and an assembly, or whatever it may be called, in Northern Ireland, we would not necessarily be a federal country. As the right hon. Member for Bromley and Chislehurst rightly said, that is a separate issue. This would be the United Kingdom unitary Parliament. If we wanted to become a federal country, like Germany and many others, our four component parts would have to come together separately and they would each have separate powers. We imposed the system of a Bundestag and Bundesrat on the Germans after the war to protect various interests. Other countries have senates that represent the various states.

I was encouraged yesterday to welcome the conversion of the hon. Member for Billericay to the cause of federalism. It was a nice line, but unfair on the hon. Lady. One does not have to be a federalist to support an English Parliament. It is consistent with a unitary United Kingdom Government. I do not seek today to persuade the House to go down the road of federalism, although I would personally support it.

An item for the Northern Ireland agenda was presented from Japan last weekend. The proposal for a council of the isles seemed to command the support of the Irish Taoiseach and the British Prime Minister. It is an interesting idea, and another dimension that we should consider. There are British Isles interests. I refer to the four countries of the United Kingdom, and to the Republic of Ireland, the Isle of Man, Guernsey and Jersey. Those countries all have common interests, and there ought to be a place in which we can discuss them.

I shall stick my neck out, and specify one controversial matter that ought, for example, to be discussed. I speak as a Member of Parliament a third of whose constituents—approximately—are of Irish origin. In this country—I include Northern Ireland in that—Irish citizens have full democratic voting rights, whereas in the Republic of Ireland, United Kingdom citizens have no such rights. That is no longer justifiable, and we should have a forum in which to discuss such issues.

I do not suggest that we need a forum that is constitutionally complex. We need a forum in which the four countries of the United Kingdom, and Ireland, the Channel Islands and the Isle of Man, can come together. All sorts of issues could be discussed. I could suggest, mischievously, that we could discuss, for example, offshore tax havens, but perhaps that is too topical.

If the Northern Irish are to be asked what their future should be—and, interestingly, the Irish, in the same context—and if the Welsh and the Scottish have already been asked, for heaven's sake, the English should be asked. I can perhaps say with slightly more authority even than the right hon. Member for Bromley and Chislehurst—but with as much authority as the hon. Member for Billericay, as one who was born in England but is of mixed racial origin—that my constituents want to be included, and feel that they are being left out. Like me, they are proud of their Englishness, as they are entitled to be. Nationalism need not be damaging or antagonistic. Unless people have a vehicle enabling them to debate national issues, they will rightly resent the provision of such a vehicle for others.

I welcome today's debate, because I think that we have fudged the issues for far too long. The West Lothian question needs to be answered: it should not be possible for the Scots to vote on English or Welsh legislation in a one-way context, when the English or Welsh cannot vote in the same way on Scottish legislation. The sooner we sit down and deal with such issues, the better. I hope that we shall have a Speaker's Conference or a constitutional convention, in which all of us, and people outside, can take part. That would be a welcome innovation, allowing us to try to right matters in time for the next millennium.

I think that it was G. K. Chesterton who said—I have not checked the exact wording, but I quote his observation on behalf of those to whom the debate is of particular interest—"We are the people of England, and we have not spoken yet." It is about time that we did speak. If the people of England were asked, they would vote for an English Parliament and for tax-varying powers, and I believe that they would vote with enthusiasm.

11.42 am

Mrs. Louise Ellman (Liverpool, Riverside): The Bill seems very frivolous. It claims to be against breaking up the United Kingdom, yet it advocates doing just that. It completely misunderstands the nature of regionalism in England, and it ignores the growing awareness of the existence of a regional tier. Understanding the nature of that regional tier, the people of the regions of England understand the increasing importance of making it more democratic, more accountable and more effective in meeting their needs.

Listening to what has been said by Opposition Members, I have perceived in the Bill not just frivolity and misunderstanding, but issues that I find very worrying. The hon. Member for Billericay (Mrs. Gorman) appeared to be using the Bill to fuel the anti-European sentiment that is increasingly becoming a feature of the Conservative party. It was remarkable how frequently,

while presenting her alleged case for an English Parliament, the hon. Lady felt it necessary to attack the European Community, Europe and the people of Europe. It seems that the Bill is as much about attacking Europe as it is about—supposedly—advocating the establishment of an English Parliament.

As I listened to the right hon. Member for Bromley and Chislehurst (Mr. Forth), I became even more alarmed. He contrasted the allegedly pampered, privileged and ungrateful Scots with the allegedly generous and magnanimous English. What we have heard this morning is not simply a case for or against an English Parliament, but a vehicle for the expression of the prejudice felt by some hon. Members. That should not and cannot be ignored.

Let us get one thing clear. The proposals for the establishment of a Scottish Parliament and a Welsh Assembly, which have been passed by the House and approved by the people of Scotland and Wales, are not about breaking up the United Kingdom. Although Opposition Members have made it clear that they oppose those measures, the proposal for a Welsh Assembly is essentially about bringing more accountability to decisions that are already being made by the Welsh Office, with its £7 billion budget and its 80-plus quangos. I find it remarkable that, even after a referendum, Opposition Members are against the idea of the people of Wales being able to make their own decisions about decisions made not by our Parliament, but by the Welsh Office. Making the system more accountable to the people of Wales—directly, with their consent—can in no way be seen as breaking up the United Kingdom. Indeed, it is about strengthening the United Kingdom, as it strengthens the people's ability to determine what happens in the various parts of that kingdom.

Mr. Rowe: As an Opposition Member, let me say that I have no objection to the Scots or the Welsh making decisions about matters that relate to them. What I object to enormously is the idea that, having been so privileged, they should also feel able to make decisions about issues relating to my constituency and my area, over which they should have no control—although they will have—when they are not accountable to my constituents.

Mrs. Ellman: Let me remind the hon. Gentleman that for Wales and Scotland, decisions will continue to be made in the House of Commons on a range of issues—such as foreign policy, taxation, social security and employment—that will affect the people of those countries.

Mr. Rowe: I understand that perfectly, and I do not object to it. What I object to is the fact that people feel that they should be able to make decisions on behalf of my constituents in relation to issues that are specifically excluded from scrutiny in this place.

Mrs. Ellman: Many Opposition Members have said that they oppose what will happen in Scotland and Wales. As I have said, I do not think that the hon. Gentleman is being consistent, and I do not think that he should make such comments without considering the influence that he would continue to exert over the affairs of Scotland and Wales. That underlines the fundamental fact that, in the context of the United Kingdom Government's plans to improve democracy, we are talking about maintaining the United Kingdom while strengthening the voice of those in Scotland and Wales in regard to matters that affect them. I ask Opposition Members, including the hon. Member for Billericay, to think more deeply about how we might apply the principle of bringing power closer to the people directly affected when we consider what is to happen in England.

The proposal to establish a Parliament for England, apart from misunderstanding the nature of the plans for the Welsh Assembly and Scottish Parliament, ignores the significance of the regions of England and the importance of listening to the varied voices of their people. England already has a regional structure. That was not known widely until relatively recently, but it is now well known and understood.

Mr. Luff: We do not have a regional structure but an administrative one, designed for administrative convenience. It is of no relevance or purpose to the people of Worcestershire that there is a Government office for the west midlands.

Mrs. Ellman: The hon. Gentleman illustrates my point. We do have a regional structure. Far from being simply administrative, it takes decisions that profoundly affect life in our regions. I am surprised that, even at this juncture, he does not understand that.

There is major spending by regional offices in England. One study identifies expenditure of some £15 billion on economic development alone. The decisions of regional offices relate to a wide range of functions, such as economic development, transport and education. Many relate to European issues. In recent years, great concern has been expressed that decisions on the disbursement of European funds intended to bring additional benefit to regions such as the north-east and the north-west have been in the hands of regional offices, where justice has not always been done.

Beyond the boundaries of regional offices, there is the question of the quango state. Many quangos operate regionally, taking decisions about the welfare and future of people in the regions without being accountable to their people. Increasingly, the important issue is not whether there should be a regional structure but how to make it more open, accountable and relevant to the needs of people in the regions.

The issues were further highlighted this week by our debate on regional development agencies. Most people believe that such agencies are essential in focusing the public and private sectors, in investing in businesses, in developing training and retraining, and in ensuring the correct supply of industrial premises and sites for development to secure jobs and prosperity. That proposition is supported by the Confederation of British Industry, British Chambers of Commerce, the Local Government Association, the Countryside Commission, the voluntary sector, and by further and higher education; by virtually everyone except the Conservative party in Westminster. It would do much good if Conservative Members were to do a little travelling around the country, where they would discover that in the regions, even their own members are enthusiastic about the case for regional development agencies.

Mr. John Hayes (South Holland and The Deepings): In that case, will the hon. Lady accept this challenge?

[Mr. John Hayes]

I am happy to go with her to any region to try to identify this great enthusiasm, this burning desire for regional government. In Lincolnshire, people do not even know that they live in the east midlands, let alone want a regional assembly there.

Mrs. Ellman: Before the hon. Gentleman embarks on his travels, I suggest that he talks to the right hon. Member for Devizes (Mr. Ancram), who represented the Conservative party on a panel at an important conference in Manchester town hall on 6 November last year, organised by Granada Television. The all-day conference had a wide range of participants, including many from business. It discussed the future of the north-west and specifically considered regional development agencies and regional government. He became increasingly isolated as the day proceeded, when he spoke not only against regional government but against regional development agencies, much to the incredulity of the audience, including the majority of business participants.

After the conference, Granada conducted a poll that showed that about 67 per cent. of the participating people of the north-west thought that there should be regional government in the north-west. The right hon. Member for Devizes got a shock when he came to north-west England. Anyone who wants to tell the hon. Member for South Holland and The Deepings (Mr. Hayes) to embark on his travels should first discuss with the right hon. Gentleman his experiences that day and the snapshot response that he received from the people of the north-west.

Mr. Grieve: I should be interested to know how it was that the conference took place and from where its participants were drawn. My experience of travelling around the country, especially in the north-west, but also in the north-east, is that while urban areas desire greater regional government—a desire that may be capable of being met—outside them, there is vitriolic objection to the prospect of being governed from those very urban centres.

Mrs. Ellman: If the hon. Gentleman wishes to pursue the question of who was invited to the conference, he should address that to its organisers, Granada Television. The participants came from a wide area, and included many people from business and commerce.

Increasingly, over the past five or six years, people from across the north-west—especially but not exclusively from the business sector—have understood the importance of developing the region's economy and structure and of the need for greater accountability and openness, so that the needs of the people and businesses of the north-west can be addressed more fully and effectively.

One feature of our debate on Wednesday was the recognition that in considering economic development in the regions, it was important to examine broader issues. That has also been the experience of people in the north-west. While it is important to look at business development, it is also important to consider communications, transport and the development of our airways, roads and rail services. While we are considering the importance of the development of skills and skills training and retraining, it is important to consider higher and further education. When we do that, we start to realise that decisions in further and higher education are taken by quangos that are unresponsive to the needs of the people of the region. Therefore, it is increasingly important that we examine accountability throughout the region and understand that there is regional tier that is currently unaccountable.

One of the key features that was identified earlier this week was the accountability of the regional agency and the importance of regional chambers. Opposition Members made a number of contradictory comments about regional chambers. They claimed that they were against regional development, yet said that they wanted to see regional chambers strengthened. The way to strengthen regional chambers is to make them directly elected. In the meantime, it is appropriate that they should be identified and recognised and that they comprise mainly elected members from local authorities, so that there is a continuing dialogue between the elected base in the region and the regional agency.

If Opposition Members are really concerned about the future of England, they should not pretend that England is a monolith. They should recognise regional diversity and the differing strengths of the economy in the different regions. In trying to do something about that, they should not ignore the reality of regionalism but should realise that we need to make the existing regional structures both accountable and effective. That is the only way in which the needs of the people within our regions as well as between them can be dealt with in a proper way.

Regions cannot operate in isolation. Regional chambers and regional assemblies cannot operate in isolation either. We need to have a strong Government at the centre and we need to have strong local government. If we are to ensure that the people of England develop in a way that meets their aspirations in the best possible way, we must ensure that we have more accountable and democratic institutions.

Therefore, I say to the supporters of the Bill that it is misinformed and misguided. It rests on the assumption that the United Kingdom is being broken up, when that is not the case. The wishes and needs of the people of Wales and Scotland are correctly being taken into account. Instead of trying to create a monolith of England without recognising the importance of the regions, we should accept and welcome the fact that we are in the United Kingdom, which is very good and correct, but that within that we should bring more accountability to the existing regional structures, so that the aspirations of people throughout the United Kingdom can be fulfilled in a proper way.

12.1 pm

Mr. David Davis (Haltemprice and Howden): As the hon. Member for Liverpool, Riverside (Mrs. Ellman) seems to confuse the interests of the national identity with the interests of regional bureaucracy, and as we had a regional development debate earlier this week, I do not propose to follow her line of argument. The decision of the Scots and Welsh people, however marginal, has posed an enormously difficult question for those of us who are principally concerned about the integrity of the United Kingdom. That fear has been made even more terrifying by the comment of the hon. Member for Southampton, Test (Dr. Whitehead) that devolution is a process, not an

event. Devolution makes England, Scotland and Wales unequal partners. The problem that we must now resolve is how to deliver a fair deal to England without undermining the Union.

There has been so much deliberate misunderstanding of motive in this debate and others that I want to elaborate my motives for a moment. I do not speak as an English nationalist—quite deliberately not. I was born in and represent part of Yorkshire, so I consider myself quintessentially an Englishman. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) made today perhaps the best speech that I have ever heard him make. I hope that that does not do him too much harm. Like him, I have lines in my family that go back to the west of Scotland, to mid and south Wales and to south Armagh in the north of Ireland. I consider myself an Englishman but I am, above all, a citizen subject of the United Kingdom.

I am proud of all that the United Kingdom has done in history. We have made enormous advances in literature, science and the arts and in our approach to the world. We have brought civilisation to much of the world and civilised values and tolerance in our dealing with much of it. In being proud of that, I am as proud of the Scottish engineer James Watt as I am of the Englishman Brunel.

Mr. Luff: Brunel's father was French.

Mr. Davis: I will not take corrections from my own side. I am as proud of the Scottish physicist James Clerk-Maxwell as I am of Faraday, or of Alexander Fleming as I am of Joseph Lister. I am even more proud of Adam Smith than I am of Maynard Keynes. The history of our great scientific, engineering, cultural and ethical achievements is populated with names such as Bertrand Russell, T. E. Lawrence, Dylan Thomas, David Livingstone and John Macadam, none of whom was English, but they are our tradition and our history. That is what we stand for and that is what this House stands for.

Others have left their mark, if not their names, on our history. A long series of brave Scottish, Welsh and Northern Irish regiments made crucial contributions to the UK's place in the world, be they the Enniskillens, who stood to the last man at Waterloo, or be they principally the Welshmen who held Rorke's Drift against thousands of Zulus. Those are all things that I, as an Englishman but United Kingdom citizen, am proud of and view as an important part of my history.

Every part of the Union has gained from and contributed to the hybrid vigour that is produced from the many strains of talent in a single United Kingdom. The Union draws its energy, enterprise, genius and courage from all its parts and we would all be more than proportionately reduced by its dissolution. Therefore, when we take pride in our traditions, we English should do so recognising that they are not English traditions, but British traditions. That is what we want to preserve today: one of the greatest and best nations that the world has seen in modern times. I support the Bill not because I am English, but because I am British and want to stay that way.

The Government's devolution policy is little more than an unstable gerrymandered mess. No attempt has been made to resolve, on a meaningful timetable, the West Lothian question or the over-representation of Scots at Westminster. That point is important too because there will be at least a five-year gap between the creation of the Scottish Parliament and a correction here.

As a result, we shall, as has already been recognised this week, have a system in which Scottish Members of Parliament can vote on purely English matters but English Members of Parliament cannot vote on Scottish matters. Furthermore, Scottish Members will be unable to vote on matters that affect their constituents. They will be left with little to do but to continue to vote on English and Welsh internal policies, where they will have lost much of their moral authority. That does not help democracy at all. It is inevitable that that state of affairs will breed tensions among the English. It is unstable and will undermine the Union.

I do not make the mistake of thinking that Celtic nationalism will disappear. Given a taste of self-government, the Scottish and some Welsh nationalists are hardly likely to stop there. They are no fools. They will use devolution as a springboard for complete separation. Strains caused by existing nationalism in Scotland and Wales, clashing with a rising English sense of injustice—not necessarily English nationalism—could threaten to tear the Union apart. There is only one logical way in which to avert that crisis. To correct that unbalanced, unfair and unsustainable constitutional settlement, we must give the English at least the opportunity of a Parliament of their own.

People of England value the Union extremely highly—so much so that they are prepared to subsume their Englishness for the Union's greater good. They have been prepared to accept disproportionately smaller parliamentary representation and to shoulder a greater economic burden than the Celtic countries. Unlike my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), the naturalised Englishman, I do not resent that because it is a part of the nation state's duty sometimes to look after other parts of the nation. It is for a good reason—that it is for the benefit of everyone, including the English—that we maintain the integrity and viability of the United Kingdom.

That commitment to the United Kingdom should not be mistaken for a lack of passion on the part of the English for their own country. A corrosive sense of injustice can be avoided only if the constitutional settlement is fair and seen to be fair. An English Parliament would achieve that: it would resolve the West Lothian question, cleanly and without the trade-offs that are difficult and never satisfactory. It would give a fair deal for England, with equal representation; a fair deal for the Union, with reduced nationalist tensions; and a sensible, balanced constitution would be the outcome. There has been a lot of talk about the so-called English backlash, but I cannot agree with such comments. Is it a backlash to want fairness? Of course not. Is it a backlash to want a stable and proper settlement? Of course not—it is a proper sense of what is just and right, which is something else for which Britain, not only England, has been famous over the centuries.

At the very least, the English deserve the opportunity to decide. They should be offered a referendum, just as the Scots and Welsh were, on their constitutional future. Failure to provide that option would be a shocking display of disdain for nearly 50 million United Kingdom citizens. Sadly, the Government's current proposals show just such disdain: rather than a full Parliament, the English are

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offered the flimsy compromise of regional assemblies—a system that will do little to solve the existing problems of devolution while bringing a host of new ones in its wake.

Regional assemblies would prove hopelessly inadequate to the task of producing a sense of attachment among their electorates. However much we disapprove of the constitution of the Scottish Parliament and the Welsh Assembly, they are at least constructed on historic national borders and an historic sense of national identity. Their areas are ones that people recognise and feel part of and such a sense of identity is more likely to produce a greater degree of healthy democratic participation.

Contrast that with regional assemblies. We have heard about Yorkshire—indeed, I am a Yorkshireman. Regional assemblies would become nothing more than a faceless bureaucracy, rendered unaccountable by a lack of interest among the population they purport to represent. Regional assemblies would not be a fair constitutional settlement. One could hardly say that a regional assembly is a body comparable to the Scottish Parliament, yet it would need to be to solve the West Lothian question. If the constitutional settlement does not offer equal powers to all parts of the United Kingdom, it is not a fair or sensible solution.

Regional assemblies would be bad for the English and bad for the Union. The only people whom they would truly satisfy are the architects of a federal Europe. To see England divided into devolved political units to which the English feel no attachment—units that increasingly looked to Brussels for financial aid and support—and to watch the United Kingdom break apart would suit the dreams of some federalists nicely. The regional assemblies could easily become bleak outposts of Brussels.

The hon. Member for Riverside seemed to think that that scenario is a product of Conservative imagination. I have probably had more dealings with people in Brussels and with the organs of the European Union than almost any other Member of Parliament and I can tell the hon. Lady that what I describe would not be the result of evil intent on the part of the European Union. Many people involved in the EU and its construction believe that the nation state is a dangerous entity that will lead to war.

Mrs. Ellman: Will the right hon. Gentleman give way?

Mr. Davis: If the hon. Lady will forgive me, I shall not. She spoke at great length and I wish to make progress.

Those people take the view that nation states lead to war, so they want the gradual dissolution of national borders. Their goal is neither inconceivable nor evil, but it is at odds with our history, our tradition and what is best for our nation.

An English Parliament would be inherently superior to such a system; it would be a strong political identity in its own right and would engender a strong sense of belonging in English citizens. It would offer a proper, fair resolution of the constitutional mess of devolution that we have now. In addition, it would be of a sufficient size and independence to be a good deal more than an annexe of the European Union.

If we must have devolution, and it would appear that we must, at least we should have a fair and stable system that does not put the Union at risk. An English Parliament is the best way to proceed. It is logically consistent; it offers a visibly fairer deal to the English people and is most likely to encourage healthy and active democratic participation. The very least that the British people—and, in this context, the English people—should have is the chance to decide in a referendum. The Labour party was fond of saying "trust the people" in its various referendum campaigns. I say to the Government that the time has come to trust the people—to trust the English people to decide their own destiny.

12.15 pm

Mr. Ross Cranston (Dudley, North): Listening to the right hon. Member for Haltemprice and Howden (Mr. Davis), I felt that there was some contradiction between his commitment to the United Kingdom and his fear of a divided United Kingdom, with his espousal of an English Parliament. His notion that an English Parliament would mitigate an English sense of unfairness was undermined by his own passion.

The hon. Member for Billericay (Mrs. Gorman) used most intemperate language, both in her article in the *Parliamentary Review* and earlier today.

Mr. Grieve: I am fascinated to hear what the hon. Gentleman has to say, but I am confused. He may not have been present to listen to the language that his Labour Scottish colleagues used about Scotland's rights during the debate on Scottish devolution and the Scotland Bill. I can assure him that the language used by my hon. Friends has been far more temperate than much that we have heard from his Labour colleagues. Perhaps because he never bothered to attend those debates or was kept away by his Whips, he is unaware of the strength of feeling expressed there.

Mr. Cranston: I shall not rise to the bait. I shall simply say that abuse of the Scottish people does not, in my view, advance the argument.

I wish to develop one point that the hon. Member for Billericay raises in her Bill: the idea of holding a referendum. This is not an appropriate issue on which to hold a referendum now. It is not appropriate for reasons of the constitutional conventions that operate in this country.

It is unfortunate that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has left the Chamber as he said that the Labour party did not have an organised system for constitutional change. We have a very developed system. We went to the country on a manifesto involving devolution, human rights, the operation of government and, in particular, freedom of information. We also said that we would hold a referendum on the single currency. We went to the people on all those issues and sought their judgment on 1 May. We approached constitutional change as it should be approached: we argued the case, we incorporated it in our manifesto, we went to the people and were ultimately successful. That is not the case with the Bill, which has not been taken to the country and has not been argued properly.

On the subject of referenda—or referendums, as parliamentary counsel has now authoritatively decided that we should call them—as hon. Members know, many

countries with written constitutions have provisions for holding a referendum to change the constitution. We can see good examples of that among two of our closest neighbours. The French constitution contains a provision stating that, for a change to take place, the legislature passes the necessary legislation, then matters are either taken to a referendum or there is a joint sitting of the two Houses.

Ireland may be a more appropriate example because its system is closer to ours. If the Irish constitution is to be amended, under article 46 of the constitution the amendment must be passed by the legislature and then taken to the people. Under the 1922 Irish constitution, the provisions were wider. Referendums were required not only for constitutional change but for other matters, whereas under the 1937 constitution they are confined to constitutional change. It is of historical interest that Ireland introduced that method of referendums to legitimise constitutional change. De Valera and others believed that Ireland had to break from the traditions that had hitherto operated. Australia also provides that a referendum must be held if the constitution is to change.

Although some countries with written constitutions require referendums, many important countries do not—Germany, another neighbour, is a good example. We tend to think of the United States as a country of referendums, but it has never held a referendum at national level; many have been held at state level, but the American constitution can be changed without the need to go to the people.

India may be a better example because its system of government is closer to ours. If the Indian constitution is to be changed, the matter is taken before Parliament and, except in some important cases when it is necessary to get the states' approval, changes can take effect by Parliament passing the necessary legislation by a sufficient majority. Even in countries with written constitutions, a referendum does not always have to be held.

We have a system of representative and responsible government. Members of Parliament represent their constituencies in various ways: we see our constituents in our surgeries and take up individual matters; we help groups within our constituencies; we effect introductions to Ministers; we lobby on behalf of groups in our constituencies; and we speak in this House. The hon. Member for Billericay would claim to be speaking on behalf of her constituents in introducing the Bill. That is how our system works. People are elected and they represent their constituents.

For many years, it was thought that referendums were not appropriate in our system of representative and responsible government. The old constitutional books make little reference to the holding of referendums. But, as we well know, in the 1970s important referendums were held. We must try to identify the factors necessary to trigger a referendum if we are to adhere to our constitutional conventions.

Some have argued that we should have more referendums and consult the people much more frequently.

When the constitutional unit carried out its important investigation into the conduct of referendums, it found evidence of popular support for referendums, and quoted the example of a poll in 1995 in which 77 per cent. of respondents were in favour of the use of referendums on certain issues. It also quoted more recent polling in Scotland and Wales in favour of referendums.

Some literature argues for the much wider use of referendums. In particular, literature in the United States calls for much more initiative in terms of people being able to put particular proposals on ballots, and then a referendum being held to determine the issue. However, that does not help our system in trying to identify the appropriate matters on which a referendum should be held.

In her article, the hon. Member for Billericay referred to Dicey, who casts a long shadow over the constitutional debate in this country. He discussed the conduct of referendums and was especially concerned with home rule. As a die-hard Conservative, he was determined to advance any plausible argument to try to prevent Irish home rule. However, in trying to rationalise that, he spoke of issues of transcendent importance, and mentioned changes to the monarchy and Reform Acts. He said that those constitutional issues should be taken to the people.

More recently, some constitutional law commentators have advanced other reasons. Professor Bogdanor, a noted commentator on constitutional issues, has said that where there is a transfer of powers, that is an appropriate subject for the conduct of a referendum. Professor Brazier of Manchester has said that a fundamental change in constitutional structures should be taken to the people. A number of commentators say that referendums should be conducted on important constitutional matters.

It is difficult to accommodate those views with the constitutional history of this country. There have been important constitutional changes where referendums have not been conducted. For example, the Parliament Acts of 1911 and 1949 did not involve referendums. The Maastricht treaty did not involve a referendum. The hon. Member for Billericay and a number of Conservative Members argued for a referendum, but the right hon. Member for Huntingdon (Mr. Major) said no. Our constitutional history contains examples of important constitutional changes where there has been no referendum.

In trying to identify the matters on which it is appropriate to hold a referendum, the party commitments at elections are important. We should look back to the referendums of the 1970s and, in particular, to the 1975 referendum on entry to the European Community. That referendum was promised in the Labour manifestos for both the February and October 1974 elections. The Labour party campaigned for the referendum and took it to the people. The people "approved" the manifesto and, subsequently, a referendum was held.

I am suggesting that the hon. Lady has not taken the matter to the public. There has not been a debate. She needs to agitate the issue with the public. She should go out and campaign. She must convince her own party. The right hon. Member for Devizes (Mr. Ancram), who leads on constitutional issues for the main Opposition party, said that the idea was fraught with difficulties. If the hon. Lady campaigns, she may ultimately be successful. Her proposal would have to be incorporated in her party manifesto, and her party would have to be successful at an election. That is a long way down the track, I suspect.

To be consistent with the constitutional conventions and with the circumstances in which we have held referendums, and to continue to operate a system of

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representative and responsible government, as we have known it in this country, the hon. Lady needs to do much more than simply present a Bill.

Mr. Andrew Mackinlay (Thurrock): I hope that I may catch Mr. Deputy Speaker's eye later. With reference to my hon. Friend's plea to have regard to constitutional conventions, may I say that if we are a modernising party we must disregard some of those conventions? Citing conventions as a reason for not introducing constitutional changes reflects a degree of conservatism. I want a radical approach to the constitution, including a greater use of referendums.

Mr. Cranston: I think that my hon. Friend misunderstands me. I said earlier that at the last election we went to the people with a programme of radical change. We promised, for example, to repatriate the European convention on human rights, and we are in the process of doing that. We promised freedom of information, and we are working on that. We promised devolution in Scotland and Wales, and we are delivering that. It was a programme of radical change, but it was consistent with our conventions because we incorporated it in the manifesto, took it to the people and got their approval.

In some cases we said that it was appropriate that there should be a referendum. We have already had referendums in Scotland and Wales. We said that the single currency issue is important constitutionally and economically, and we said that we should allow the people to have their say.

My argument is not about impeding change. Change must occur in an appropriate way and must be consistent with our constitutional conventions, which allow any party to incorporate a radical programme, to argue that change, and to go to the people on that basis, as we did at the last election. That is not what the hon. Lady has done. She has simply been lucky in the ballot and brought this little Bill into the House. She has not done the hard work—

Mrs. Gorman: I realise that the hon. Gentleman is new to this place. I have probably made more pleas than anyone in the House for referendums to consult people over the past three years, on the Maastricht treaty, on the single currency and in today's Bill. Will the hon. Gentleman make it clear whether he is in favour of referendums, in which case mine should fit neatly into his Bill, or agin them, in which case he may be called in to see his Chief Whip later?

Mr. Cranston: I fully appreciate what the hon. Lady has campaigned on, but she has not been successful in that campaigning. As long as she is not successful, it is not appropriate for a referendum to be held.

In reply to the hon. Lady's more general question about whether referendums are appropriate, yes, in limited circumstances they are. However, we must be careful about adopting the referendum technique too readily because it could undermine our system of representative and responsible government. I remind the hon. Lady and my hon. Friend the Member for Thurrock (Mr. Mackinlay) that the referendum has proved to be a very conservative instrument in many countries. Referendums are sometimes used to hinder change—particularly when moral issues are taken to the people. Therefore, the referendum is not necessarily a progressive instrument.

There has been some comment this morning about the West Lothian question. I do not believe that that is a serious issue. The Government have said that there will be no minimum number of Scottish Members of Parliament when there is a boundary redistribution some time during the Parliament. There has also been some discussion about how an English Parliament might operate. An English Grand Committee concept would impose an intolerable burden on Madam Speaker, who would have to determine whether issues should be decided by that body or by Parliament.

I fully endorse the comments of my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) about regionalism. That seems to be the most appropriate step to take at present. We took that issue to the people in our manifesto and we secured their approval. If there are any concerns in England about the implications of devolution in Scotland and Wales—I do not believe that they are broad concerns; my constituents have certainly not raised them with me—I believe that the Government's proposals on regionalism represent the most appropriate way of addressing them.

12.36 pm

Mr. Peter Luff (Mid–Worcestershire): The speech of the hon. Member for Dudley, North (Mr. Cranston) was one of the most remarkable in the debate to date. I find it quite extraordinary and unacceptable that a Labour Member of Parliament should say that everyone in the United Kingdom except the English can have their say in a referendum.

I must declare an interest in the debate: I am with Cecil Rhodes when he said that "being an Englishman is the greatest prize in the lottery of life". I am also proud that, through my wife's family, my children have Scottish, Irish and even Cornish blood flowing in their veins.

Some may think that a rather surprising alliance is at work today. My hon. Friend the Member for Billericay (Mrs. Gorman) and I do not always see eye to eye on some issues—particularly those relating to the development of the European Union. When she asked me to be a sponsor of the Bill, I thought for a moment that she was calling my bluff. However, it is a great privilege to be associated with the Bill. I greatly regret the necessity for it, as does my hon. Friend. I do not welcome the need that has been created by the Government's tinkering with the constitution, but we must support the Bill in order to give the English people a choice. I shall explain why that is so.

For English Members of Parliament, this could be the single most important debate in this Parliament as it gives us an opportunity to discuss the most important issue facing us in our role as representatives of the English part of the United Kingdom. I have a particular perspective on this issue. I come from Worcestershire, and my constituency is to be sandwiched between the Government's "powerhouse for Wales"—that is the phrase used in the White Paper—and the Birmingham-based regional development agency. I believe that my constituents will pay an exceptionally high price economically for this Government's blundering around in the locker room of constitutional change.

The problem with the Government is that they offer us constitutional change but do not think through the consequences. They do not have an endgame: they have no final objective. That is true of the Government's policies regarding the House of Lords, electoral reform, Europe, the regional development agencies and, above all, devolution for Scotland and Wales. The House must address the central question of where power and accountability lie in this kingdom before it does anything else. That question goes to the heart of our democracy.

The Government do not seem to understand a great deal about this democracy—they certainly do not understand their wonderful economic inheritance or the institutions of this country. In 1876, Walter Bagehot said:

"The characteristic danger of great nations, like the Romans or the English, which have a long history of continuous creation, is that they may at last fail from not comprehending the great institutions which they have created."

It is precisely that failure of comprehension that I fear the Government are demonstrating. I fear also that this country, this kingdom, may fail as a result.

What is it that the people of this kingdom are being offered? There will be a Parliament for Scotland—quite an ambitious and wide-ranging Parliament—with significant powers. There will be an assembly for Wales, with fewer significant powers. There will be a new devolved body for Northern Ireland. I am sure that that will have its merits in the context of the Northern Ireland peace process. In the same context, there will be a council of the isles. I think that some people are calling it IONA—the islands of the north Atlantic, from which England, by definition, will be excluded. I have no objection to that exclusion. I think that the proposal is the right course for the Northern Ireland peace process to pursue.

In all of that, there is nothing for England. Actually, there is worse than nothing; there is the balkanisation of England, the splitting up into its alleged component parts. These are so-called component parts that have no history, culture or tradition. They are regional development agencies and, in due course, regional assemblies.

No real person—I exclude bureaucrats, the CBI and Labour politicians—wants regional development agencies. The exceptions are a few local councillors who see an opportunity for a power base for themselves and some business men who do not understand, or are too frightened to upset this autocratic Government.

The Government's plans for the regions are, in effect, an attack on local democracy. I plead guilty because the Conservative party, over 18 years of government, did not always respect local government as it should have done. However, the RDAs and the assemblies represent a full-frontal attack on the county council and district council within my constituency. They are also an attack on the authority of the House. They will inevitably take power from the House, just as many developments—my hon. Friend the Member for Billericay might be surprised to hear what I am about to say—within the European Union will. The House is being marginalised.

As far as I can recall, since these ideas were first floated by the Labour party when in opposition, only one of my constituents has expressed to me his desire for a regional assembly in the west midlands. I recall that he was a member of Charter 88 and certainly not a supporter of the Conservative party.

There are huge dangers in this regionalism. In representing essentially but not entirely a rural constituency, I would say that there will be rule from the urban centre and the sidelining of rural interests. I see in the plans a sinister agenda for the Labour party to rule the countryside of England from its urban heartlands and to seek to achieve more political domination over the countryside than otherwise would be possible.

We have new bureaucracy and a duplication of economic regeneration activities between the districts, the counties, the RDAs and the Government. Most importantly of all, probably, there is the opportunity for Europe to divide and rule in the regions. I made that point during Wednesday's debate on the Regional Development Agencies Bill and I shall not make it again at length this afternoon. I merely say that it is not necessary to be a Euro-sceptic to be fearful of the outcome.

I am more sympathetic than my hon. Friend the Member for Billericay to the EU but I have my eyes wide open and I know what it is that the EU wants to do. Anything that marginalises this place and gives Brussels a direct link to the regions will inevitably be in its interests in constructing a federal Europe, which, like my hon. Friend, I firmly oppose.

Another danger of regionalism is that there is no public support for it among ordinary people. I am not talking about those who respond to Government consultations. Regions do not exist. As I said in an intervention, they are administrative conveniences. They are not democratic concepts with a cultural tradition. People in my constituency have loyalty to their village or town, to their county and of course to their country.

I oppose regionalisation, but I must offer something to my English constituents. If the devolution Bills are passed in this Parliament, as I think they will be, and there are developments in the Northern Ireland peace process, which seem likely, English resentment will grow. There will be resentment at under-representation in the Kingdom, with no separate voice on so many issues. There will be English resentment at higher spending in Scotland, Wales and Northern Ireland. There will be a growth of English nationalism. I still fear—I do not predict this with 100 per cent. certainty—that the long-term result will be the break-up of the United Kingdom.

Mr. Gill: Does my hon. Friend accept that, for the governance of this country and for respect for the law, all the people must acquiesce in the law-making process and in the laws that are made? Are not the circumstances in which the Government have chosen to make laws for the regions of this country, without the acquiesence of the vast majority of the people who live in England, destined to lead to the tensions that he is describing?

Mr. Luff: My hon. Friend is entirely right. In fact he probably understates the position. Popular support and enthusiasm—not just sullen acquiescence—for these institutions are essential if they are to flourish in our democracy.

The problem is that these issues are not understood by the Government—a Government dominated by Scots and Welsh Members. I have no complaint about that. I like Scots and Welsh representation in this place. I welcome it. I would rather have it maintained on its current basis than changed.

The Government are also dominated by northerners. Again, I have no objection to that, as this is the Government whom the people voted for. However,

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even within those areas, matters are not as clear cut as the Government would have us believe. Highlanders in Scotland take a rather different view from lowlanders. The people of north and south Wales—indeed those on the borders of England—all take a rather different view about the Welsh Assembly. Cumbria has precious little in common with Liverpool or Newcastle, and—coming further south—Cornwall certainly has nothing to do with Bournemouth, into whose regional assembly it will be placed.

In the rest of the country, where English Tory Members of Parliament are still the norm, there is no sense of region at all. None of my constituents thinks of himself for one moment as a west midlander. Many of them work in Birmingham, in the black country. Some were born there. The hon. Member for Dudley, North represents a constituency that was part of Worcestershire, but now, sadly, it is divorced from it through earlier, misguided change. We would like to have Dudley back some day—perhaps we could discuss it after this debate—if only for the beer.

We are deeply suspicious of the west midlands conurbation, and with good reason: the regional executive of the national health service delayed, for more than 30 years, a new hospital for Worcester. The executive is based in Birmingham and is preoccupied with the problems of Birmingham. Worcester has been denied its hospital. That will be the price of regional assemblies and RDAs on issue after issue.

We are proud of being Worcestershire men and women. We are proud of being English, of being British. I write my nationality in hotel registers as British, not English. My house in Worcestershire is in middle England. I have a view across the Malverns, which were the inspiration of Elgar, who wrote, of course, "Land of Hope and Glory". The English civil wars began and ended in Worcestershire. The creator of parliamentary democracy, Simon de Montfort, died in my constituency, at Evesham, 700 years ago, at the battle of Evesham. Bad King John, reluctant signatory to the Magna Carta, lies buried in Worcester cathedral. We are at the heart of English history, and we associate with both our county and our country, and also with our kingdom. We are proud of all of them.

Westminster is about to change. Quite soon, all parts of the kingdom will be able to take decisions that affect only England.

Mr. Mackinlay: Two kingdoms.

Mr. Luff: Indeed. There will effectively be two kingdoms.

Soon we will not be able to influence the same important decisions in other parts of the United Kingdom. They will be able to vote on our business, while we may not vote on theirs. They will expect to have more of their money, while we will have no say on how it is spent. It will not do, and nor will the Government's regional assemblies.

There are two solutions: the first is the subject of the Bill; the second is, perhaps, less radical and more quickly deliverable. We on the Opposition Benches are not imposing an English Parliament on reluctant people. We are asking, "Do you want one?" On the basis of the Welsh referendum result, I would have said that the Welsh do not want their assembly, and would not have proceeded with that legislation. The same result for an English Parliament would tell me that people do not want an English Parliament either, and that we should give up and go home. That would be the result of such a pathetic turnout and ridiculously small majority.

Understandably—and perfectly reasonably—the Bill is silent on the precise functions, responsibilities and even location of the new English Parliament proposed in it. However, before putting the question to the vote, we must be clearer—as, to be fair, the Government were—about the precise shape of the Scottish Parliament and the Welsh Assembly. What would it resemble more: the Scottish Parliament or the Welsh Assembly? The question answers itself. Given the size of this country, it would have to be more like the Scottish Parliament, with similar powers and responsibilities. What would Northern Ireland and Wales say about that? What would they say about the over-representation within the kingdom of England, as they would, I think legitimately, see it?

Therefore, I advocate a more radical approach: not the federal Europe which is offered implicitly in regional assemblies but—I use the word "federal" hesitatingly and reluctantly—a true federal United Kingdom. It is not my ideal, it is not what I want—I prefer what we have had for hundreds of years—but I believe that that is the only course along which I can be driven by the logic, or illogic, of what the Government are doing.

Mr. Gill: Does my hon. Friend accept that there might be an argument for this very radical Government in their approach to constitutional affairs to go the whole hog: to abolish the House of Lords entirely, install a British Parliament in the other place and dedicate this Chamber to the English Parliament?

Mr. Luff: That is an interesting idea. I cannot respond off the cuff to such an imaginative, radical and creative idea, but at least it is fresh thinking, and I promise my hon. Friend to give it serious consideration. That is the type of issue that we should be debating, because the constitution of this country will and must change, and it must do so in the best interests of all of us.

However, my suggestion is that we should have an English Parliament, with similar powers to those of the other constituent parts of the United Kingdom. Let the component parts of the kingdom have equal devolution of decision making. Each country should have a Parliament with exactly the same devolved responsibilities. The kingdom would have a Parliament, too, to deal with those issues that the kingdom Parliament reserves to it—probably along the lines of the Scottish break-up of powers between the Westminster Parliament and the Scottish Parliament, reserving to the kingdom Parliament defence, foreign policy, macro-economic policy and so on.

We could either have separate membership of those two Parliaments, with two Members of Parliament for each constituency, one for the national Parliament and one for the kingdom parliament, or, as I would prefer, one Member of Parliament could represent each constituency in both Parliaments. In the latter case, the members from the component parts of the kingdom would have to bear in mind constantly the interests of the whole kingdom during their term of office, so I would advocate that alternative very strongly.

There may be obstacles that I have not considered, but I believe that that is a stable, long-term solution to the dilemma that the Government have posed so recklessly to our kingdom; a solution that would avoid the jealousies and lunacies of regional assemblies.

We do not have much time—I am talking not about this debate, but about the progress of constitutional change in our country. The ugly ogre of English nationalism, which I detest, will begin to march soon unless it is forestalled. The Government have lit a camp fire of concern in England, which will soon burn into a forest fire unless we address it speedily. As G. K. Chesterton wrote in 1915,

"Smile at us, pay us, pass us: but do not quite forget.

For we are the people of England, that have never spoken yet"—

and they will speak soon.

I have something else in mind: an alternative short-term strategy, which may be the stable long-term solution. Provision exists in the Standing Orders of the House for the establishment of a Standing Committee on Regional Affairs

"which shall consider any matter or matters relating to regional affairs in England which may be referred to it".

Standing Order No. 117(2) states:

"All members sitting for constituencies in England shall be members of the standing committee, together with not more than five other Members to be nominated by the Committee of Selection."

The Committee was established in 1975 by the previous Labour Government and for two years it was used extensively. There were debates on economic affairs in East Anglia, the north-west, the south-east, Yorkshire and Humberside. Griffith and Ryle say in their textbook, "Parliament":

"there were sometimes divisions in the committee which, although largely meaningless, could be embarrassing for the government. As any English Member could attend, the task of the whips on either side was not easy. It may be that this was one of the reasons that these debates, although they appear to have been popular with the back-bench members who took part, did not flourish. A debate on plans for the South-East in 1977-78 was the last use of the procedure."

If that is the best objection that the Government can offer—I also look at my hon. Friends at this point—I hope that they will think again. England needs a voice and a mechanism is readily available to us. The Committee was popular. More than 60 hon. Members attended that last debate, in July 1978. Several of them are still with us in the House and some recently retired. I spoke to one yesterday and reminded him of his words, and he was relieved to find that he still agreed with himself.

We may need to amend Standing Orders to change parts of the way in which the Committee works, but the principle is sound. Perhaps that is the way forward, but I regret that I am driven to it by a Government who are playing fast and loose with our constitution.

It may be strange for me to end with a quote from a socialist, but George Orwell in "Homage to Catalonia", exactly 60 years ago, said something about English complacency that deserves to be repeated today. He wrote:

"Down here it was still the England I had known in my childhood: the railway cuttings smothered in wild flowers . . . the red buses, the blue policemen—all sleeping the deep, deep sleep of England, from which I sometimes fear that we shall never wake till we are jerked out of it by the roar of bombs."

It is not the bombs that we should fear now—or not quite—but the time bomb of unthought-through constitutional change that threatens great disturbance to this realm of England. I hope that the Bill and this debate do something to wake the English people from that sleep before it is too late. The English people should, at the very least, be given the chance to choose.

12.55 pm

Mr. Tam Dalyell (Linlithgow): I share the concern of the hon. Member for Mid-Worcestershire (Mr. Luff) about what he called the "ugly ogre of English nationalism". Home Office Ministers should reflect on the phrase used by the right hon. Member for Haltemprice and Howden (Mr. Davis), who referred to the corrosive sense of injustice. These matters must be handled very gingerly.

On Monday, I spoke for 42 minutes, so it behoves me to be succinct now. For most of the 35 years or more that I have been a Member of the House, I would have dismissed the proposal of the hon. Member for Billericay (Mrs. Gorman) with something of a guffaw. A Parliament for England: don't be daft! However, given the result of the general election, the events of 11 September and the Second Reading of the Scotland Bill on Tuesday, the unthinkable has become distinctly thinkable. Perhaps a Parliament for England may be an unintended consequence of the legislation for Scotland and Wales.

What is beyond question is that the hon. Member for Billericay has rendered the House of Commons a singular service by using her luck in the ballot to create such a timely opportunity for at least exploring the concept of an English Parliament. This matter deserves to be aired in Committee.

My first question relates to an article that appeared in *The Scotsman* this morning by the commentator, Mr. Iain MacWhirter, a copy of which I gave to the Home Office. Could I have an interim reflection on whether a Kilbrandon-type committee, as he suggests, on the governance of England is a starter?

My second question, of which I have given notice, is: why was no Home Office Minister to be seen on Monday and Tuesday during the two-day discussion on the Scotland Bill? Is it that modern Executives—the previous Government did not behave much differently—have ceased to care the proverbial fig about the House of Commons? This is not a matter of amour propre: it is a question of the health of a parliamentary system in which elected representatives are at least listened to, even if their views are unpalatable.

My third question is: why on earth was the Scotland Bill left entirely to Scottish Office Ministers? Such a measure was devised in the Cabinet Office last time, but this time it was devised entirely in the Scottish Office. What was the Home Office contribution? The Home Office has some serious documents, which were prepared in the first instance by that distinguished permanent secretary Sir Charles Cunningham, who had been at the Scottish Office before he went to the Home Office, and were added to by Philip Allan when he was the distinguished permanent secretary.

The Home Secretary and his Ministers ought to look at the documents. I am not saying that circumstances have not changed; I am merely saying that I think the Home Office understands how impossible it would be to have a subordinate Parliament for part, but only part, of a kingdom that, above all, we wish to remain united.

[Mr. Tam Dalyell]

My hon. Friend the Member for Southampton, Test (Dr. Whitehead)—who has left the Chamber, doubtless for good reasons—gave a Catalonia example. I do not doubt that a prosperous citizen of Barcelona might be enchanted with what has happened in Catalonia, but, having been to Andalucia, I think that things might look rather different in Andalucia and in the rest of Spain. The Catalans are not exactly the flavour of the month, and are thought to have behaved—with all their riches—in a rather selfish manner.

Fourthly, I would like to hear the Home Office view on what has come to be known as the Bury, North question. I have discussed that question with another distinguished former permanent secretary at the Home Office, Sir Brian Cubbon, who happens to come from Bury. The Bury, North question is this. How can my hon. Friend the Member for Bury, North (Mr. Chaytor)—my Labour colleague—justify to his constituents in that not over-rich Lancashire town the fact that, for the foreseeable future—if we are to believe the undertakings as to the sanctity of the Barnett formula, undertakings about which I have grave reservations—the Scots will benefit from 24 per cent. more identifiable expenditure per capita than the English?

It stretches the bounds of human nature to think that, for ever and ever—that is what we are talking about—English Members of Parliament will be voting substantially more money for people whose spending they have difficulty in monitoring. That was made clear by the Chairman of the Public Accounts Committee, the right hon. Member for Haltemprice and Howden on Monday. At the same time, those Members will be accepting less for their constituents, in Essex—where my hon. Friend the Member for Thurrock (Mr. Mackinlay), who will, I hope, speak, has his constituency—and, indeed, all over England.

This cannot last. That is not an opinion, but a fact of life.

My fifth question relates to what the hon. Member for North Wiltshire (Mr. Gray) said on Tuesday, which was:

"It is not a Scottish but an English time bomb: the people of England will ask why on earth the Scots who have gone off to look after themselves and run their own Parliament should dominate us and take such a keen interest in our affairs in Chippenham."—[*Official Report*, 13 January 1998; Vol. 304, c. 198.]

The Scottish Office did not reply to that, but I would be rather interested to learn the Home Office's view.

My hon. Friend the Under-Secretary of State for the Home Department represents a constituency in Greater Liverpool. I hope that he will forgive me if I say that it cannot be right that I, as Member of Parliament for Linlithgow—let us be alliterative with our l's and i's—can continue to vote on the most delicate matters relating to Liverpool when my hon. Friend cannot vote on those matters in Linlithgow and, for heaven's sake, I cannot vote on them in Linlithgow. That situation cannot continue. The ability of the Scotland legislation to endure will have to be judged against its openness and fairness to all Members of Parliament in all parts of the United Kingdom. Again, is that accepted by the Home Office?

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said:

"The point that I make to the House and especially to Ministers is that the proposals are not fair to England, and because they are not fair to England, the settlement will not prove durable . . . It is a little more bizarre that the hon. Member for Linlithgow will be able to express a view on what happens in Lincolnshire, but will have no say on the domestic policies that affect his constituents."—[*Official Report*, 12 January 1998; Vol. 304, c. 77.]

What is the Home Office view of that?

My next question goes back to the speech of the hon. Member for New Forest, West (Mr. Swayne), who said:

"I know that one of the two parties to the love fest is being taken for a ride. I do not believe for one moment that it is the hon. Member for Banff and Buchan."

The hon. Member for Banff and Buchan (Mr. Salmond) is like the cat that swallowed the cream in all this. The hon. Member for New Forest, West continued:

"What Labour Members have failed to realise about the Bill's nature and its reliance on good will—there is even to be an electoral system maximising the requirement for good will—is that one of the parties to the arrangement is wholly opposed to the Bill as it stands."

Again, what is the Home Office view of the reliance of this legislation on good will? Forgive some of us for being somewhat cynical.

On the same day, the hon. Member for Aldridge-Brownhills (Mr. Shepherd) said:

"The English are quiescent at the moment and, by and large, they are benignly disposed towards the Scottish Parliament. I do not believe that they realise the risk inherent in the scheme in front of the House. England awakes only when it is in disaster—that seems to be the lesson of history. The truth is that we do not have to look very far ahead to suppose that the Prime Minister wins the next election but his majority is formed only on the basis of Scotland."—[*Official Report*, 13 January 1998; Vol. 304, c. 204-10.]

There will probably be no problem in this Parliament but, in reflecting on the constitution, we must look ahead to the next Parliament and the Parliament after that. This is an opportunity to ask about Home Office thinking on the matter because, as *The Times* leader of 5 April 1997 eloquently put it, the consequences

"will be felt well south of Hadrian's Wall."

I shall refer briefly to an article by my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins), a member of the Treasury Select Committee and chairman of the northern group of Labour Members. He says:

"There are three problems with the 1978 model besides its age. First, the formula is not based on rational assumptions. It is merely a calculation which ensures differential increments in expenditure in the different nations of the UK. It actually reflects decisions made about resource allocation in 1976-77.

Second, it is flawed. It is clear from the evidence both now and in the 1970s that the formula was intended to produce convergence between England and Scotland. But in fact it has led to a wider divergence between spending over the past 20 years; though living standards in Scotland have risen relative to England, spending north of the Border is now 23 per cent. higher per head of population than in England.

Third, the formula has not enabled equal scrutiny of spending in all parts of the UK. Governments have seen attractions in the formula precisely because it is obscure, historic and not based on the assessment of present needs."

The perspective of northern Members of Parliament cannot be put back into some kind of Pandora's box. Again, I ask the Home Office what its response is to

comments such as those written eloquently and powerfully by my hon. Friend the Member for Newcastle upon Tyne, Central in the Scottish press.

I promised to be brief. All I say is that the House should be grateful to the hon. Member for Billericay for giving us the opportunity at least to put some of the questions in the context of the English dimension. I hope that she gets an opportunity at least to have her Bill on the anvil of inquiry in a Committee so that these matters can be seriously and quietly looked at.

1.10 pm

Mr. Bernard Jenkin (North Essex): It is always a great pleasure to follow the hon. Member for Linlithgow (Mr. Dalyell) in debates of this nature. He started by asking the fundamental questions that flow from the consequences of the Scotland Bill, questions to which we have so far had absolutely no answers from the Government. As he put those questions specifically to the Under-Secretary of State for the Home Department, the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth) today, I hope that the Minister will take the opportunity to answer them. I particularly look forward to the answers to the new question about the Kilbrandon commission, but all the issues raised by the Scotland Bill deserve to be treated seriously.

I congratulate my hon. Friend the Member for Billericay (Mrs. Gorman)—*[Interruption.]*

Mr. Mackinlay: She has finally crossed the Floor of the House.

Mr. Jenkin: My hon. Friend's political dexterity has been slightly over-estimated. I am sure that she intends to remain on the Opposition Benches. I congratulate her on securing this debate. The debate that she has led this morning is not about an English backlash, but her high state of arousal on the issue, her enthusiasm and the originality of her speech are a great contribution to the general debate about the constitution, which the Government have so far neglected.

The Government are pursuing an agenda of their own making in pursuit of their own interests at the expense of a proper, holistic view of the British constitution. I shall refer briefly to comments that have been made during the debate, but I wish to make one general qualification about the comments that I intend to make today. This is a debate that raises questions. It is not a debate that will provide us with answers, although I appreciate that some answers have been put before us. However, one thing is absolutely clear. I make this point in response to the hon. Member for Liverpool, Riverside (Mrs. Ellman). There is clearly an agenda for the reform of the British constitution that goes hand in hand with the programme for the integration of Europe. That was endorsed specifically by the Minister for the Regions, Regeneration and Planning, when he talked about a Europe of the regions. That is the policy of the Government.

If anything is designed to make it easier for the institutions of the European Union to get a hold on the political agenda within the member states, it is the stripping of national Governments and national Parliaments of their powers, taking some powers up to European level and encouraging others down to regional level. That is consistent with the programme that the Government seem to be pursuing.

The Bill is analogous to the Referendums (Scotland and Wales) Bill, which was passed by the House last summer in a great rush, and it is similar in style to the Greater London Authority (Referendum) Bill, which is in the other place. The problem with the Government's approach to the referendums is that it is they who choose the timing and the issue, who frame the questions and who decide whether there should be one question or two.

We wanted to change the questions in the Referendums (Scotland and Wales) Bill. There is an argument about whether there should be two questions or one question in the Greater London Authority (Referendum) Bill as it is about two issues: a democratically elected mayor and a democratically elected assembly.

The Government also choose the franchise. My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), who spoke eloquently and at length, talked about the sacrifices that people have made for this entity—the English entity. It is notable that, although—I use more up-to-date examples than him—the Welsh Guards died on HMS Sir Galahad when they were fighting under the British flag for the Falklands, they would have been denied a vote in the Welsh referendum if they had, by accident, neglected to maintain themselves on the Welsh electoral local government register because they were stationed in London.

It is also notable that the First Battalion of the Royal Scots—which is stationed in Colchester—the finest regiment in the British Army and the successor regiment to the Lovat Scouts, which was cut down by Hitler's machine guns on the D-day beaches, did not get a vote in the Scottish referendum. What a travesty it is that national destinies are being decided when those who would fight and die for their country are denied a say. Therefore, we are not satisfied with the way in which the referendums have been conducted.

The comment of the hon. Member for Dudley, North (Mr. Cranston) that, somehow, tacking on to a manifesto a commitment to hold a referendum makes it okay for the Government to call their referendums and to dismiss anyone else's claim to hold a referendum is ridiculous. When he knocked on their doors in his constituency during the general election, did his voters say, "I am particularly pleased that you are having a referendum in Wales on a Welsh Assembly and that is why I am going to vote for the Labour party"? That is taking the doctrine of mandate to ridiculous limits.

What we need—this is the only substantive policy commitment that I shall make on behalf of Her Majesty's Opposition this morning—are clear rules, which are agreed on an all-party basis and on which there is consensus, on the conduct of referendums. That may mean having a Select Committee examine the issue, a standing commission on referendums, a referendums Bill eventually or, as has been suggested elsewhere, a Speaker's Conference on the conduct of referendums. It is absolutely unacceptable that referendums should be used and abused as an instrument for the political convenience of the Executive, as they have been.

The referendum should be a hurdle, not a weapon in the hands of the Executive. A former Labour Prime Minister, Mr. Attlee, described referendums as a device of demagogues and dictators. I do not agree that a referendum needs to be such a thing, but the Government seem to be proving that adage.

[Mr. Jenkin]

Given that the referendum on whether this country should continue to have the right to issue its own coinage in relation to the single currency may be conducted in the same cack-handed and cavalier fashion in which the Welsh referendum has been conducted—with the Secretary of State for Wales, who has such a vested interest in the result, being the sole arbiter of whether the result was fair—the whole construction of the referendums is exposed as completely unacceptable.

The official Opposition have called for a proper, independent inquiry to decide the question of the malpractices that were evident in the conduct of the counting of the votes in the Welsh referendum. It is worth reminding the House that the majority in the Welsh referendum was the equivalent of only 200 votes per constituency and I challenge any Labour Member to stand up and say that he would not call for a recount if he lost the next election by only 200 votes—of course they all would. We do not call for a recount; we just want someone independent to look into the matter and the Secretary of State cannot be regarded as an innocent bystander in that regard.

The Bill also addresses the English question. There is a squeamishness on the part of the Government to regard the English question as the English question, but we have had the Scottish question and the Welsh question, so it seems perfectly legitimate to discuss the English question. My hon. Friend the Member for Billericay is right to say that, whether or not we approve of the questions that were originally asked, devolution in Scotland and Wales throws up anomalies that need to be answered. She is right to say that we should oppose the European view of the regions and she is right to say that we should now try to provide an answer to the West Lothian question.

The Bill provides only one of the answers to the West Lothian question and I shall not spend much time on reiterating all the other solutions. It has been suggested that we should have a federal United Kingdom, but that debate has only just started in the largest part of the United Kingdom. That underlines the Government's irresponsibility in proceeding with massive constitutional reform in the form of devolution to a legislative and tax-raising Parliament in Scotland. There is the question whether we should have an English Parliament and whether that Parliament should be here, in this Chamber, or based elsewhere as a separate institution. We do not dismiss that, but regard it as only one of the options to be considered. In addition, there is the question whether we should have English days.

There are grave disadvantages to all those solutions. The idea that we should purposefully carve up the United Kingdom House of Commons and accentuate the inequalities and differences between different Members of Parliament seems difficult to promote as a Unionist proposition. If we are to have a Parliament of the United Kingdom, we should all sit as equal Members of that Parliament. To give people different powers over different issues, or different rights to sit in different parts of the parliamentary timetable, should be anathema.

That leaves the Northern Ireland solution, seen during the period of the Stormont Parliament. Then, no attempt was made to answer the West Lothian question, but it was addressed in a complementary fashion by reducing the representation here from the part of the United Kingdom that had its own legislative forum. That is not a satisfactory answer. It worked to some extent in respect of the smallest component of the United Kingdom, but the scale of the Scottish problem does not lend itself to that solution. It is one thing to reduce the number of Northern Ireland Members of Parliament from about 20 to 15, as we did then, but it may not be acceptable to reduce the number of Scottish Members of Parliament from 72 to 46 or even fewer, depending on the degree of legislative authority that they end up having in the Scottish Parliament.

Another measure that does not even start to answer the West Lothian question is that sop to the English, the regional assemblies. As has been adequately and extensively explained by my right hon. and hon. Friends, the assemblies will be nothing but administrative talkshops in regions that have no natural boundaries or affinities. To which region would my own county, Essex, belong? Essex extends into the heart of London—in fact, it originally started at the Bow bells, although we have lost that bit, along with the constituency of the hon. Member for Thurrock (Mr. Mackinlay). Would he and his constituency be in the London region or the south-east region, or would they join Essex in the East Anglian region? What region would Thurrock be in?

Mr. Mackinlay: Thurrock county.

Mr. Jenkin: Thurrock county perhaps. We look forward to the principality of Thurrock or perhaps even the kingdom of Thurrock.

The illogicality and artificiality of the proposed solution make it look unworkable. The only reason that it is on the agenda is that the Government are embarrassed by their failure to answer the West Lothian question. That was the only reason for the referendum in Wales; there was no crying demand for administrative or legislative devolution for Wales, which is why only one in four of the Welsh population voted for it. The problem arises as a result of the Scottish context.

The Government have abandoned the agenda for regional assemblies because they are so embarrassed by the result of the Welsh referendum. The Secretary of State for Wales hung on to his job by the skin of his teeth, although his job now hangs in the balance again. We are left with the programme of regional development authorities. It represents an enormous increase in ministerial patronage, the potential erosion of local authorities' powers and a complete lack of accountability to the people of those regions who will be suffering under the discretionary powers. It looks set to dismiss the interests of the countryside in favour of urban interests without any sense of direction about where the Government's reform may be going.

That underlines the Government's piecemeal approach to the reform of the constitution. It is all very well to say that the British constitution has always been subject to irrationality, accident and quirks; it is quite another thing to go about reforming the British constitution with that as the expressed policy of Her Majesty's Government.

There is an obligation on those of us in this place who have ultimate authority in our constitution to ensure that we are rational. By comparison, the Government are opening a can of worms. It was a Government Minister,

the Under-Secretary of State for Education and Employment, the hon. Member for Pontypridd (Dr. Howells), who originally coined the phrase and said that we were looking at the balkanisation of Britain. That is exactly what is occurring.

Germany is not a sensible model for us to follow because we are not a group of disparate states being drawn into some sort of federal unit. Spain is an instructive model because it is a unitary state that has chosen to devolve. I shall follow the example of the hon. Member for Southampton, Test (Dr. Whitehead), who quoted himself at length, then took care to ensure that the quotation was properly attributed. The Spanish model is an unstable one; as a model for devolution it has hardly been going for more than 20 years. The Spanish Catalans, the Spanish Basques and other Spanish regions are being set against each other's throats as they compete for differing levels of jurisdiction from widely different perspectives. If Andalucia is a poor region, how can it compete with rich regions?

We are seeing the same in Italy. The Lombard league is, potentially, a deeply destructive force in Italian politics; it is about getting rid of Sicily and the problems of the south and enjoying being in the golden triangle of central western Europe. That is hardly an argument that our Government want to extend to the south-east of England.

We see the same demons being released in the British constitution, without any real understanding, in the Government's approach to the House of Lords. That approach is a vendetta against the hereditary principle without a rational plan about where the reforms of the House are leading. The same cavalier attitude to consensus has been demonstrated in the Government-appointed quango to consider which electoral system should be used to elect this House. Where is the new consensus, where is the reaching across in the new politics which the Government so herald while they luxuriate in the power of their enormous majority?

The constitution should not be a plaything for the majority of Members of this House. What is most dangerous about the Government's programme is the fact that they misunderstand the real nature of political power. They think that it can be picked up and given to somebody else and seem not to appreciate that power flows as a result of personalities, economic circumstances, international influences and, most of all, the effects of decisions that are taken. They are fond of pointing out how unpopular the Conservatives became in Scotland. That may have something to do with the devolution agenda now being pursued in Scotland, which demonstrates that the nature of the debate about the constitution is bound up with the daily political process of domestic issues, which itself drives the debate about politics. It is a complete misunderstanding of the Government's programme to regard it as selfless and dispassionate. The Government are about gerrymandering the British constitution to suit the interests of their party in the regions, in Scotland and in Wales.

We need a constructive debate on how to reform the constitution, which must respect four basic principles. First, it must respect the sovereignty of Parliament. Every constitution has a sovereign body. One need not dismiss the sovereignty of the people to believe in the sovereignty of Parliament. The sovereignty of the American people is vested in the American constitution; the sovereignty of the British people is vested in this Parliament. We are the supreme constitutional authority and what we do has the authority of the people. It is irresponsible to suggest that that sovereignty should be dissipated or dispersed. It is one thing to want to dismantle the United Kingdom on a rational basis, but quite another to go about it by accident, which is what the Government's programme seems to be about.

The second basic principle is that we should preserve the Union of the United Kingdom. That is the Government's declared policy, but they are looking after their charge with singular irresponsibility. By joining up with forces like the Welsh and Scottish nationalists, they are playing with fire. Thirdly, we should strengthen accountability wherever possible. Fourthly, we must work by consensus. If the Government were to respect those four principles, we should make much more progress on a cross-party basis.

According to the logic of the Government's position, the Bill should get the Government's support. If they believe that it is justifiable to hold a referendum in Scotland and Wales, why not hold one in England? However, while the Prime Minister of the United Kingdom can contemplate not being the Prime Minister of Scotland or Wales, he cannot contemplate not being the Prime Minister of England.

We welcome this debate, but we cannot advise the House to support the Bill. We are not against change, but we are against change without consensus and debate. The Government are gerrymandering the constitution for their advantage. Their motive is to increase the power of the Executive at the expense of Parliament. Their declared agenda is a Europe of the regions, and the traditional guarantor of liberty—the sovereignty of Parliament—is under threat. As the new constitutional landscape emerges, it will be for the Conservative party to consider how to respond rationally. The Government's constitutional programme will be judged by its results. The Government will tend to win the referendums that they choose to hold, but whether the Government are responsible to lead the people in those directions remains to be seen.

1.33 pm

Mr. Andrew Mackinlay (Thurrock): Although the hon. Member for Billericay (Mrs. Gorman) has often given me a lot of earache, I have a high regard for her. I agree with many hon. Members that she has done the House a commendable service by stimulating this debate via her Bill this morning. I hope that she will understand that I was not here earlier because I was in the county of Essex, protecting and promoting not only my interests, but hers and those of her constituents on a highway matter.

I am pleased to be here and I hope that, if nothing else, I shall bring uniqueness to the debate, because I disagree with everyone. When I hear people trying to argue a party's position on the basis of constitutional conventions, a sense of deep conservatism comes over me—a conservatism that is endemic in the two principal parties. I regret that very much. I am a radical and I have always wanted to see the Labour party as challenging, altering and frustrating the humbug and inertia that is the hallmark of much of our British constitution. When I hear people referring to Walter Bagehot, I am reminded of John Cleese's parrot. He is dead—he has been dead a long

[Mr. Andrew Mackinlay]

time. He is a stiff. It is time to start thinking more boldly than making references to a Victorian academic on the British constitution.

I want to address the two principal themes of today's debate, although we have trespassed into other areas where there is a need for constitutional reform. I should like to have a longer debate on them, and I might refer to some of them in passing.

First, I wish to comment on referendums. On the few occasions when a referendum has been used in the United Kingdom, it has largely been as a result of political expediency—not because it was a virtue in itself. That is wrong. We need a major Act—comparable with the Statute of Westminster or a Bill of Rights—which says that there are issues that are "constitutional" and should be dealt with by means of a referendum.

People ask for referendums on capital punishment or fox hunting, but those matters are not constitutional. There are some issues—such as our electoral system, the shape and nature of Parliament, the number of Chambers and the role of the Executive—which are constitutional issues and should be the subject of referendums. I should like to see ground rules set down for when referendums are triggered, rather than their being advanced on an ad hoc basis of political expediency, which is the track record of the few referendums that we have had in this country. In that sense, the Bill is inappropriate.

Dr. Julian Lewis: I am listening to the hon. Gentleman, as I always do, with considerable sympathy as well as attention. I strongly agree with his comments about referendums and about having established procedures for them. Does he agree that when one has referendums on constitutional issues, there should be a threshold of more than the mere achievement of 51 per cent. of the votes cast to carry those major constitutional changes into effect?

Mr. Mackinlay: No, I do not agree with the hon. Gentleman. I think that a majority of one is enough. If we had proper ground rules, people, parties or organisations could not realistically shout, "Foul." That underlines the point that there should be proper constitutional legislation providing for referendums.

I spoke about referendums in my maiden speech and have done so on a number of other occasions. On one occasion, there was a Supply day debate proposed by the Liberal Democrats—sadly, no Liberal Democrat Members are here—on a referendum on the European Union. I am both a European enthusiast and pro-devolution, but funnily enough, I am in favour of referendums. I remember speaking along those lines. The then Chief Whip called me and asked, "Are you going to vote for this nonsense?" I was surprised—it was a one-line Whip, and the House was pretty empty. I could not understand his objection to canvassing the idea of referendums on major issues. I remember him saying, "If you vote for the motion, there will be no promotion for you." However, I was able to say to him, "Sorry, mate. I am in the happy but unusual position of not wanting to be a Minister." I went ahead and voted for the motion.

I tell that story both to show how this place is largely run by the Executive, and to emphasise that we need such canvassing of ideas. My argument was that if we had a referendum, I as a pro-European could go out and argue for Europe. The European debate has been one-sided, with some Opposition Members legitimately arguing their anti-European case, but others have not comparably gone out to argue the opposite case. If there was a referendum, we could have a true debate.

I move on to the subject of devolution and the idea of the English Parliament. I have been for devolution—nay, for the federalisation of the United Kingdom—long before such ideas were fashionable in the Labour party. I am a disciple of the late John P. Mackintosh, who was the Member of Parliament for Berwick and East Lothian, and whose book, "The Devolution of Power", I commend. It is much more relevant than Walter dead Bagehot. John P. Mackintosh was a fine Member of Parliament and an enthusiastic advocate for devolution.

For the sake of balance, I also enjoyed and valued the book written by my hon. Friend the Member for Linlithgow (Mr. Dalyell) from the other perspective in 1976, "Devolution: End of Britain?" Although my hon. Friend is broadly opposed to devolution and I advocate it, I commend his book because he illustrates how devolution became a policy of the Labour party not because it was considered a wonderful idea, but partly by political accident and partly as a matter of expediency; rather than as a matter of good governance, which John P. Mackintosh had argued for in his book.

The United Kingdom is heavily populated and highly centralised. There are 22 million people living in the south-east of England. There is too great a gravitational pull to that region in terms of resources and influence. There should be more local decision making—true subsidiarity.

You, Mr. Deputy Speaker, will recall how both Conservative and Labour Members in the previous Parliament had to stay late into the night to vote on the Cardiff Bay Barrage Bill. No doubt that was an important Bill, but the good people of Grays, Thurrock and Tilbury did not lie awake at night worrying about it. There were two or three-line Whips for both parties. It would be much better if such decisions were taken by the good people of Wales. Similarly, it would not be a prudent use of the time of hon. Members from places such as Caithness and Sutherland to vote on legislation relating to London taxis.

We are trying to do too much in this place. The hon. Member for North Essex (Mr. Jenkin) and others referred to the Federal Republic of Germany. They mentioned it in the context of what they consider to be a "takeover by Europe", which is a ludicrous proposition. We should study the federal republic. The Bundestag is primarily occupied with defence, foreign affairs, macro and social economic policy. How sensible. On matters that are domestic issues for the people of Bavaria or Hamburg, decisions are taken by legislatures that have the time and the resources, the skills and the enthusiasm to deal with such decisions at a local level.

One of the myths about this place is that we are a good law-making body. We are not. Regardless of whether we are for or against Bills in principle, the statute product is often seriously deficient, partly because of the adversarial, gladiatorial system of the political parties, and also because we try to do too much in this place. It would be much better if some decisions were taken at a more local level.

I believe that federalism, or the handing down of decisions to more local Parliaments, is the hallmark of modern government and radicalism. It is not just large countries that are moving inexorably to federalism because they recognise the need for efficient decision making and subsidiarity. Reference has been made this morning to Germany. Spain, which is not dissimilar to the United Kingdom, has great local and regional variations, separate histories, cultures and, historically, separate kingdoms, and language differences. Spain has recognised that devolution strengthens rather than jeopardises its union.

My only reservation about the Government's proposals—upon which my right hon. and hon. Friends might reflect prudently—is this. Having decided to devolve, the Spanish shed their powers gradually over about a decade to the various constituent assemblies and Parliaments. They did not adopt the big bang approach. I support the relevant legislation that is before the House, but I am concerned that there will be a vesting day for the Scottish Parliament Executive some two or three years from now, when all powers will be devolved instantly. That is perhaps not the best way to proceed. It might have been better to put the legislation on the statute book and then gradually shed powers over a decade. That process would also minimise what I, as a pro-devolutionist, recognise as a deficiency in the Government's programme: namely, the West Lothian question. It is not only the opponents of devolution who recognise the legitimacy of that question.

My view—I hope, and believe, that I am supporting a radical Government—is that the current proposals are only the first step in modernising our constitution. If so, the lack of constitutional symmetry implicit in the West Lothian question may be sustained for a while. The lack of constitutional symmetry will have legitimacy so long as it is seen as not enduring for ever. If it is clear that we shall move from a Parliament in Scotland to Parliaments in other parts of the United Kingdom—I deliberately use the term "Parliaments", which describes law-making bodies, rather than opaque "assemblies"—we can sustain the West Lothian question. However, the lack of constitutional symmetry that is thrown up by the well-rehearsed West Lothian question is something that we ignore at our peril and that of the United Kingdom.

I do not agree with Conservative Members' thesis that devolution to Scotland is immediately unacceptable, perverse and so on. However, that may become true if nothing else happens. Therefore, I seek to persuade my hon. Friends to have the courage to be really radical in terms of constitutional reform and say that, in addition to Scotland and Wales, we intend to devolve power, not to vague, opaque assemblies, but to law-making bodies in the regions or to an English Parliament. I prefer the regional option, but I would not burst into tears if an English Parliament were established. I have said already that I think that this place should concentrate on foreign affairs and defence matters and macro-economic and social policy. Other decisions should be taken further down the governmental process.

An English Parliament would be rather large. We would still face the problem caused by the fact that there are 22 million people in the south-east of England. Such dominance is unhealthy in a democracy. I believe that there should be other centres of lobbying, enthusiasm and innovation in this country. We need proactive assemblies and executives in other parts of the United Kingdom that will fight their corner.

If we were really in the business of reforming the constitution, we could perhaps create an upper house such as the Bundesrat or a senate, which reflected and gave parity to regions of the United Kingdom that are not wealthy or densely populated. They would be on equal footing with the 22 million people who live in the south-east of England and the 8 million people who live in the Greater London area.

We must not view this programme of reform in isolation—it must be part of a wider package. We must ensure that all corners of the United Kingdom have the capacity to influence and shape the decisions that affect the quality of life of all people.

I enthusiastically support the programme of devolution to Scotland as a devolutionist and not as a matter of political expediency. I support also the decision to have an assembly in Wales. However, I think that one of the reasons for the low turnout in the Welsh referendum was that the people of Wales were not being offered sufficient powers.

If we produce new arrangements for Scotland and Wales, we cannot stop there. If we did, we would then begin to imperil the Union, a Union that I whole-heartedly support. In my view, the Union will be buttressed and sustained if we introduce regional Parliaments with bold and innovative powers, and reform our constitution elsewhere.

As I have said, I am proud to be a member of the Labour party. I want my party to be radical, but I must make the historic observation that some of the constitutional reforms of this century—I regret this—have not been introduced by the Labour party.

We failed to tackle the other place, for instance. The introduction of life peers, and renouncing peerages—albeit under pressure from my right hon. Friend the Member for Chesterfield (Mr. Benn), who at the time represented Bristol, South-West—came under Conservative Governments. It was they who made it possible to renounce peerages.

It was under Lord St. John of Fawsley that the important Select Committee system was introduced. That was a major and radical constitutional innovation. I say that not by way of complaint but to urge my right hon. and hon. Friends on the Treasury Bench, and through them my right hon. Friend the Prime Minister, to be bold. I say, "Make a name for yourselves. Do not just talk about modernisation, but act on it." In my view, that means a root-and-branch, fundamental review of the British constitution. Let us do it proudly and resolutely and not by stealth.

1.52 pm

Mr. John Hayes (South Holland and The Deepings): I shall start where the hon. Member for Thurrock (Mr. Mackinlay) left off. The hon. Gentleman talked about the failure of the Labour party to be radical on constitutional reform throughout history. He showed an admirable grasp and understanding of such matters.

I could go further. The vast majority of social and welfare reforms introduced in this country over the past century were under Conservative Governments, not under

[Mr. John Hayes]

the old Liberal party. We must remember, for example, that it was the old Liberal party that wanted to keep boys up chimneys. It opposed every measure of welfare and social reform that was introduced during the 19th century. So the Conservative party has a proud record not only in its pragmatic treatment of the constitution but in terms of its treatment of all the people under the heading of social and welfare reform.

Can the hon. Member for Thurrock draw some comfort from the current Government and Prime Minister? In my judgment and from my perspective, although perhaps not from his, we have the worst possible combination in our Prime Minister. The right hon. Gentleman is socially reactionary. He has no feel, sensitivity or empathy for the poor or the disadvantaged, but he is a constitutional radical because equally he has no feel, sensitivity or empathy for our heritage, traditions and history. For me, that is the worst possible combination. It is the diametric opposite of good conservatism.

We have heard a great deal during this debate about the paucity of the Government's policy. My hon. Friend the Member for North Essex (Mr. Jenkin) described their failure as a failure to grasp the holistic issue of constitutional reform. Perhaps that was best exposed, curiously enough, by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). I am an open, fair-minded and decent chap, and the House will understand that, as such, I regard all Liberal Democrats with a certain distaste. Their policies and ideas, as I think all reasonable, fair-minded and open people will acknowledge, are generally appalling. The hon. Gentleman, however, spoke persuasively about four particular matters in relation to the Government's policy on the constitution.

The hon. Gentleman mentioned, first, the incoherence of the Government's policy. That is what my hon. Friend the Member for North Essex described as their lack of an holistic approach. Their policy is incoherent and inconsistent. They display an inability to grasp the matter as a whole and to take it seriously conceptually. The hon. Member for Thurrock made the same criticism, although from a slightly different perspective. There is an incoherence about the Government's position on the constitution.

Secondly, the hon. Member for Southwark, North and Bermondsey talked about the bogus comparison between regional governments and the Parliament in Scotland and assembly in Wales—the idea that these were directly comparable. No political scientist or serious student would suggest that a regional assembly in the east midlands is the equivalent of a Scottish Parliament. That is not merely a sop to the English, but an insult to the Welsh and the Scots, because by implication what that really says is that their Parliaments are the equivalent of a regional assembly. One cannot have it both ways, so he exposed yet another hole in the Government's approach.

The third issue that the hon. Gentleman raised was the over-representation of Scots and the Welsh—Celts and Picts, as I do not want to be prejudiced—in this place. I shall not dwell on that, as it has been well rehearsed.

The fourth issue that the hon. Gentleman mentioned—this was refreshing, coming from a Liberal Democrat—was what he described as sensible, moderate nationalism as a vehicle for expressing national concerns. I suggest that national identity is far more than a mere vehicle for expressing national concerns and needs. National identity gives people a sense of place, of belonging, a sense of purpose, which is even more important to people who otherwise would not, perhaps, be winners, or have less to celebrate in their lives, than it is to those who can celebrate so much because they are at the apex of their particular calling, pursuit, or profession. We enliven our citizens, our fellow countrymen, by the common sense of identity. We enliven them when we share more than that which divides us. We sacrifice that sense of common identity at our peril. The result could well be social disintegration, and certainly unhappiness and disaffection across our nation.

We have had the whole panoply of fashionable socialist prejudices this morning. We had European supranationalism, proportional representation and regional government. We even had criticism of adversarial politics. I do not have time to deal with all of them, any more than I have time to deal with all the historical figures who were mentioned—Bagehot, Chesterton, Mackintosh, even Simon de Montfort—except to say that the thing that characterises all those figures, as the hon. Member for Thurrock revealed, is that they are all dead.

My hon. Friend the Member for Mid-Worcestershire (Mr. Luff) suggested that Simon de Montfort was the founder of the modern Parliament. Some historians would suggest that the English Parliament dates back to Saxon times. The 100 Saxons who gathered around the Elloe stone, in my constituency, long before Simon de Montfort died in mid-Worcestershire, had in their hearts—in their soul, one might say—a passion to gather together to make decisions about affairs that affected their particular part of the country. That sense of the relationship between the common man and the exercise of political power lies at the very heart of political legitimacy, which I shall now deal with specifically.

It seems to me that political legitimacy differentiates regional government and national Parliaments. In the matter of legitimacy, one must consider the issue of consent. Consent relies on an organisation, an institution, enjoying popular acclaim, comprehension, understanding, appreciation and regard. Earlier, someone added enthusiasm. I question whether regional authorities would enjoy any of those things. Would they enjoy acclaim, understanding and enthusiastic support? If they did not, they would not have consent and would not deliver politically legitimate government.

I simply refer hon. Members to my own area. In Lincolnshire, people would presumably elect members to a regional assembly in the east midlands. As I said in an earlier intervention, most people in Lincolnshire do not even acknowledge that they live in the east midlands: they regard themselves as part of eastern Britain, yet their representatives would be placed in an assembly alongside Derby, Leicester and Nottingham. I find it impossible to believe or comprehend that Labour Members think that the people in Lincolnshire would give such an institution their support, and that it would command their affection and enthusiastic consent.

Let us test other institutions on a similar basis, and ask how the alternative constitutional models measure up to the test of political legitimacy. This Parliament, rooted as it is in history, well understood by the people, respected

and regarded through years of evolutionary political development, enjoys a high level of legitimacy by comparison with the proposed assemblies.

How does the European Parliament score on that test of legitimacy? Very low indeed, I suggest. Most people know little about it and care less. Most people do not understand how the Parliament or any of the institutions of Europe operate, and definitely would not wish power to be transferred there. Therefore the vision of a Europe of regions, with regional assemblies and a European Parliament, neither of which enjoys the affection, support or even understanding of the vast majority of the British electorate, is for me truly Orwellian. It is an Orwellian nightmare of power removed further and further from the British people, who would not only fail to understand what had been done to them but have limited opportunity to change what was happening as they became increasingly disfranchised.

The debate has not widely covered the eventual implications that the Government's model of the constitution has for other institutions that currently form part of our democracy—local authorities, including county councils, district councils, even parishes. It is rarely said that the model which the Government are pursuing—the supranational model with regional assemblies—would, by definition, result in a dilution of the power of ancient local authorities, of cities that have just regained their unitary status—their sovereignty—of county councils, rooted in history, and of parishes.

The transfer of authority from local government to the regional assemblies would be inevitable, but no one is coming clean about it. No one is honestly saying to local authorities, "You will be the losers when regional government is set up because power will have to be distributed both downwards from the national Parliament and upwards from the existing institutions of local government." Let us have honesty about the repercussions for local government if we have the model that the Government anticipate.

I became a sponsor of the Bill for two reasons. First, I believed that this matter should be aired. As many hon. Members have said, my hon. Friend the Member for Billericay (Mrs. Gorman) did the House a service by placing this debate on the agenda of this place and on the public agenda. We need a wider public debate about distribution of power, the exercise of power, and the political legitimacy of Parliament and the proposed alternatives.

Secondly, although I have no natural enthusiasm for the principle of an English Parliament, I believe that such a Parliament becomes inevitable and a necessity when Parliaments are established in Wales and Scotland. Many of us would prefer a model based around the status quo: a United Kingdom Parliament, although I do not say that we should set this in stone, or freeze it in aspic. Of course the political system must evolve and change, as it has throughout history, but, forced by Government policy to look at this imbalance in terms of representation, we are obliged seriously to consider an English Parliament, which is why I shall support the Bill.

2.3 pm

Ms Helen Southworth (Warrington, South): I welcome the opportunity to speak in the debate on this Bill, in the week of the Second Reading of the Regional Development Agencies Bill. I remind the House that the Government have introduced a comprehensive range of constitutional reforms to modernise the political system. That was in our manifesto, which was put to the British people and received overwhelming support. It included proposals for a Scottish Parliament and a Welsh Assembly, which were backed in the referendums, and an elected mayor and strategic authority for London. Most important for my constituents, it proposed greater accountability for the English regions.

Devolution to the regions is being met with great enthusiasm in Warrington, which is geographically at the centre of the north-west, and its industry and business make a significant contribution to regional development. We are looking forward to developing partnerships for the growth and regeneration of our local communities.

I hope that you will forgive me, Mr. Deputy Speaker, as I am new to the House, and it has been pointed out to me that in our debates "our" means the House; but, as a representative of Warrington, to me it means the people whom I have been elected to represent.

There is private sector support in my area for regional development; small businesses, in particular, urgently seek a framework. We have developed a dialogue with business, which is a recognition of the fact that the Government's proposals are being accepted. Warrington chamber of commerce has told me this week that it actively supports and welcomes the Regional Development Agencies Bill. It believes that it will put us on a level playing field with Scotland and Wales. It wants to see devolution working in the north-west as soon as possible.

Mr. Swayne: Will the hon. Lady give way?

Ms Southworth: Not now, I am afraid.

Partnership with national Government and opportunities for strategic co-operation are very important to my local community. We want to move away from the centralism and unhelpful competition that was favoured by the Conservative Government, and which has disadvantaged the north-west.

The chairman of Warrington 2000, which is a private-public sector partnership working to promote the competitiveness of our local economy, has said that the principle of decentralisation is extremely welcome as a starting point for development, and will allow strategic partnerships to grow.

The opportunities that a regional structure will give to create a regional network and to build on successful partnerships with national Government will help our region to achieve economic and industrial success. In Warrington, we recognise that we cannot achieve economic success and social cohesion alone: we must work in partnership.

I shall refer briefly to a success story that shows the demand from local businesses for, and the effectiveness of, regional economic growth. Warrington has a Business Connections exhibition, which was created due to a demand from local business. It has grown from a small tent on Victoria park to an international exhibition that markets businesses in the north-west, creates opportunities for inward investment in the region and provides regional business with access to growing international markets.

[Ms Southworth]

On 28 and 29 April, there will be 500 stands at this year's Business Connections exhibition, with an expected 5,000 visitors over those two days. The international dimension involves business development agencies, companies and groups from 14 countries and 20 American states. It is an effective marketing tool, and is a way of developing contacts with eastern Europe, European Union countries and the rest of the world. It provides an opportunity for businesses in the region to grow and to develop a competitive local economy, which will bring social cohesion.

That is a Warrington initiative, but it shows the regional demand. The effectiveness of Warrington is due to its central position in the north-west, its transport networks and our experience of developing international marketplaces. The exhibition shows our effectiveness because, although 36 per cent. of the participants are from Warrington businesses, 8 per cent. are from Lancashire, 10 per cent. from Greater Manchester, 15 per cent. from Merseyside and 13 per cent. from Cheshire.

It is not merely because Warrington is ideally situated in the north-west that it will grow and prosper under a regional development agency, and will play a key part in the economic regeneration of the north-west to benefit the people, but because in Warrington we live in the real world, where the private and public sectors work strategically together to develop inward investment, training and support for business, transport networks and international markets. Regional devolution, the partnership with national Government that the present Government have made possible and strong relationships with Europe are the cornerstone of the north-west's success. We live in the real world, not in the cloud cuckoo land supported by this Bill.

In my constituency and my region, business and the community are working together to reverse the social and regional economic decline. We are certainly not looking for the petty distractions and frivolity that this Bill represents.

2.9 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): This has been an interesting debate. The hon. Member for Billericay (Mrs. Gorman)—who, I am sure, will re-emerge at some stage during my brief speech—has done us a service by at least allowing us to debate some of the issues and by demonstrating that the case for a referendum on an English Parliament has not been proved.

The hon. Lady opened her speech with a reference to one of the most topical stories of the day—the fate of the two Tamworth pigs.

Mr. Gerald Howarth: Boars.

Mr. Howarth: Boars, indeed. The hon. Gentleman would know a great deal about that.

The pigs are Tamworths, and it will not have escaped hon. Members that the modern Conservative party was founded on the Tamworth manifesto, published in *The Times* on 18 December 1834 in a letter from Robert Peel. I am not trying to be discourteous to Conservative Members or their party, but I see a similarity between the fate of the two boars and the state of the modern Conservative party.

I understand that one of the pigs—known as Butch—was captured last night and is being held by the *Daily Mail*. The second is still at large, but is being chased by an inspector from the RSPCA with a gun, with which he hopes to quieten it. Hon. Members can choose which fate to specify, but it strikes me that some of them face the fate that I have described.

The debate should be seen in the context of the Government's constitutional reform package. Let me say immediately that we are deeply committed to the democratic renewal of the country. Much went wrong under the last Government but, above all, the failure of confidence in our democratic institutions was a major contribution to the defeat suffered by the Conservative party in May.

I think it worth while to give some indication of our constitutional reform programme and of how we intend to achieve our aims. Several Opposition Members have misrepresented our package. Let me tell them that it is not piecemeal reform. This is not a package that we have plucked out of the air because it sounds nice; it is a genuine response to the British people's concerns about how our constitutional arrangements have worked and, in some ways have been perverted, over the past 20 years or so.

Mr. Gerald Howarth: Will the Minister give way?

Mr. George Howarth: I will give way to the hon. Gentleman. We share a name, but little else.

Mr. Gerald Howarth: I am grateful to my namesake the Minister. He may rest assured that there will be no need for the RSPCA to use a tranquillising dart to deal with him—his hon. Friend the Member for Thurrock (Mr. Mackinlay), perhaps.

The Minister has been kind enough to give way to me. After that mild insult, may I ask him a question? He says that there is great concern in the country about the way in which the Conservatives managed our constitutional arrangements. Will he tell us precisely where in England there is a demand for any new form of democratically controlled government? If there is such a demand, why is he not providing it, rather than setting up a huge quango called a regional development agency?

Mr. George Howarth: No discourtesy was intended; it was a throwaway remark. There is considerable demand for different constitutional arrangements for the government of London. That was still part of England the last time I looked. The hon. Gentleman heard my hon. Friends the Members for Liverpool, Riverside (Mrs. Ellman) and for Warrington, South (Ms Southworth) talk of the need for a focus through which the economic regeneration of our region, the north-west, can be taken forward. I shall discuss how we see that process working if I have time. There is a demand for strategic direction in the regions. Conservative Members have had difficulty grasping that.

On the arrangements for the Scottish Parliament and Welsh Assembly, many speeches by Conservative Members were predicated on the mistaken assumption

that through those institutions we were taking the first faltering steps on the road to a federal Britain. People who have read *Hansard* will know that my right hon. Friend the Secretary of State for Scotland made it clear earlier this week that devolution is not the same as establishing a federal system of government. It is a process by which the House can send some powers to the Scottish people through a body elected by them. The hon. Member for New Forest, East (Dr. Lewis) is on the edge of his seat and looks as if he wants to intervene.

Dr. Julian Lewis: I was debating whether to intervene. I am following the logic of the Minister's argument, which seems to be that the idea of devolving powers downwards from Westminster is to give more democracy to the people, yet the Government are on the verge of declaring for economic and monetary union, which would give massive powers up to Brussels, away from the people. Which do the Government want: to take power down to the people from Westminster or to take power up away from Westminster? The only consistency in their position is that they want to destroy the powers of the Westminster Parliament.

Mr. Howarth: The hon. Gentleman should follow our debates more closely. I do not intend to go through the whole debate on Scotland or Europe but I shall make two points. It is sensible, particularly where the demand exists—in Scotland and Wales, by different majorities, the people have voted for it—to devolve some powers to a directly elected body. He has accepted the result, though he may not be happy with it. On whether we go into the first wave of a single currency, my right hon. Friend the Chancellor of the Exchequer has made the position clear. It will depend on whether at the time we consider it to be in the best interests of the British economy and British businesses. We are combining our concern about our national interest with the potential to pool if conditions are right. That is a proper way to deal with the situation.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) raised seven detailed questions that he felt it would be proper for me, as a Home Office spokesman, to answer. I want to reply with two general principles and, if he is happy with this, write to him on the detailed points—not because I cannot answer them but because of the lack of time. If I took all the time available, I could not answer his seven questions.

Mr. Dalyell *indicated assent.*

Mr. Jenkin: Can I have a copy?

Mr. Howarth: The hon. Gentleman is perfectly entitled to receive a copy.

The two general principles specifically concern the Home Office. First, on there being no Home Office Minister here when the Scotland Bill was debated, no discourtesy to the House was intended, nor did we feel that we were being excluded from the deliberations. The Home Office, the relevant departments in the Home Office, the Home Secretary and Ministers were consulted in detail on the arrangements for the referendum and on the arrangements for the Bill, so our view has been fed into the considerations of the Secretary of State for Scotland. He has taken our concerns and worked with them and we have arrived at a conclusion with which we are both happy. There is no divergence of view between the Home Office and the Scottish Office and the respective Ministers in both Departments. Where technical concerns have been expressed, mostly—in fact, entirely—they have been reconciled in the final draft of the Bill.

Mr. Forth *rose—*

Mr. Howarth: I will give way to the right hon. Gentleman, but then I must make some progress.

Mr. Forth: The Minister has been very generous. He has identified who speaks for Scotland in this case and more generally, and who speaks for Wales, which I think we already know. Who speaks for England and the people of England in the Government?

Mr. Howarth: The question, in the way that the right hon. Gentleman poses it, does not arise. The Government as a whole speak for England.

Mr. Forth: Really?

Mr. Howarth: Well, let me explain what I mean. Is it not true, for example, that my right hon. Friend the Secretary of State for Education and Employment and Ministers in that Department are responsible for those two issues as they affect the people of my constituency, the right hon. Gentleman's constituency and all English constituencies? That is the case. The Prime Minister speaks for the whole of the United Kingdom, including Scotland, Northern Ireland and Wales. Ministers who are responsible for Departments that provide services in England that are provided by the Scottish Office in Scotland and the Welsh Office in Wales speak for England on those subjects. The right hon. Gentleman's question is not as difficult as he thought. The answer is fairly obvious and I hope that I have given him some satisfaction.

The hon. Member for Billericay, who is now back in the Chamber, said that we received only 100 to 120 responses to the consultation document on a Greater London authority. She may have intended to say 1,000. I want to correct that point. In fact, we have received 1,280 responses, which includes 705 from individuals and 576 from organisations representing tens of thousands of Londoners. It is possible that many more people are represented by those responses than the actual number received. I am sure that when the consultation period is over the results will be published and will make interesting reading.

I move on to the Government's programme. The response to the Bill introduced by the hon. Member for Billericay is precisely the Government's constitutional programme. As has been discussed at great length, we have introduced proposals which will move towards the establishment of a Scottish Parliament. I emphasise again that we are talking about devolution—some important powers in respect of the Scottish people will be passed along to the Scottish Parliament, which will make decisions. The important thing about that is that the decision to do so was taken in a referendum of the Scottish people, which is what we promised.

[Mr. Howarth]

One of the issues raised by several expatriate Scots who now represent English constituencies is the position of Scots who are not living in Scotland. It is a strange constitutional idea that someone who does not live in an area but happens to have been born there should be consulted about proposals for it.

Mr. Jenkin: What about overseas voters?

Mr. Howarth: That is a case in point. It is a separate issue. As a result of action taken by the previous Government, whom the hon. Gentleman supported, people who live abroad are added on to an electoral register in constituencies in which they have an influence. The justification for adding them to the register is that they might be temporarily resident abroad and qualified to vote in this country in the election of a Government of the United Kingdom as a whole. The difference with these proposals is that they affect Scotland or they affect Wales, so it is logical that people who are currently resident in Scotland or in Wales should have been consulted about them.

Our second important constitutional proposal is to give devolution to the people of Wales in the form of a Welsh Assembly. Having lived in Wales for three years and worked in a Wales-wide organisation while I was there, I have slightly more knowledge of Wales than of Scotland. Whatever we say about Wales, we must accept two important factors about it. The first is that there is a distinctly Welsh nationality, although it may vary from north to south. The accents vary and some aspects even of the Welsh language differ between the north and south, but there is such a place as the Principality of Wales. That is an incontrovertible fact that no Conservative Member would oppose.

The second factor is that a series of institutions—for example, the Welsh Development Agency—and quangos in Wales spend money, are heavily involved in aspects of policy, the implementation of policy and the running of services in Wales, and are distinctly Welsh in character. There is then the Welsh Office itself. All those should be brought under the democratic control of the people of Wales. That is what the Bill did.

We also held a referendum. I accept that there was a very small majority, but the will of the people of Wales was that they should have their Welsh Assembly and that is what they will have.

Sir Michael Spicer (West Worcestershire): It seems to be central to the Minister's argument that English interests are properly represented in Cabinet and in the Government. If he considers the fact that, in Scotland, almost all items of domestic expenditure—per capita expenditure, for example—are almost twice, or much greater than, that in England, does he accept that those interests have been inadequately represented? Is that not an important aspect of the question?

Mr. Howarth: The hon. Gentleman is referring to the Barnett formula. Towards the end of last year, there was an interesting Treasury Select Committee inquiry into precisely that point. It called in particular for the needs assessment to be updated. We have made it clear that any substantial revision of the arrangements would be preceded by an in-depth study of relative spending requirements and that such an exercise would be the subject of proper consultation between the United Kingdom Government, the Scottish Executive and the Welsh Assembly after devolution. The hon. Gentleman raises a problem that we are aware of, but until we work out the relative needs of England, Scotland and Wales and until there is a proper discussion between the respective bodies, it is impossible to say what is right and what is wrong. A mechanism has already been announced to deal with the matter, but it cannot come into operation until all those arrangements are properly in place.

The third important aspect of our constitutional arrangements is the incorporation of the European convention on human rights into UK law. As one of my hon. Friends has said, we are bringing those rights back to the British people. That was an important commitment in our manifesto. Whatever any Conservative Member claims about mandates, we do have a clear mandate to incorporate the convention.

The proposals are proceeding and have had widespread support. It is right that the rights of the British people should have proper redress in the convention, which, after all, this country was heavily involved in setting up in the first place.

The other item on our constitutional agenda is freedom of information. That will be a difficult issue, as there are calls for many different things to be included, but we have published our proposals and they have been widely welcomed. It is long overdue that the government of this country—the way in which we do things and the information that is made available to people—is enshrined in a proper system of freedom of information. If Conservative Members doubt that, I challenge them to put forward their arguments against freedom of information. I doubt whether anybody is prepared to do so. That leads to the question why, in their long years in government, the Conservatives failed to do something about the issue. Perhaps in due course we will discover the reason. The people of this country deserve the same rights as those enjoyed in other parts of Europe and the Government are determined to ensure that they get them.

Finally, there are the proposals for the English regions, in particular the proposals for regional development agencies.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 23 January.

Remaining Private Members' Bills

LOCAL AUTHORITY TENDERS BILL

Read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 30 January.

CHRONICALLY SICK AND DISABLED PERSONS (AMENDMENT) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 February.

REPRESENTATION OF GIBRALTAR AT WESTMINSTER AND IN THE EUROPEAN UNION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 January.

REPRESENTATION OF DEPENDENCIES AT WESTMINSTER BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 January.

WIDENING OF THE M25 MOTORWAY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 January.

WAR WIDOWS AND PENSIONERS (EQUAL TREATMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 January.

MENTAL HEALTH (AMENDMENT) BILL

Order read for resuming adjourned debate on Question [12 December], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 23 January.

REFORM OF QUARANTINE REGULATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 January.

COMPANIES (MILLENNIUM COMPUTER COMPLIANCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 February.

HARE COURSING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 January.

EMPLOYMENT RIGHTS (DISPUTE RESOLUTION) BILL [*LORDS*]

Read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 63 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—[*Mr. Healey.*]

Question agreed to.

Committee on Friday 30 January.

PARLIAMENTARY DECLARATION BILL

Mr. Deputy Speaker (Mr. Michael Lord): Not moved.

SCOTLAND BILL (BUSINESS COMMITTEE)

Ordered,

That, notwithstanding Standing Order No. 82 (Business Committee), not more than nine other Members shall be nominated by the Speaker to the Business Committee in respect of the Scotland Bill.—*[Mr. Dowd.]*

SCOTTISH GRAND COMMITTEE

Ordered,

That—

(1) the Scottish Grand Committee shall meet at Westminster on Tuesday 27th January at half-past Ten o'clock to consider a substantive Motion for the Adjournment of the Committee; and

(2) the provisions of Standing Order No. 99(2)(b) (Scottish Grand Committee (substantive motions for the adjournment)) shall not apply in respect of the sitting of the Committee on that day.—*[Mr. Dowd.]*

Health Authorities (Norfolk)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.34 pm

Dr. George Turner (North-West Norfolk): In his introduction of what I believe was a landmark White Paper on the national health service, my right hon. Friend the Secretary of State declared that it was a step to

"break down the Berlin wall between health and social care, so that patients get swift access to care and treatment rather than being passed from pillar to post."—[*Official Report*, 9 December 1997; Vol. 302, c. 796.]

The motivation behind my debate today is that, in my part of the country, in north-west Norfolk, we need to break down not only a Berlin wall but, possibly—to fit in with this morning's debate—Hadrian's wall and Offa's dyke, originally intended to keep the Scots and Welsh out. Certainly, there is not only one wall involved in the provision of health services in north-west Norfolk.

The Berlin wall I would liken to the wall that stands between Norfolk county council and the health authorities with which it has to deal, of which there are two rather than the normal one. The North West Anglia Commission, the health authority in which my constituency finds itself, has a Hadrian's wall between it and the county of Cambridgeshire, while Offa's dyke is now being constructed as Peterborough moves into one unitary authority.

I should like the Minister to encourage those of us in my part of Norfolk to break down the walls. The White Paper provides good reasons to do that in terms of the operation of the health service and the provision of better care at the front end. At the same time, in the process of encouraging us to demolish those walls, my hon. Friend should allow us to move £2 million from bureaucracy into the front-line provision of patient care.

As I looked into the details of what is happening in my constituency, I was struck by the fact that the problem occurs not only in Norfolk. If, in Norfolk, there is £2 million that is now being spent on administration that could be spent on patient care, there are similar sums to be found in Kent, Lancashire, Hertordshire, Surrey, Devon, Hampshire and Cheshire. I have named but a few other counties where the boundaries of the health service are not coterminous with the boundaries of the county council and the provision of the main services, particularly social services, within which the White Paper envisages the development of further co-operation and partnership.

My constituency falls within a health authority that crosses the boundary of two counties. Only two counties in the region—the county of Norfolk and the county of Cambridgeshire—are so divided. As a member of the local authority of Norfolk, I was a vigorous opponent of that. As chairman of the education committee, I was well aware of the inefficiencies of such provision.

The original boundaries that were implemented in 1990 were for district authorities. Even at that time, with a different health structure, those boundaries did not make sense because they did not encourage the partnership that the Government have recognised must be central to progress in the health service. When, in 1995, the Act abolishing the district health authorities considered the introduction of area health authorities as we now know them, there was quite a strong voice of protest at the confirmation of essentially the same boundaries in the move to the new areas.

Much can be said against those boundaries. First, it is difficult for the public to know in which health authority they live. If I tell the House what the boundaries are, hon. Members might understand the problem. Part of the health authority in which my constituency finds itself is in the county of Cambridgeshire, although even that is not easy to define. It is the city of Peterborough and the district of Fenland. In the district of Huntingdonshire, it is the wards of Elton, Farcet, Stilton and Yaxley. If one crosses the boundary into Norfolk, it includes the whole of the borough of King's Lynn and West Norfolk, of which my constituency forms part, but includes also part of the district authority of Breckland. Even then, it includes not all of Breckland but only parts—the wards of Conifer, Hermitage, Launditch, Mid-Forest, Nar Valley and Necton, Swaffham, Weeting and Wissey.

People have to know not only the ward in which they live but, in some cases, their parish before knowing which health authority serves them. People in the ward of Taverner must know whether they are in the parish of Colkirk, Horningtoft or Whissonsett. Those who live in the district of North Norfolk may happen to be in the one ward—that of Raynhams—that is in my health authority.

It is a nightmare for public perception, openness and communication with the public, and for public understanding of the health service. People feel that, to an extent, their democratic rights are being removed by the continuation of such false bureaucracy. I need not, in the presence of the Minister, spell out the detail of the White Paper and the case for review. The case for ensuring proper partnership with local government, particularly with the providers of social services, is now well understood. I looked through the debate in Committee that led to those boundaries and noted that Labour Members spoke vigorously in favour of coterminous boundaries with social services providers. It was therefore no surprise to see that the White Paper points out that it is important to encourage partnership. It is recognised that that means review and, in many cases, a reduction in the number of health authorities.

I know from many years on Norfolk county council that the management of social services would benefit considerably if, instead of Norfolk having to discuss matters with two different authorities, it could discuss them with just one. The same applies, albeit to a lesser extent, to the service that I knew best as a former chairman of education. There were certainly no advantages in having to deal with two health authorities within the county.

Practical campaigning issues and the role of the local authorities that the health service White Paper envisages in seeking partnership in health improvement programmes are complicated if we have two health improvement

programmes in different parts of the county. There is no advantage to splitting the participation of the district council. Voluntary organisations in the county are disadvantaged, which is why they were among those who protested when the present boundaries were introduced. Family doctors are disadvantaged by the split. The registration of residents in the health authority in which my constituency is located is still carried out by East Norfolk health authority. What a name—East Norfolk. Those who live in Yarmouth know that they live in east Norfolk, but those who live in Thetford or Norwich do not regard themselves as being in east Norfolk. The name and the structure of the health service that we have inherited is inappropriate and has many disadvantages. Whether one is concerned with family doctor services, drug action teams or public understanding, there is no logic in the continuation of the present division of health services.

Equally important—probably more important in the minds of the public—is the fact that, not only are we causing inconvenience to public bodies and those delivering the service by increasing their work load and by complicating the delivery of the health service; we are squandering public money. The Government are proposing legislation to ensure that we have formula funding, which I welcome.

If ever there were a reason to support the boundaries that we inherited, it was because of local squabbles and a fear—particularly during a period in which Norwich was looking for the provision of a major hospital—in some parts that their interests might be marginalised if they were linked with the rest of the county. There was a feeling—founded on fact—that, at one time, those who ran the health service in Norfolk were not fair in how they distributed resources between the east and west of the county compared to the provision for Norwich, the central and important county city.

The problem, which led to some people thinking that there was an advantage in the old arrangement, will be swept aside when we have fair funding which is dependent on population and need—as the Government propose. Whatever reasons there were will have gone away. I have estimated that some £2 million will be available for front-line care if the changes take place.

According to the figures that I have, some £13 million will be spent in the present financial year on administering the management costs for the authorities affected: the Cambridge and Huntingdon authority—including the portion of Cambridge not in the authority which I am in, which is North West Anglia—and the part of Norfolk which is not in the authority that serves my area, which is East Norfolk. The region distributes funding for management costs on the basis of a formula that, understandably, has some fixed costs and a portion that depends on the population served.

In the absence of a detailed investigation, my estimate is that, if we use the formula funding, the money saved by having two authorities rather than three amounts to well over £1 million. The costs to the East Norfolk authority of taking over the administration of the constituency which is my concern showed a saving of £1.7 million. It could well be higher if detailed investigations were done into the costs in Cambridgeshire.

Understandably, the Government will distribute money on a formula basis and not in terms of the boundaries and the amount of costs. There is considerable benefit in moving to new boundaries. I have contacted the Norfolk Members of Parliament to ascertain their views and I have received positive responses from all Labour Members. My hon. Friend the Member for Great Yarmouth (Mr. Wright) wrote:

"It seems entirely logical and sensible for there to be a Health Authority covering the whole of Norfolk. It would bring us into line with others in the region and facilitate co-operation between key service providers."

My hon. Friend the Member for Norwich, South (Mr. Clarke) said:

"This change would make a real difference to the quality of service people receive across Norfolk and I know it has the support of the community."

My hon. Friend the Member for Norwich, North (Dr. Gibson) said:

"Our manifesto promised we would cut red tape to put more money into patient care. This is a clear example which would benefit all of us in Norfolk."

A change in the boundaries is entirely compatible with the drive to efficiency through a more rigorous approach to performance and by cutting bureaucracy, so that every pound in the national health service is spent to maximise patient care. The Government intend local decision making to be central to any changes that are introduced. When I initiated the debate, I was partly motivated by a leak from the region. According to the note leaked to me, the region was determined not to consult on the preferred option, if the preferred option was to do nothing. There would have to be consultation if change was proposed, but the region did not intend to consult if there was to be no change.

The matter should not be left to those directly involved in the region. The Government should take responsibility for ensuring that, not only in my part of Norfolk but in the nation as a whole, we address the issue of size of health authority. My investigations suggest that we should have larger health authorities. GPs, as providers of primary care, will be able to flex their muscles in the health service and should be given space to do so by avoiding conflict with small health authorities. There is a case for doubling up—for two county-wide health authorities.

There is also a case for ensuring that regional divisions are sensible. If we are to have proper regional government, should not health authorities in the regions also be examined? I shall be interested to hear the Minister's comments.

For the 50th birthday of the NHS, let us have a birthday card with a £2 million cheque attached, by ensuring that the change takes place speedily.

2.51 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I am delighted to have the opportunity to respond to my hon. Friend the Member for North-West Norfolk (Dr. Turner). I congratulate him on securing time for a debate on a subject that concerns him and is important to his constituents.

Health services in Norfolk have already featured large in the Department of Health's business this year, which is the 50th anniversary year of the NHS. As my hon. Friend knows, only last week I was pleased to announce the go-ahead of the largest private finance initiative scheme so far in the history of the NHS—the £200 million development of the Norfolk and Norwich hospital.

[Mr. Alan Milburn]

This is one of the first debates of the new year, and the issue that my hon. Friend raises touches on much that is at the heart of the White Paper that we published last month. As he rightly said, the White Paper sets out a 10-year programme of modernisation for the NHS. The proposals in it provide an important context for the debate on the boundaries of the health authorities covering Norfolk.

First, the White Paper ends the internal market in the health service. The internal market was divisive and costly, setting hospital against hospital and doctor against doctor. That system led to the creation of North West Anglia health authority. Part of the rationale for setting up the health authority in 1992, when Peterborough and King's Lynn were merged, was to ensure that it had two district general hospitals that could compete with each other. That is no longer a reason for determining health authority boundaries. With this Government, the needs of patients, not of institutions, come first.

Secondly, in the White Paper there is an emphasis on partnership. We need to break down the Berlin walls between health authorities and local authorities because whether those are Berlin walls, Hadrian's walls or Offa's dykes, they can hinder patient care. The White Paper sets out a range of measures to promote closer working between health and social care.

New local health improvement programmes will be drawn up by the health authority in conjunction with local authorities and other partners. Those will identify the most important health needs of the local population and how services should be developed to meet them, either directed by the NHS or, where appropriate, jointly with other organisations. We propose to strengthen the duty of partnership between all parts of the NHS and local authorities. All those steps should go some way to addressing the issues of partnership between health authorities and local authorities, regardless of where the boundaries lie.

Thirdly, the White Paper sets out a new role for health authorities. They will give strategic leadership on the ground to help overcome the fragmentation that characterised the internal market. One key task will be to support the development of primary care groups so that family doctors and community nurses can help shape services. We obviously want to work with health authorities to streamline their administrative functions so as to release time, effort and, perhaps most importantly, resources for higher priorities.

As my hon. Friend pointed out, that may provide scope for making economies of scale at the health authority level. We are certainly committed to cutting out unnecessary bureaucracy. That is why we are reducing the number of commissioners in the health service from something approaching 4,000 to more like 500. That will help free £1 billion within the health service for investment in the front line.

While there is an appetite for change in the NHS, there is no appetite for upheaval—and certainly not for upheaval imposed from the centre. We want to change the NHS for the better rather than introducing change for change's sake. We certainly envisage that there may be fewer, leaner health authorities in the future and that the type of merger proposed by my hon. Friend may be the shape of the NHS in the next century. However, I should emphasise that there is no question of any change being imposed from here. We are clear that local decisions rather than national edicts should determine the shape of health authority boundaries.

That brings me to the specific question raised by my hon. Friend. North West Anglia health authority was created in 1992 and, as my hon. Friend said, serves the western part of Norfolk and the northern part of Cambridgeshire. This eastern end of the Anglia and Oxford health region is the only part of the region where the health authority boundaries are not coterminous with the county boundaries. Therefore, it is right and proper to raise the issue of its boundaries as the NHS begins to implement the White Paper.

I am pleased to say that the Anglia and Oxford regional office of the NHS executive is currently conducting a preliminary review of the boundaries not just of North West Anglia health authority but of East Norfolk and Cambridge and Huntingdon health authorities. That review will examine whether they are appropriate to serve best the needs of patients in Cambridgeshire and Norfolk—whether they live in Peterborough, Cambridge, Norwich or in the fens around Wisbech and King's Lynn. I emphasise that there is no suggestion that those health authorities have failed to provide effective health care or are badly managed. The review arises because of the issues of coterminosity with local boundaries raised by my hon. Friend.

The hon. Members who represent the people living in those areas—my hon. Friend quoted some of their comments—should have already received a letter inviting their views on the configuration that they believe would best serve their constituents' needs. In addition to the views of hon. Members, the regional office of the NHS executive will seek the opinions of NHS trusts, general practitioners, local authorities and community health councils to see whether they think that change should be explored at this moment. I emphasise that it is only a preliminary review at this stage: the aim is to investigate whether a full-scale review and public consultation are worth while or appropriate now.

I of course cannot pre-empt the outcome of those initial discussions. However, there will clearly be a number of important issues to consider. First, we must be entirely satisfied that any changes would benefit the people of Norfolk and Cambridgeshire. We want to ensure that the needs of patients and not institutions are put first. Secondly, we shall need to take account of future changes in the local authority boundaries as well as the existing boundaries.

From 1 April, Peterborough will become a unitary council, running its own social services department separate from Cambridgeshire county council. That means that, even if the health authorities reverted to the county boundaries, there would still not be coterminosity with social services departments. That is why it is so important that, at the same time as considering organisational changes and coterminosity issues, health and local authorities must look at how they can improve their working relationship, regardless of the boundary issue. Thirdly, we must be satisfied that any benefits arising from reconfiguring the health authority boundaries are not offset by the disruption caused in achieving that change.

Once the preliminary review is completed, a report will be made to the regional director of the Anglia and Oxford regional office of the NHS executive by the end of March. If there is a full review, my right hon. Friend the Secretary of State will have to make a decision in the summer, to allow the necessary changes to be in place for April 1999. In those circumstances, I shall have to be circumspect in commenting any further about any possible reconfiguration.

I can say that whatever the final decision, my hon. Friend can be assured that it will be taken in the best interests of the patients living in the area concerned. If there are specific proposals for change, there will be proper, open consultation, to which I am sure my hon. Friend will make a valuable contribution.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

House of Commons

Monday 19 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

National Lottery

1. **Mr. Randall:** If he will make a statement on his plans to reform the national lottery. [21440]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): The National Lottery Bill, which received its Second Reading in another place last month, implements many of the proposals set out in the White Paper "The People's Lottery". These proposals commanded wide public support. They will make the lottery work better and increase the number of people who will benefit from the good causes which it supports.

Mr. Randall: Will the Secretary of State confirm that the funding of the national child care strategy demonstrates that lottery money is used to supplement core spending and is therefore in breach of its founding principles?

Mr. Smith: I cannot confirm that. The hon. Gentleman will know that we hold fast to the principle of additionality, as the Conservative Government did before us. The definition of additionality was enunciated by the previous Prime Minister in September 1994. The right hon. Gentleman said:

"The money raised by the Lottery will not replace public expenditure."

That is precisely not what is happening with the child care strategy. I presume from the hon. Gentleman's question that he does not want the needs of child care to be properly addressed; we do.

Dr. Iddon: I am sure that my right hon. Friend will agree that, often, those who have been able to shout the loudest and who have been able to use the social networks have benefited most from lottery money. I understand that it is the Government's intention to allow the distributors of lottery money to seek applications in future. Does my right hon. Friend agree that that will be useful in driving forward projects in the areas of greatest need, such as some in my constituency?

Mr. Smith: My hon. Friend is absolutely right. We are proposing two key changes, which will be set out in the National Lottery Bill. One change will enable lottery distributors to seek applications where they believe that there is unmet need. The second change will mean that lottery distributors will have to draw up proper strategies for the deployment of their funds. Neither of those two provisions has existed hitherto. Until now, it has been a case of the loudest applicants with the highest paid consultants coming up to the head of the queue. We want to change that so that the lottery addresses real need.

Mr. Maclennan: Does the Secretary of State accept that the revenue funding of the arts sector is in crisis, and that it has not been helped by a cut of £1.5 million this year by the Arts Council? Does he accept also that, in the past five years, the arts sector has lost £34 million in revenue, and that it seems that the crisis is not being taken account of by the Government in their redirection of the lottery funding? Is the right hon. Gentleman able to say how much money he believes will be forthcoming to deal with this acute problem?

Mr. Smith: I was able, with some difficulty, to hold the Arts Council's budget figure for the forthcoming year at the figure which had been set out in the Red Book previously. I am deeply aware, however, of the financial difficulties faced by many arts institutions around the country. That is because they have faced stringent financial provision for each of the past six years. One of the main provisions of the National Lottery Bill, which will enable lottery money to be spent on bricks, mortar and buildings and on supporting people and activities, will help to address that problem.

Kate Hoey: Will my right hon. Friend give serious consideration in the National Lottery Bill to making the 40 per cent. ruling more flexible in regard to primary schools, as it is difficult for primary schools to apply for lottery grants? Two neighbouring primary schools in an inner city will both want the community to use them, so it is impossible for the system always to work. Will my right hon. Friend give the House an assurance that he will look into the matter?

Mr. Smith: I shall certainly look into the point that my hon. Friend makes. Obviously, we are keen to ensure the greatest possible use by the local community of the facilities in schools up and down the country. There is a real synergy to be achieved between community and school use.

Mrs. Virginia Bottomley: Does the right hon. Gentleman agree that the arts world can expect £50 million less this year than last year, whatever the figures in the Red Book? The right hon. Gentleman has taken it on himself to deprive the arts, heritage, sport and charities of £50 million each, so they will receive £250 million less than they were expecting when I made a similar statement to the one that the right hon. Gentleman is making this week. He has deprived the arts and culture of a unique opportunity. The Chancellor, having helped himself once to lottery money, will repeat that time and again. Will the Secretary of State agree to fight harder and more successfully next year than he has this year?

Mr. Smith: I can confirm that the arts world will receive substantially less in revenue expenditure from the

Arts Council in the coming year than it did four or five years ago, but the reason for that is the right hon. Lady's stewardship of the Department. I can also confirm that each of the four distributors that she mentioned—heritage, arts, sports and charities—will receive £1.8 billion during the current franchise of the lottery. That is exactly the amount that they expected to receive at the outset of the lottery.

Mr. Campbell-Savours: My hon. Friend will know that the National Audit Office can check whether taxpayers' money has been spent properly and effectively. Surely we should be considering similar powers for the National Audit Office in respect of lottery money, because some people believe that lottery money—which is a form of voluntary taxation and a form of public expenditure—should be subject to some auditing, as some of it is wasted.

Mr. Smith: As far as I am aware, the lottery distributary bodies, which are appointed bodies, are themselves subject to National Audit Office scrutiny in the same way as other public bodies. They, in turn, are responsible for the judicious stewardship of the grants that they award. Over the coming years, the National Audit Office and I will be keen to examine that stewardship to see whether it has been properly exercised.

Mr. Maude: The Secretary of State says that his National Lottery Bill has widespread public support. Will he confirm that no more than 90 individuals responded to the consultation? If that is wide public support, what does he expect for unanimity? Will the right hon. Gentleman withdraw his rather offensive remarks that organisations that have benefited from lottery grants have done so only because they made the most fuss and employed the most expensive consultants? Many organisations up and down the country will be gravely offended by that.

Does the right hon. Gentleman accept that his assertion, that lottery money spent by the new opportunities fund to fund the national child care strategy will not replace public spending, is directly not true? The Chancellor told us that the national child care strategy will be set up with Treasury funding, which will be replaced in due course by lottery funding. Will the right hon. Gentleman now confirm that what he has just told the House is directly incorrect?

Mr. Smith: No, I cannot agree with any of that. On his last point, the right hon. Gentleman may like to know what the noble Baroness Trumpington said in another place in November 1996. Speaking for the Conservative Government, she said:

"the use of lottery funds to secure projects or programmes beyond the scope of foreseeable affordability but similar to those hitherto financed by public expenditure, or adding lottery funds to the level of affordable public expenditure in any particular area"—[*Official Report, House of Lords*, 14 November 1996; Vol. 575, c. 567.]

was precisely in line with additionality. That is what we are doing in setting up a national child care strategy. I am astonished that the Conservatives are clearly not interested in a proper national child care strategy to help people to get work and to help kids to grow up properly and become decent citizens. We are interested in that; they are clearly not.

Mr. Pike: Does my right hon. Friend recognise that one of the concerns of people making lottery applications in my constituency is that there should be continuity among those who deal with the applications—an essential reform which would need no legislation? Each change in personnel results in different rules applying. People feel that they are banging their heads against a brick wall at times.

Mr. Smith: I very much take that point. One of our changes will make the process friendlier and easier for the users and applicants, particularly for small-scale community and neighbourhood applications—schemes for which the deployment of lottery money can result in the greatest benefit.

United Kingdom Sports Institute

2. **Mr. Boswell:** If he will make a statement on the UK Sports Institute. [21441]

The Minister for Sport (Mr. Tony Banks): My right hon. Friend the Secretary of State announced on 16 December 1997 that Sheffield was the chosen site for the headquarters of the United Kingdom Sports Institute.

This is an historic moment for sport. It opens the next stage in a process that we believe will provide our best sporting talent with the facilities and back-up to help them compete at the highest level in the world.

Mr. Boswell: The Minister will appreciate the disappointment felt by the residents of Upper Heyford and the adjoining parts of my constituency, as well as further afield. He has already acknowledged the possibility of having a regional establishment there. Will he be equally sympathetic to any proposals that come forward locally for a specialist institute for a particular purpose?

Mr. Banks: I understand the disappointment felt in Upper Heyford and by the central consortium in Nottingham, as well as the hon. Gentleman's personal disappointment, because he owns a sizeable chunk of Oxfordshire.

There is nothing to stop Upper Heyford becoming one of the regional centres. That is precisely what my right hon. Friend suggested. My feelings—these are my personal feelings—are that it could be a site for the national headquarters for the Football Association and our national soccer team, because it is in a perfect position.

Mr. Grocott: Will my hon. Friend reiterate the Government's commitment to regional centres in developing their sports strategy? Does he agree that centres with long records of excellence, such as Lilleshall, must have a part to play in the development of his policies?

Mr. Banks: Of course I accept that. My hon. Friend made a good case for Lilleshall, which will undoubtedly be considered.

Part of our strategy is to develop a proper regional structure to back up the headquarters in Sheffield. That is what the athletes, the competitors, the coaches and the

governing bodies asked us for. Although there was only one winner in the competition for the headquarters, no one lost out. My hon. Friend certainly did not.

Mr. Spring: Although I welcome the belated establishment of the Sports Institute, what were the precise criteria for its siting that led the hon. Gentleman to reject the views of the British Olympic committee and others?

Mr. Banks: The reason for the delay was so that we could get it right. We went along with the idea of an academy—*[Interruption.]* It is no good hon. Gentlemen and an hon. Lady on the Conservative Benches moaning about that. Although the concept of an academy was good, the structure was not going to meet the needs of the competitors. What is the point of having something that no one uses? We make no apologies for ensuring that the decision was absolutely right.

Sheffield was chosen because the site is a single site with good transport access, which makes use of existing public investment in sports facilities, and, of course, Sheffield has experience of developing and operating national and international facilities. That is not a criticism of the other bids; in the end, if there is a shortlist for a headquarters site, there is one winner—and it was Sheffield.

I expect—indeed, I know—that the British Olympic Association, to which the hon. Gentleman was referring rather than the committee, will play a significant part in running the academy.

Performing Arts

3. **Mr. Mackinlay:** What investment he is proposing to increase awareness in, and to promote appreciation of, the performing arts among children and young people. [21442]

The Minister for Arts (Mr. Mark Fisher): The lottery is helping schools to extend and widen their arts activities. The National Lottery Bill, when approved, will enable the lottery to fund a still wider range of out-of-school hours arts activities.

Mr. Mackinlay: I thank my hon. Friend for his reply. Does he understand that many of us hope that, during this Parliament, the Government can do much more to extend opportunities for young people to enjoy the performing arts? I feel particularly strongly about this because I saw my first ballet in Bratislava when I was 46 years of age. I was very angry that the system had denied me that wonderful opportunity for so long. The Government's task is to extend life's experiences, liberate young people and give them the opportunity of seeing the performing arts, which the class structure in this society so often denies them, leaving the performing arts as almost the exclusive privilege of people in middle-income groups and above.

Mr. Fisher: I am delighted that my hon. Friend has come to the joys and delights of ballet—even at this late stage. He is right: it is important that children should be given the chance to experience theatre, dance and music of all sorts if they are to have a proper and wide-ranging education. That comprises a comprehensive education. Children are both the artists and the audiences of the future. I entirely agree with my hon. Friend that we have a responsibility to ensure that children have the widest opportunities to avoid the fate that has befallen him.

Mr. Greenway: I am sure that the hon. Gentleman would agree that there is no need for anyone to wait until they are 46 years of age to go to a ballet, because people can attend many of the matinee performances that are put on, especially for schools, by the Royal Ballet. Indeed, people can take part in many of the community projects that are put on by companies such as Opera North. Will the Minister confirm that the availability of matinee performances to schools—that means not one but two houses in London—will be a central part of the Eyre inquiry?

Mr. Fisher: The hon. Gentleman is absolutely right when he pays tribute to the work of arts companies across all art forms in arts education. The schemes run by the English National Opera, Opera North and the Royal Shakespeare Company with schools are remarkable; they are introducing children to art forms at a very early age and are doing so very well. Although the Eyre inquiry is a matter for Sir Richard Eyre, I am sure that, given his record of a superb schools programme at the national theatre, such matters will be at the forefront of his mind.

Ms Blears: As my hon. Friend is aware, in Salford at this very moment we are building the Lowry centre, which will be a magnificent centre for the performing arts, with a particular emphasis on children. In view of the appalling viewing figures for opera which were released this morning—it seems that few people watch opera on television—does my hon. Friend agree that it is vital to make opera and ballet relevant and accessible to a much wider range of working people, as we intend to do in the magnificent Lowry centre in Salford?

Mr. Fisher: I entirely agree with my hon. Friend. The Lowry centre will be a real addition to the cultural life of the north west. It will be a superb piece of architecture and a focus for widening the access to the arts in the north-west.

Tourism (Employment)

4. **Mr. Fallon:** What plans he has to encourage the growth of employment in the tourism industry. [21444]

Mr. Chris Smith: The Government's new deal initiative will promote growth in tourism, which already supports some 1.7 million jobs, by helping tourism-related employers to meet their recruitment and skill needs. This has been warmly welcomed throughout the industry.

Mr. Fallon: Will not the most likely new jobs in tourism be those administering museum charges? If he really wants to encourage tourism, why does not the Secretary of State rule out charges for important national collections—or is this another broken promise?

Mr. Smith: I am interested in the fact that the hon. Gentleman is taking such a keen and unwonted interest in the British tourism industry, which has much to be grateful to him for. I am referring to his patronage of the

industry during his long search for a safe Tory seat, which took him on a tour from Darlington to more than 15 constituencies, including Woking, Kensington and Chelsea, Bromley, Horsham, Worthing and finally Sevenoaks. None the less, I am delighted to agree with the hon. Gentleman about the importance that our great national museums and galleries offer in drawing tourists to this country and in providing good things for them to see once they are here.

Mrs. Humble: What progress has been made in involving the tourism industry in the new deal, especially in co-ordinating education and training programmes for areas such as Blackpool which rely on a seasonal tourist trade?

Mr. Smith: My hon. Friend will probably know that, a month and a half ago, we held a major conference in London with the tourism and hospitality industries to talk about how they can take advantage of the new deal. The response was positive. For example, the managing director of Radisson Edwardian Hotels said:

"The new programme provides a strong element of training which is a key need for the industry if we are to continue to offer a world class service."

That is the key to the future of the tourism industry—high-quality, well-trained and well-motivated staff who are decently remunerated. That is the way to get good service and to bring the customers back.

Mr. Fabricant: Following the news this morning that the exchange rate is DM3 to the pound and that the value of the pound has reached $1.67—thanks to the Chancellor's initiative in encouraging the Bank of England to raise interest rates sky-high—what hope is there of attracting foreign visitors to the United Kingdom when going out to a restaurant in London is about twice the price of going out to a restaurant in New York?

Mr. Smith: The hon. Gentleman is right to point to the enormous importance of the currency exchange rates in attracting or deterring visitors. Despite the strength of the pound, overseas visits and expenditure in the first 10 months of 1997—up to October—were up by 1 per cent. compared with the same period in the previous year.

School Playing Fields

5. **Mr. McNulty:** What plans he has to support the provision of school playing fields. [21445]

Mr. Banks: My right hon. Friend announced last week that the Government intend to make sure that those playing fields which schools and their local communities need are not sold or redeveloped in the future. We will take powers to ensure that no school playing field is disposed of without the consent of my right hon. Friend the Secretary of State for Education and Employment.

My right hon. Friend the Secretary of State for the Environment, Transport and the Regions proposes to require planning authorities to notify him when they are considering giving planning permission for the development of playing fields that they own and where the English Sports Council has objected. He will formally consult local authorities on these proposals shortly. This is another manifesto commitment carried out by the Labour Government.

Mr. McNulty: I thank my hon. Friend for that response, and I certainly welcomed the policy announcement last Friday.

May I draw attention to a unique site in my constituency: some 44 acres of playing fields in a suburban setting, which neither Camden—the ex-Inner London education authority borough concerned—nor any other inner-London borough requires? Many of my constituents have tried as much as they can to engage with the Department of the Environment, Transport and the Regions, the Department for Culture, Media and Sport, the Department for Education and Employment, the London Playing Fields Society, the English Sports Council, the lottery people and others to ensure that a deal is put together as swiftly as possible to get that 44 acre site back into use by the community and by schools. Will my hon. Friend use his best endeavours and the offices of his Department to ensure that that happens sooner rather than later, so that my constituents may enjoy this unique facility?

Mr. Banks: I congratulate my hon. Friend on his work to safeguard the Prince Edward playing field. I know that Camden borough council is considering transferring the site to the London Playing Fields Society. I have alerted my colleagues who are responsible for the environment and education to the plight of the playing field. I expect Camden to move swiftly, and I will certainly make available whatever good offices I can to those involved in ensuring that the playing field remains for the use of the local community. I know that my hon. Friend will continue to keep up the pressure.

Mr. Gray: The Minister will be aware that 500 boys and girls play football and rugby every Saturday in Chippenham in my constituency. Doubtless he will also be aware that at present there is only one playing field facility in Chippenham. Will he take the initiative that he announced last Friday one stage further and encourage local authorities—in this case, North Wiltshire district council—to set aside land and funds for the extra provision of playing fields where those are inadequate?

Mr. Banks: Despite the enormous amount of information that I try to keep in my head, I was not aware that so many people played football in Chippenham in the hon. Gentleman's constituency. I would most certainly be prepared to support anything that can be done to enhance the facilities available to young people there.

Mr. Reed: I welcome the statement about playing fields, but that is only one part of the equation, as I am sure the Minister would agree. I have visited 36 schools in Loughborough since the election and have been worried by the amount of sport played by young children. I hope that my hon. Friend will agree that the work of organisations such as the Youth Sports Trust, of which he knows, and the Tops programme will play a vital role in the future of sport. Does he agree that we want more money and initiatives going into that? That will ensure

that Loughborough university plays a leading role in the United Kingdom Sports Institute, which I am sure he will accept is very important.

Mr. Banks: I commend all those unbitter individuals who are raising questions surrounding the decision on the UK Sports Institute. Everyone has taken it in a sporting way. There is something in this for everyone; that specifically includes Loughborough, which is one of the great sporting centres of excellence in this country. Yes, the Youth Sports Trust and Tops—schemes which this Government very much encourage and which are also supported by the English Sports Council—are initiatives that I would want to be extended. I can assure my hon. Friend that as long as I hold a grip on this ministerial position I will continue to argue for more funds for those causes.

National Lottery

6. **Sir Sydney Chapman:** If he will make a statement on the introduction of the sixth good cause category of national lottery funding. [21446]

Mr. Chris Smith: The National Lottery Bill will create a new good cause for health, education and the environment. This will support a rolling programme of targeted initiatives, the first three of which will be new technology training for teachers and librarians, out-of-school hours activities, including child care, and healthy living centres.

Sir Sydney Chapman: I thank the Secretary of State for that statement, but will he concede that the introduction of a sixth good cause must lead to national lottery funding replacing public expenditure? Given that the experience of many people who have run national lotteries shows that revenue from the lottery will inevitably decline, will that not be a double blow to the interests of the five good causes?

Mr. Smith: No, on neither count: first, because the money that is going to child care, out-of-hours school activities, information technology training for teachers and healthy living centres is entirely additional to any existing Exchequer expenditure and, secondly, because the money that each of the existing distributors will get will be exactly in line with their expectations when the lottery was first established, as I have told the House on many occasions.

Mr. Maude: Will the Secretary of State confirm that, if the National Lottery Bill were enacted unamended, he or his successor would have the power by order to reduce the proceeds allocated to the existing good causes from the existing 20 per cent. to no more than 5 per cent. and that 75 per cent. of the proceeds could therefore be allocated through the new opportunities fund to Government initiatives promoted by Ministers?

If that is the case, will the Secretary of State accept amendments that would prevent the allocation to the new opportunities fund from being increased to that level? I am sure that he understands the point that, while it may be unexceptionable for there to be reallocation between existing good causes—the allocation of funds to which is administered at arm's length from Ministers—the uninhibited power to replace that arm's-length administration with Government-administered initiatives would be unacceptable.

Mr. Smith: The right hon. Gentleman is incorrect: no Government-administered good causes are to be established by the Bill. The new opportunities fund will operate at arm's length from Government exactly as the existing distribution does. We will of course examine any amendments tabled by anyone, either in the House or in another place, entirely on their merits.

Films (Product Placements)

7. **Mr. Sheerman:** When he will meet next leaders of the British film industry to discuss the growing use of product placement in films. [21447]

The Minister for Film and Tourism (Mr. Tom Clarke): I have not received any representations on product placement.

Mr. Sheerman: When my hon. Friend meets people in the film industry, will he raise product placement with them? It is in some senses more dangerous with generic rather than specific products. There has been an increase in both Hollywood and British films showing people smoking. As advertising becomes more regulated, there is a great fear that tobacco giants will put more money into influencing young people through their heroes on the silver screen.

Mr. Clarke: I am grateful to my hon. Friend for that information. Unlike in television, there is no legislation to deal with the matter in the film industry. I will pay close attention to the point.

Mr. Forth: I hope that the Minister will give the House an absolute assurance that he will not be tempted by the politically correct, modern health fascists, or any other minority group, to seek to interfere with the artistic freedom of those who make our films.

Mr. Clarke: Those in the industry would be the first to remind us that they, and indeed the audiences, have a say. They clearly know exactly where they are going, and the achievements even of the past eight months show that they have a successful future.

Tourism Grants

9. **Mr. Hoyle:** If he will reintroduce tourism grants in England under section 4 of the Development of Tourism Act 1969. [21449]

Mr. Tom Clarke: The Government have no plans to reintroduce section 4 grants.

Mr. Hoyle: Since the removal of section 4 grants by the previous Government, seaside towns and the north-west have lost heavily, while Wales and Scotland have achieved benefits by their continuation. Will my right hon. Friend consider their reintroduction?

Mr. Clarke: I congratulate my hon. Friend on his role in the achievement of no fewer than 25 awards in Chorley

for projects ranging from sport to tourism. Those have been helpful in achieving the objectives that he set out. We are delighted that we have maintained the expenditure for the English Tourist Board and for the British Tourist Authority. I can assure my hon. Friend that I know that the north-west will have a great deal to say; indeed, it has already welcomed the Government's proposals for regional development.

Mr. Collins: I hope that the Minister enjoyed his recent visit as a tourist to Ambleside in my constituency and that he will feel welcome to return on many future occasions. When he considers how to help tourism in my constituency and elsewhere, will he lend his weight to the campaign by many tourism businesses, and especially small guest houses, for the Chancellor to increase the value added tax threshold in the Budget?

Mr. Clarke: The hon. Gentleman is absolutely right: I thoroughly enjoyed my visit to the Lake district, and to Ambleside in particular. I hope that he will note the fact that his constituents are very grateful that the Minister for Tourism should have recognised the beauties of their area. His question was, of course, a matter for my right hon. Friend the Chancellor of the Exchequer, and I am sure that he will use his opportunities to pursue it with him.

Mr. Gordon Marsden: When my right hon. Friend considers the opportunities for the development of tourism, will he place special emphasis on supporting short-term breaks? Many seaside towns, including Blackpool, benefit from the promotion and support of such breaks, and I urge my right hon. Friend to consider that.

Mr. Clarke: My hon. Friend is right. I know that Blackpool, in common with other seaside resorts, will want to make its contribution to the tourism forum that my right hon. Friend the Secretary of State set up a few months ago and to which he will contribute a strategic paper that will be available to the public and will cover issues such as those that my hon. Friend raised.

British-produced Films

10. **Mr. Cohen:** What steps he is taking to increase the number of British-produced films showing in *(a)* domestic and *(b)* international markets. [21450]

13. **Mr. Jim Cunningham:** What steps he is taking to increase the proportion of British-produced films shown *(a)* domestically and *(b)* internationally. [21454]

Mr. Tom Clarke: I share my hon. Friends' aspirations for British films. A key element will be the work of my film review group, which will report shortly with proposals for increasing the market for British films.

Mr. Cohen: Did my right hon. Friend see Barry Norman's review of last year's films, in which he pointed out that, although 125 British films were begun last year—compared with only 47 five years ago—more than 40 per cent. remain unreleased despite having been completed 12 months ago? Will my right hon. Friend take action to improve the distribution network for British films in this country and abroad? Will he go the full monty in improving the selling of British films?

Mr. Clarke: My hon. Friend is right and well informed on this matter, as on others. That important issue is being considered by my film review group, which will report in a few months.

Mr. Cunningham: I thank my hon. Friend for his answer, but can he reveal how the British film industry is doing in the British market, which is as important as the international market?

Mr. Clarke: My hon. Friend and the House will be delighted to know that we have, in the past eight months, increased from 12 to 23 per cent. Britain's share of the film market, with marvellous films such as "Bean", "Mrs. Brown", "The Full Monty" and many others. We are determined to build on those wonderful achievements.

MINISTER WITHOUT PORTFOLIO (MILLENNIUM EXPERIENCE)

The Minister was asked—

New Millennium Experience Company

26. **Ms Abbott:** If he will make a statement on the accountability to Parliament of the New Millennium Experience Company. [21470]

The Minister without Portfolio (Mr. Peter Mandelson): As a shareholder of the company I am accountable to the House and I am delighted that, from next month, my right hon. Friend the Leader of the House will allow me twice as long to answer questions on the millennium experience.

Ms Abbott: My hon. Friend will be aware that the National Audit Office recently identified serious problems in the procurement process for the dome before the establishment of the New Millennium Experience Company. In the light of that, why does my hon. Friend continue stubbornly to refuse to lay interim accounts and contractual information before Parliament in the Library? His argument in the past has been that to do so would put the New Millennium Experience Company in a different position from similar entities. I would argue that the company is different from similar entities, because it is spending £750 million. It is the people's dome and, largely, the people's money—why cannot the people know how that money is being spent?

Mr. Mandelson: I am not denying the House or anyone else any information, stubbornly or otherwise. All the information that such a non-departmental public body needs to make available will be made available and deposited in the Library. I gather that the next accounts are required to be laid in September and that will be done. As for other financial and contractual information, an enormous amount of such information was made available to a Select Committee of the House.

Mr. Soames: I thank the Minister for being good enough to come to the House. Will he confirm that the

blood row between the Prime Minister and the Chancellor of the Exchequer will not affect the millennium project? Will the Minister also agree to publish, on a monthly basis, the cash flow forecasts for the New Millennium Experience Company?

Mr. Mandelson: No, I will not.

Mr. Baker: On accountability, may I draw to the Minister's attention page 1 of the ministerial code, which states:

"Ministers should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest"?

Does he feel that his refusal to give full information on the finances and details of the dome, as criticised by the Select Committee on Culture, Media and Sport, and his clear wish to avoid giving any answers on his wider responsibilities are consistent with the code?

Mr. Mandelson: I answer questions fully in accord with the requirements of the House. Far from the House being denied information about the finances of the company or any other aspects of its operation, the opposite is the case, as the Select Committee was kind enough to acknowledge. As for accountability, I have answered more than 100 written parliamentary questions since June. That compares with a mere 24 written and oral questions answered by my predecessors when the Conservative party was in power.

Mr. Maude: May I congratulate the hon. Gentleman on his victory in the titanic struggle to persuade the Leader of the House to allow him to answer questions for 10 minutes rather than five? In the same spirit of full parliamentary accountability, will he now answer the only written question that he failed to answer on Friday by telling the House what meetings took place in Britain during 1997 between his officials, the New Millennium Experience Company or him and representatives of the Disney Corporation, why they were not publicised and what was discussed?

Mr. Mandelson: I am happy to publicise any meetings between the company and Disney, because the Select Committee urged us to take advice from and consult the acknowledged world leaders in entertainment. At the Select Committee's behest, I travelled to Florida for discussions with Disney, not to import ideas about attractions but because I wanted to discuss managing the flow of visitors, catering, internal transport and other logistical aspects; and a very useful series of meetings they have been, too.

Millennium Experience

27. **Miss Kirkbride:** How much has been spent on the millennium experience at Greenwich out of public funds. [21471]

Mr. Mandelson: No taxpayers' money is being spent on the project other than that already committed by English Partnerships to prepare the site for development. The New Millennium Experience Company is receiving a lottery grant of £399 million net from the Millennium Commission, of which the company had spent £58.5 million by the end of 1997.

Miss Kirkbride: I understand that the Minister does not want to give us much information about the financial aspect of the millennium dome and the millennium experience, but he has said that he wishes it to be the best of British. Will he elucidate why he needs to find out about the best of British in Disneyland in Florida and why his boss the Prime Minister needs to go to Japan to find experiences that will clearly not be the best of British?

Mr. Mandelson: The hon. Lady cannot have listened to my reply about my visit to Disney. My responsibilities as Minister in connection with this matter have received commendation, most recently from the right hon. Member for Henley (Mr. Heseltine), who in an interview last week said:

"I think that he's doing it as well as it can be done. It is a difficult and controversial job to do and there's no easy precedent."

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

Rights of Audience

31. **Mr. MacShane:** If he will take steps to allow all qualified lawyers rights of audience in all courts. [21475]

32. **Mr. Mackinlay:** What reforms he is proposing in the rights of audience before the courts. [21476]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Geoffrey Hoon): The Government are not satisfied that all of the current restrictions on who may exercise rights of audience in the courts are in the public interest, nor are we satisfied with the current procedures for granting or extending those rights. We will announce our detailed reform proposals on the subject in due course.

Mr. MacShane: Did I hear my hon. Friend aright? Is he saying that the last great closed shop monopoly of the professions, that of the barristers, is about to be reformed, and that my constituents who complain that their solicitors have not been allowed to take their cases into all the court areas into which they wish to have them taken will now be allowed to do so? Is this modernising Government about to reform the last great Tory restrictive practice?

Mr. Hoon: I must make it clear to my hon. Friend that there is no statutory bar on solicitors appearing in the higher courts; it is the Law Society's own rules that prevent them from exercising rights of audience in those courts unless they have the Law Society's higher courts qualification. It is obviously open to the Law Society to amend its rules if it wishes, but the Government are dissatisfied with the complex, bureaucratic and slow procedures that currently affect rights of audience, and we are determined to reform them.

Mr. Mackinlay: What does my hon. Friend intend to do about the Bar Council, which has been dragging its feet on introducing the necessary mechanisms to allow barristers employed by the Crown Prosecution Service to appear in the courts? Is that not yet a further example of the restrictive practice referred to by my hon. Friend the Member for Rotherham (Mr. MacShane), which is exercised by people who are trying to increase public expenditure unnecessarily? The CPS has trained and professionally qualified barristers who are not allowed to appear in the courts because their brethren want the rich pickings from those courts.

Mr. Hoon: I am grateful to my hon. Friend for his suggestion. He has highlighted one of the underlying reasons why we believe it is necessary to reform the present arrangements. I am sympathetic to my hon. Friend's suggestion, but the matter is not entirely in our hands. Employed solicitors were granted limited rights of audience in the higher courts in February last year. I, for one, find it surprising that the Bar has not yet made a formal application to the Lord Chancellor for employed barristers to be given the same rights as employed solicitors. We would welcome such an application.

Mr. Garnier: Has the Minister given any thought to the effect that the Government's proposals to change the legal aid system and the tax system with reference to the legal profession will have on the number of qualified lawyers remaining in practice and available to appear in the courts? Will not the changes that the Government are ramming through mean that there will be fewer lawyers in practice to assist the least well off and the needy? Does he not realise that he is not reforming Clement Attlee's welfare system but dismantling it?

Mr. Hoon: I am interested to note the hon. and learned Gentleman's use of the expression "ramming through". The proposals were first announced in October last year. We said that we would consult on them before issuing a consultation document, which is likely to be published at the end of February. Thereafter, we will consult on the proposals in it and listen carefully to the representations that we receive. Perhaps the hon. and learned Gentleman is simply not used to the idea of a Government who listen to the reactions to the consultation documents they publish.

Disability Issues

34. **Mr. Barnes:** If he will make a statement on his Department's guidance to judges in relation to disability issues. [21478]

Mr. Hoon: The Judicial Studies Board has an advisory committee whose responsibilities were recently extended to cover all aspects of equal treatment training, including training on disability issues. The committee will be considering guidance for members of the judiciary on disability questions.

Mr. Barnes: Does my hon. Friend share my concern and that expressed by organisations such as the Derbyshire Coalition of Disabled People about the case of Mary Nevin, who asked to use an alphabet board in court because she suffers from multiple sclerosis but was refused permission by a judge? Will that decision be changed in the future so that disabled people are not discriminated against in court? Will the rules on accessibility of evidence be altered to overcome that problem?

Mr. Hoon: My hon. Friend has been in correspondence with the Lord Chancellor's Department about that case. It is obviously not appropriate for me to comment on its details, but I emphasise that it does not set a precedent—each case must be considered on its merits.

I am encouraging members of the judiciary to be acutely sensitive to the needs of disabled people. The equal opportunities training of the judiciary will include that on disability to assist them to act sympathetically in a manner that will not impair their impartial role in the operation of the court.

Mr. Clappison: What the Minister says about making the judiciary acutely sensitive to the needs of the disabled will be welcomed throughout the House. Does he agree, however, that that requirement should be carefully circumscribed? What does he make of the comments made by one of his Department's officials who, speaking at a conference in Cambridge at the weekend, raised the possibility of greater investigation of the political background of judges and the evolution of the Judicial Committee of the House of Lords into

"something like the Supreme Court"?

Mr. Hoon: I am not aware of those comments, but I am grateful to the hon. Gentleman for his general support for the matters raised in the question. As I said earlier, it is important that, whatever is the response of particular judges to the disabled, that should not impair their impartial role in the operation of the court. In response to his further observations, I can tell the hon. Gentleman that information is already gathered about the political sympathies of an important element of the judiciary—magistrates.

Courts (People with Learning Difficulties)

35. **Mr. Wicks:** If he will make a statement about the court system's treatment of those with serious learning difficulties. [21479]

Mr. Hoon: The Department is committed to providing a high level of service to all court users. In particular, it is playing an active and vigorous role in the vulnerable or intimidated witness working group, which was set up by the Home Secretary and is looking at improving the whole criminal justice process, including court procedures, for people with learning difficulties.

Mr. Wicks: I thank my hon. Friend for that answer, but is he aware that people with severe learning difficulties are at particular risk, not least from physical and sexual abuse? It is therefore important that they receive justice in the courts. What are the implications of that for court facilities and for the training of the judiciary?

Mr. Hoon: I am aware of that concern. Sympathetically providing for and dealing with those who

suffer from disability is covered in the training with which the Judicial Studies Board is to be involved. In addition, my noble Friend the Lord Chancellor has recently issued a direction that magistrates courts committees should meet specified standards of performance relating to disabled court users. The good practice guide, copies of which have been placed in the House of Commons Library, makes it clear that that includes people with learning disabilities.

Conditional Fees

36. **Mr. Mitchell:** What assessment he has made of the likely use and effectiveness of conditional fees in England and Wales. [21480]

Mr. Hoon: By the end of 1997, at least 34,000 conditional fee agreements had been made, half of them in the past 12 months. That shows that, throughout the country, conditional fee agreements are not only an established way of funding litigation, but providing a means of access to justice for people who, in the past, were denied it.

Mr. Mitchell: As that is a comparatively small use of conditional fees since their introduction from Scotland and as there is no indication from those figures, or from any research that anyone has seen, that such arrangements can protect the less well-off in compensation cases as well as legal aid can protect them, why does not the Lord Chancellor rethink his proposal to replace legal aid in compensation cases with conditional fees and run the two systems side by side for a period, so that we can study the effects and benefits of both systems instead of taking a leap in the dark?

Mr. Hoon: My hon. Friend and I have debated this subject on a number of occasions, so I shall spare him the repetition of detail that I have set out previously. As I said earlier, the Government are determined to consult, in detail and in depth, about the proposals. I emphasise that, from that wide consultation, we shall not exclude any category of case that would be unlikely to attract a conditional fee agreement.

Mr. Hawkins: Does the Minister accept that, although conditional fees have been introduced only recently, there are considerable concerns that we could be going down the same road as courts in the USA and that a class of ambulance-chasing lawyers might start to grow here? In his further consultation, will he take seriously into account those concerns, which have been expressed by many people both inside and outside the legal profession?

Mr. Hoon: Of course I shall take them seriously into account, but I hasten to remind the hon. Gentleman that it was the Government he supported that first allowed conditional fees to be introduced. Although my memory does not serve me fully, I assume that he expressed similar concerns at the time of their introduction. Conditional fees have been outstandingly successful: some 34,000 fees had been taken forward under conditional fee arrangements by the end of last year, but that statistic disguises the fact that the rate of use of conditional fees is increasing month by month.

Mr. Burnett: In his speech to the Law Society in Cardiff on 18 October last year, the Lord Chancellor said that he intended

"to co-ordinate these services"—

those of citizens advice bureaux—

"under a coherent scheme which will provide a service to the whole public which is both easy to access and to understand."

Citizens advice bureaux fill a huge and increasing void in the provision of legal advice to individuals, and a number of bureaux have taken a great deal of time and trouble to prepare and submit applications for legal aid franchises. Why have the Government withdrawn funding for the western area citizens advice bureaux franchise?

Mr. Hoon: As the hon. Gentleman knows, the funding of citizens advice bureaux is primarily a matter for the Department of Trade and Industry. I am, however, keen to see their involvement in providing legal and other advice in the not-for-profit sector out of available funds. There has never been any promise of funding to any particular citizens advice bureau other than through the franchising process; that exercise is currently under way. There is no suggestion that any specific funds have been withdrawn from any organisation.

Office for the Supervision of Solicitors

37. **Mr. Tipping:** What representations he has received about the first annual report of the Office for the Supervision of Solicitors. [21481]

Mr. Hoon: To date, I have not received any such representations.

Mr. Tipping: Does the Minister accept that the Office for the Supervision of Solicitors has received representations? The number of complaints has risen 7 per cent. over the previous year. As well as an increase in complaints there is a persistent view among complainants that their complaints are not treated either seriously or quickly enough. When my hon. Friend has the opportunity, will he raise those issues with the organisation and look for better performance measures?

Mr. Hoon: I am grateful to my hon. Friend for raising this matter once again. It is clearly important that the public should have confidence in the way in which complaints against solicitors are addressed. I am determined that the Office for the Supervision of Solicitors, established by the Law Society, should have the opportunity to demonstrate that it is dealing effectively with complaints. It seems that one test of the office's success will be the reaction of hon. Members and their constituents. I know that the OSS would welcome visits from hon. Members so that it can listen to their concerns in person and explain what it is doing to meet them. I encourage my hon. Friend to take up the offer of a visit to the OSS.

Mr. Fabricant: Given that the office has a role in overseeing the activities of solicitors, and further to the Minister's earlier answer that it is the Law Society, among other organisations, that is preventing the right of access of solicitors to higher courts, will the hon. Gentleman take the opportunity to examine the system that exists in New Zealand whereby solicitors, along with barristers, have a right of audience in higher courts?

Mr. Hoon: Perhaps I inadvertently misled the hon. Gentleman: solicitors have the right of audience in higher courts and have had that opportunity for some time. They have to be approved by the Law Society before they are able to appear in the higher courts. I hope that the hon. Gentleman approves of such prior approval, as it demonstrates competence among quite a limited number of solicitors who presently satisfy the Law Society's rules in that respect.

Orders of the Day

European Communities (Amendment) Bill

[2ND ALLOTTED DAY]

Considered in Committee [Progress, 15 January].

[SIR ALAN HASELHURST *in the Chair*]

Clause 1

MEANING OF "THE TREATIES" AND "THE COMMUNITY TREATIES"

Amendment proposed [15 January]: No. 26, in page 1, line 13, at the end, to insert the words 'other than in Article 2, paragraph 7'.—*[Mr. Cash].*

3.33 pm

Question again proposed, That the amendment be made.

Mr. Bill Rammell (Harlow): When the debate was interrupted on Thursday, I was talking about the air of unreality that often infects the debates and how out of touch they are with the views of ordinary people on the real issues concerning Europe.

It has struck me that, in this and previous debates in Committee, the tide of anti-Europeanism that we hear from the Conservative Benches has carried on as though the events of 1 May 1997 had not taken place. I do not say that simply to make a party political point. Only twice since the second world war have major political parties in this country campaigned on a platform hostile to the European Union—Labour in 1983 and the Conservative party in 1997—and on both occasions that resulted in an overwhelming defeat for the party advocating that view. The time is long overdue for Conservative Members to reflect on that.

I am sure that we shall hear in this and forthcoming debates in Committee—as we heard in previous debates—interesting arguments about sovereignty. Those, broadly, amounted to an argument that it is okay to have qualified majority voting and therefore, by implication, greater integration on commercial matters and a single market, but on nothing else. I do not think that that distinction is based on logic and sound principle. Once one has accepted that there is a case for qualified majority voting on some issues, it is simply a matter of judgment where to draw the line. I believe that the Government have drawn the line correctly within the treaty of Amsterdam.

One area where we obviously need to make progress is discrimination and the need to pursue equal opportunities. Any reasonable person would conclude that the need for anti-discrimination legislation was one area where concerted action was needed. I say that not only from the perspective of social concern but in relation to economic and industrial concerns, because in this day and age, when the keys to economic and industrial success are employee skills and the maximisation of employees' potential, it is crucial that we involve every potential employee in that process. To exclude some people simply on the grounds of their sex, their race, their disability or their sexuality is not just a social evil but a cause for economic and industrial concern.

It is largely proven that we need to tackle those issues, not just across Europe, as has been argued, but specifically in Britain. In Britain today, young black people are twice as likely to be unemployed as young white people, and more than one in three black 16 to 24-year-olds are out of work. Racial attacks in Britain have doubled since 1988. Low pay in Britain disproportionately affects women: 30,000 women earn less than £1.50 an hour.

There is a major need in Britain, but that need is at least as strong throughout Europe. The fact that, in France, the National Front, which advocates profoundly racist policies, achieves as much as 15 per cent. of the vote in the French national elections, emphasises the need for concerted action on these matters.

Clause 1 should be judged in that context. Article 6a of the treaty of Amsterdam provides the legal base for Community measures—which must then be adopted unanimously—to combat discrimination. I do not believe that the clause will lead to major change in Britain; in many senses, we are already in the vanguard with the legislation that we have passed and proposed. However, in this area we have an opportunity to use our experience and expertise to bring about positive changes in Europe, without needing to dismantle our existing laws.

In a sense, that is what leading in Europe should be about. Where we have the experience and the background, we should bring those to bear. Of course, in doing so, we should judge each proposal on its merits. It is worth emphasising that article 6a is an enabling provision for future action, not a free-standing and unrestricted principle.

Sir Teddy Taylor (Rochford and Southend, East): Will the hon. Gentleman give us some idea of what he considers "appropriate action" means? We have found that, in the past, the courts have interpreted clauses in a strange way.

Mr. Rammell: I shall answer the hon. Gentleman's question, but I want to address the issues before I do so. It has been argued—undoubtedly it will be argued by the hon. Gentleman—that the proposals go too far. Those concerns are not well founded.

First, any proposal must be decided by unanimity. Clearly, if a proposal is excessive, it can be vetoed. Secondly, as the hon. Member for Rochford and Southend, East (Sir T. Taylor) rightly says, the article stipulates that any action must be appropriate to the objective—so no sledgehammers will be used to crack nuts. If a nation state deems a proposal disproportionate to the objective, it can veto it or take legal action to show—the same principle applies already in this country and throughout Europe—that the measure is indeed disproportionate.

It is worth noting, too, that the new subsidiarity protocol makes it clear that action at the European Union level is justified only when it cannot be achieved by a member state acting alone.

There are also exemptions allowing national characteristics to be taken into account, even if a proposal has been agreed unanimously. We have experience of that already: the 1976 equal treatment directive left member states the freedom not to require equal treatment for the sexes in some circumstances. That allowed the United

[Mr. Rammell]

Kingdom to maintain the exemptions from the Sex Discrimination Act 1975, so that Church ministers and employees could remain exempt. That will be the way forward with this article.

Above all, I maintain that active discrimination is a curse on the lives of millions of our fellow citizens, and if the article can serve to focus attention on the need for action, it is wholly to be welcomed. I hope that the Committee will welcome it today.

Mr. Michael Howard (Folkestone and Hythe): No one should be in any doubt about the attitude of the Conservative party to discrimination. We are resolutely opposed to it. We took action in government, legislative and otherwise, to fight it. We stand ready in opposition to support any sensible and effective measures that the Government may take to combat it.

Among the legislative measures that we took were the Public Order Act 1986, which contains a number of provisions to deal with incitement to racial hatred, under which the maximum penalty for such incitement is two years' imprisonment and/or an unlimited fine; and the Criminal Justice and Public Order Act 1994, which made the publication of racially inflammatory material an arrestable offence, and created the new offence of intentional harassment.

We are proud of our record on race relations; they are not perfect in this country, but they are the envy of much of the rest of the world.

We believe that legislative provisions to deal with discrimination on racial and other grounds should be carefully tailored to reflect the differing nature that those problems assume in different countries. Great care has been taken with our domestic legislation to make sure that it reflects our circumstances. That is the right approach. The difficulty—as pointed out by my hon. Friends the Members for Stone (Mr. Cash), for Ruislip–Northwood (Mr. Wilkinson), and for Rochford and Southend, East (Sir T. Taylor)—which arises out of the catch-all provisions of article 13 is that it does not meet those requirements. That difficulty is aggravated by the potential for the European Court of Justice to go beyond specific legislation and act on the basis of treaty language such as that with which we are concerned here.

Can the Minister confirm that the ECJ could indeed intervene in that way? The Minister will be aware that widespread concern has been expressed about the far-reaching implications of the article. Let me give him some examples of discrimination that could be caught—on the face of it, would be caught—by the provision.

Should the magistracy be open to adults under the age of 27? Should doctors be able to refuse fertility treatments to women in their late 40s? Should Sikh pupils in schools be forbidden to carry metal knives around their necks? Should the institution of marriage be restricted to heterosexual couples? Should Church schools be allowed to require the head teacher to be a practising Christian? Should they be able to insist that teachers of sex education personally adhere to the Church teaching of chastity outside marriage and fidelity within it? What is the Government's view of the application of the article to those examples?

Those examples all relate to the public sector, but there are others that relate to the private sector. All religious groups in the United Kingdom can refuse to admit individuals to membership on the basis of their religious beliefs. Mosques are allowed to employ only practising Muslims. The Roman Catholic Church is allowed to ordain only men in the priesthood. Churches can dismiss a minister who commits adultery. What is the Government's view of the application of the article to those examples? I am indebted to Christian Action, Research and Education for providing them.

I hope that the Minister will take those questions seriously. They have caused widespread apprehension and concern. I doubt whether the Minister can allay that apprehension and concern. If he cannot, why did the Government sign up to the article?

The Minister of State, Foreign and Commonwealth Office (Mr. Doug Henderson) *rose—*

Mr. Howard: I have almost finished. The Minister will have his opportunity to reply when he winds up the debate.

Those are genuine concerns. We have deep reservations about these matters, and I look forward to the Minister's response.

3.45 pm

Mr. Henderson: We have had a good debate, which was broken by the 10 pm finish on Thursday. A range of views from different parts of the House has been expressed well. It may be simplest for me to state the Government's position, and if any hon. Member on either side wishes to intervene, I shall be happy to deal with detail. There are many unknowns, as the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) knows.

I shall state the principle first. Article 6a is a new measure which provides a legal base for Community measures to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. It does not mean that the European Union will, over time, develop a panoply of measures on every one of those issues to cover every circumstance.

Many safeguards are built in. The first is that this is an enabling measure. In itself, it does not change any Act of Parliament or any measure covered by an Act of Parliament in any EU state. As was acknowledged by the hon. Member for Stone (Mr. Cash) in his introduction to the debate, measures that are taken in the future based on the provisions of this measure must be adopted by unanimity. That means that there will have to be a huge common ground of support on such difficult and delicate social issues before the Union will be able to adopt measures based on this authority. That is a strong safeguard, which ensures that only where there is common support will the Union enact measures that will have a real impact on the lives of citizens throughout the EU.

Examples were cited by hon. Friend the Member for Harrow, East (Mr. McNulty) on Thursday evening, and by my hon. Friend the Member for Harlow (Mr. Rammell) in his contributions on Thursday and today. If we in the UK believe that racial discrimination should be outlawed, and that there should be freedom of movement for British citizens throughout the European Union, is it not reasonable to believe that the EU should be able to take action to guarantee non-discrimination for our citizens when they freely move to Europe? Is that not the core of

the issue? That is the context in which I believe the authority of the measure will be used to provide a basis for action in the future.

Sir Teddy Taylor: Will the Minister give a specific assurance that the new Labour Government will in no circumstances agree to any future treaty that would transfer the power from unanimity to majority vote? Does he appreciate that I ask the question because I have sat here for many years and seen measures that were previously subject to unanimity being made subject to majority vote?

Mr. Henderson: The Government signed the treaty in relation to article 6 clause because the important safeguard of unanimity is built into it. The hon. Gentleman knows that I cannot commit future Governments to any particular course of action—no one can. However, we believed that that was a strong part of the article that had to be achieved in order to make it acceptable. I assure the hon. Gentleman that the Government have no intention of moving on that issue during the lifetime of this Parliament.

Mr. Howard: If the key question is the need for members of racial minorities who are appropriately protected in this country to travel freely throughout the European Union without suffering discrimination, the answer is for other countries to introduce their own national domestic legislation in that regard. According to the hon. Gentleman's interpretation, if those countries are not prepared to do that, the unanimity requirement—which is correctly part of the provision—prevents their being obliged by any action under the treaty to take such steps.

The Minister cannot have it both ways. Does he not appreciate that the answer that he has just given to my hon. Friend destroys completely the rationale that he has provided for the article being in the treaty?

Mr. Henderson: I do not accept that view—although it is a very nice argument—because it does not deal with the real issues. I shall discuss the subsidiarity provisions in a moment.

If we believe that key issues within the European Union are commenting on social conditions—or even moral values in some cases—and outlawing actions such as racial discrimination, and if all member states agree that those issues must be addressed, it may be appropriate to introduce a common standard. However, that does not prevent any member state from deciding, because of its particular circumstances, to do something complementary or additional to the basic provisions that are built into European law.

The subsidiarity article is important because it protects a nation state's distinctiveness. When a nation state believes that it has a particular problem with social conditions that does not affect other European states, it does not have to try to impose an all-embracing, Europewide measure in that regard. Therefore, I do not accept the right hon. and learned Gentleman's point.

The article states specifically that there must be a subsidiarity test on those issues. The right hon. and learned Gentleman did not allow my intervention earlier, so I shall give now the assurance that I intended to give then. The Government do not intend to change any provisions that are currently incorporated in British law regarding the issues to which he referred. For example, Muslim churches will be allowed to employ Muslim staff if that is felt to be appropriate in the circumstances and it is currently upheld in British law. We do not intend to change such provisions.

I have received many letters from the religious community about those matters. The Government will continue to uphold those articles that are currently covered by the words "where appropriate" and the question of what is suitable according to British anti-discrimination law. Any measure that we enter into at a European level will continue to uphold that principle.

Sir Teddy Taylor: I am sorry for interrupting the Minister again. I am not trying to cause trouble; he is a very courteous person. Does he appreciate that his arguments regarding the benefits and the principles of subsidiarity are undermined in paragraph (2) on page 85 of the treaty? It says that subsidiarity is reduced by the fact that it will be overcome so that

"the Union shall provide itself with the means necessary to attain its objectives and carry through its policies".

I do not doubt the Minister's sincerity and I appreciate that there are many pages of documents, but his assurances regarding subsidiarity are broadly undermined by that statement.

Mr. Henderson: Anything that had to be agreed in this context would be agreed unanimously. Paragraph (4) says:

"the reasons for concluding that a Community objective can be better achieved by the Community must be substantiated by qualitative or, wherever possible, quantitative indicators."

The assurances that the hon. Gentleman is looking for have already been negotiated by the Government and are to be found in the draft treaty. I do not think that there is a cause for concern. However, the issue is important.

I want to be able to give assurances to our Churches that they can continue to operate under the provisions of British law, which exist to protect the community against racism. They are there also to ensure that there is no religious discrimination. Those protections can be assured and I want to give guarantees that will keep not only the hon. Gentleman pleased—I know that that would be extremely difficult—but my constituents and many others. Many of my constituents have questioned me on these matters, and I hope that I have been able to reassure them.

Mr. William Cash (Stone): As my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) has just said, the Minister cannot have it both ways. As I said when I moved the amendment, if we are to have unanimity, it is clear that either the Government are behind the provisions in the treaty, or they do not intend to agree to proposals that will come from the other member states.

The hon. Gentleman must know whether, in principle, he is prepared to accept that position. Despite the attempts of the parliamentary private secretary, the hon. Member for Rotherham (Mr. MacShane), to intervene, only to be clapped off by the Minister because he wanted to listen to what I had to say, will the Minister accept that he cannot have it both ways? If there is no intention, as he

[Mr. William Cash]

seems to be saying, to give way to what other member states would intend, will he accept that he would find it extremely difficult to justify their intrusion into the treaty?

Mr. Henderson: When I listened to the earlier part of the hon. Gentleman's intervention, I thought that I was hearing a great deal of self-incrimination. I thought that, rather than listen to what my hon. Friend the Member for Rotherham (Mr. MacShane) wished to whisper in my ear, I should hear the rest of the intervention.

The hon. Gentleman should understand that not everyone starts from his premise. We do not all start from the premise that the other 14 European states are about to impose something on the United Kingdom, which might be acceptable for them but will be hopelessly inappropriate for the society in which we live in Britain. That is not our starting point.

Our starting point is that we are a contributor to discussion or dialogue within the European Union. There will be ideas coming forward from all member states, including the United Kingdom. We think that we have much to offer our partners in the Community in this context. As the right hon. and learned Member for Folkestone and Hythe acknowledged, Britain is ahead of the game. Our laws are probably better than those in other EU states, as is the impact of our law. I echo the right hon. and learned Gentleman's point that our position in law does not mean that there is anything like perfection in the United Kingdom, but progress has been made. Where other member states are able to examine British law and say that, in the effort to build a common base against the background of a common view—that does not exclude member states from doing something complementary to that base—the United Kingdom is pointing in the right direction, it would be desirable to follow that course.

The unanimity provision is designed to ensure that any legislation that bears on this delicate, difficult and sensitive area has a broad base of support. That is why I believe that the article is an important part of the treaty. I do not accept—

Mr. Howard: The Minister's argument is based on the assumption that nothing can happen under the article unless specific legislative provisions are agreed. However, he will know that, as I put to him earlier, many eminent lawyers believe that the European Court of Justice could, in effect, give direct application to the article, and that a complaint could be brought before the ECJ on the basis of the article and the general principles laid down in it. The European Court of Justice has intervened in not dissimilar circumstances in the past. Can the Minister give a specific and categorical assurance that the court will not be able to intervene on the basis of article 2 unless and until there are specific legislative provisions under it?

Mr. Henderson: The role of the European Court of Justice does not change under the provision. As the right hon. and learned Gentleman will know, the court will continue to have a role in first-pillar matters, such as social and employment policy. If it felt that a provision was against the general principles of the treaty, of course it could have a say. However, if such a difficulty arose in respect of a third-pillar issue, the court could not intervene unless the nation concerned made provision for it to do so. I have had this discussion with the right hon. and learned Gentleman on many occasions, so I shall now move on.

4 pm

Mr. Howard: Will the Minister give way?

Mr. Henderson: No, I must move on. I have dealt with the issue thoroughly in previous discussions. I said again during the debate on clause 1 that the court can intervene in first-pillar matters, but not in third-pillar matters unless the Government makes provision for it to do so, and the Government have no intention of changing matters in that regard.

The article is an important part of the treaty, and I ask the Committee to reject the amendment.

Mr. Howard: I have paid tribute to the Minister during our discussions because in previous debates he made genuine attempts to answer all the points that were raised. However, this afternoon his answer has been woefully inadequate. To rest on distinctions between the third pillar and the first pillar might have been appropriate before the treaty of Amsterdam, but one of the consequences of the treaty is, to a very large extent, to dissolve those differences.

The whole point of the previous Government's position on the issue was that we wanted co-operation on racial and other discrimination issues, and we were perfectly happy to reach agreement on those issues under the third pillar. However, the introduction of the article into the treaty gives the European Court of Justice jurisdiction.

The Minister will know perfectly well that, in its general attitude to which he referred a few moments ago, the European Court of Justice is fully entitled to take into account, in deciding whether it is appropriate for it to intervene, provisions such as those that are now contained in the treaty on European Union as a consequence of the article.

Therefore, there is no point in the Minister pretending that the insertion of the article in the treaty makes no difference. It is wrong for him to suggest that it does not change the position of the European Court of Justice. It is a treaty article which could be taken into account by the European Court of Justice in reaching decisions on complaints brought before it. That is why I repeat my question to the Minister, to which I have so far received no answer that is remotely adequate. Is he satisfied that the European Court of Justice cannot take action on these matters without any specific legislative action being agreed by the member states? That is the question. Will the Minister now answer it?

Mr. Doug Henderson: Is the right hon. and learned Gentleman giving way?

Mr. Howard: That depends on the Minister's answer.

Mr. Henderson: I rise in the belief that the right hon. and learned Gentleman is giving way to me. The implication of his remarks may be that the Opposition believe that there is no role for the European Court of Justice. That is not our view. The Government accept the need for the Court of Justice to intervene in the first pillar, as it did when the previous Government were in power.

It would be open to the Court of Justice to say that a view had not been taken on the treaty commitment to anti-discrimination in the preparation of a particular directive and that it should therefore be set aside until consideration was given. Does the right hon. and learned Gentleman acknowledge that that is different from the European Community bringing forward anti-discrimination legislation based on the authority of the clause, which could be done only by unanimity?

Mr. Howard: On the basis that I was previously giving way to the Minister—

The Chairman: Order. It may be helpful if I clarify that we are in Committee, when it is open to any hon. Member to speak more than once.

Mr. Howard: I am grateful, Sir Alan.

Of course there is a difference between the two situations that the Minister has identified. He seems to have answered my question in the affirmative. The Court of Justice could intervene, in reliance on this article in the treaty, without any specific legislative action being agreed.

The key lies in the Minister's opening observation when he rose to reply to the debate a few minutes ago. In a perhaps characteristic moment of frankness, he said that there were many unknowns on the issue. That is undoubtedly true, and it is the danger. Sensitivities are of the utmost importance on this matter. That is why our legislation has been so carefully crafted to reflect our national circumstances. Problems undoubtedly exist in the rest of the European Union. The best way for them to be dealt with is for other member states to take action that reflects their national circumstances. If we were dependent on specific legislative action being taken under the article, we would be in the position that has been described, because of the unanimity requirement. It would defeat the rest of the Minister's argument for having the article in the treaty, but at least that would be our position.

The dangers arise from the possibility of the Court of Justice being able to intervene without specific legislative action, because, as the Minister has said, there are many unknowns. That is why the Government should not have agreed to the article. They should have insisted that agreements on such issues, which I am not against in principle, should have been made under the third pillar. The treaty should not contain an article giving the court jurisdiction on that.

Sir Teddy Taylor: I hope that the Minister will think carefully about the desirability of going back to Brussels to see whether something can be done about this little article. The assurances that he has given do not add up to much.

First, the hon. Gentleman told us not to worry about it because there was the protection of unanimity. That would be fine if it were a real protection, but the Minister should bear in mind the fact that, in all the years that I and others here have been in the House, we have seen matters that were subject to unanimity fading to majority vote because Governments, in admittedly difficulty negotiating circumstances, have agreed to the change. Hon. Members should be aware that there is a widespread desire in the European Union to make everything subject to majority vote—that is not much of a protection.

The Minister also said that we have the protection of subsidiarity. I hope that hon. Members will think about that. When subsidiarity was first put into a treaty, we thought that it was an amazing step forward. I have been trying in various ways to find out how it was a step forward. I have not found any sign that the European Union has intervened less in member states' interests. In fact, it seems to have got worse.

I genuinely hope that colleagues will look at page 85 of the treaty and see for themselves. Whereas subsidiarity used to be regarded as significant, although I do not think that it was, we find on page 85 that all the principal supports of subsidiarity are fading away. To that extent, there seems to be no protection at all.

The third assurance was not to worry because nothing will happen concerning the European Court of Justice. The Minister has kindly and fairly accepted that, of course, something will happen concerning the court. I hope that, before we agree to such matters, hon. Members will think back to the famous case of the Merchant Shipping Act 1988. It was approved by the House of Commons, we were told by the Commission that it was okay and we were told by friends in the Council of Ministers that it was okay. Everyone was happy—then, all of a sudden, some years later, the Act was wholly overturned by the Court of Justice. Therefore, approving such powers is very dangerous.

I hope that hon. Members will think about the wording, which refers to "appropriate action". Some people will ask, "Why should we worry if they are all nice people and men of good will?" Unfortunately, we have found through time that "appropriate action" and such phrases can be interpreted to mean almost anything. It has been tragic watching previous Governments—both Conservative and Labour—discover to their horror that things to which they agreed and thought were okay turned out not to be okay at all.

I hope that hon. Members will bear very much in mind the fact that we have heard assurance after assurance in the past. I ask those who are considering the assurances today to think of those given over Maastricht and subsidiarity.

I am a member of a horrible little Committee called the Treasury Committee, along with my hon. Friend the Member for West Worcestershire (Sir M. Spicer), who is in his place. We work very hard. I am sure that my hon. Friend will have heard, as I did, the assurances given during debates on the Maastricht treaty about our opt-out of the single currency. I am sure that he has read carefully as I did the Bank of England's comments on the matter. They make it clear that the assurances are basically a load of codswallop. We will be subject to the rules and legislation of the EU and the ecu whether we agree to join the single currency or not.

I do not question the Minister's sincerity. He is one of the nicest and kindliest Ministers who has dealt with this subject. I have had to deal with many bad-tempered and difficult Ministers over many years since the treaty of Rome was signed. I just hope that, because he is nice, he is not taken in more than others were. On this occasion, I think that he has been wholly taken in. Clause 1 is dangerous. It would have been far better to deal with the matter through national legislation. As I

[Sir Teddy Taylor]

have said over the past 23 years, to the boredom of the House, we are being misled. We are making a great mistake, and I do not think that we should do so.

Mr. Cash: The Minister said that he thought that it would not be inappropriate to have common standards on such matters across Europe. By the same token, he said in reply to me that there was unanimity in the provisions, and it therefore could not be assumed that we would agree to arrangements that would produce the common standards to which I have just referred. The Minister knows perfectly well that the provision is a slippery slope, and there is absolutely no justification for having agreed to it.

I said in my opening remarks that I thought that perhaps the Minister had not noticed what the provision involved. He has not given me any reassurance on that point. He has cobbled together some arguments during the debate, but I have an idea that he was not involved directly in the matter. I suspect that it was thought that article 6a was just another article with something to do with discrimination; that nobody is against discrimination so it would be extremely difficult for us to take exception to it; and that it was therefore allowed to go through on the nod. I suspect that, as the argument has developed in Committee, the Minister has concluded that some rather serious problems are inherent in the provision. It should not have been allowed to go through on the nod.

I am glad to note that my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the shadow Foreign Secretary, has taken a robust view of the provisions. He has risen three times in response to the Minister and the more he has done so, the more my right hon. and learned Friend has objected to the provisions. The Government's response, as he says, has been woefully inadequate. My right hon. and learned Friend said that the provisions involve the extension of the jurisdiction of the European Court of Justice, and he has made it clear that the provisions should not have been agreed to.

The Minister has given us no satisfaction. The provisions may have been dealt with by unanimity, but they are bringing us into the jurisdiction of the Court of Justice, and they are creating a new legal framework within which the provisions will be construed.

4.15 pm

My hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) indicated that horse trading takes place over and over again in terms of provisions put in place by unanimity. Given the number of headings under which article 6a could be applied, there is no justification for believing that horse trading will not happen again.

It is not just a question of religion, disability or racism; or a question of one or another of those. Hundreds of directives, regulations and communications can be brought in under the provisions; there will not be one specific directive dealing with combating religious discrimination. All those regulations are potentially subject to the Court of Justice if they are brought in and the Government decide to agree to a particular measure. *[Interruption.]* If the parliamentary private secretary, the hon. Member for Rotherham (Mr. MacShane), cannot shut up for five minutes and allow the Minister to listen to the argument, it is a poor show for the House. The hon. Gentleman is not a Minister, and he should sit back in his seat and learn to take instructions rather than try to lecture the Minister.

The provisions are to be brought forward by the European Commission after consultation with the European Parliament. The consultation with the European Parliament is an objectionable provision, but the key problem is that the European Commission will take the initiative. If that happens in relation to any of the provisions, it is as certain as certain can be that the Commission will go for the kind of things I mentioned in my opening remarks—uniformity, homogeneity and provisions intended to create the kind of Europe the Commission wants, which will be intrusive and evasive. Subsidiarity will have no impact on that.

Back in the Maastricht days, I argued that subsidiarity was a con trick. The whole operation is intended to transfer upwards, but to give the impression that there will be a devolution of provisions downwards. It is nothing of the kind. All the most important matters are to be dealt with by the upper levels. That is precisely why, within the legal framework, these provisions confer on the Court of Justice jurisdiction which takes the matters to a higher level automatically. There is nothing to prevent that. It is a total disgrace and a condemnation of the Government that they are not prepared to acknowledge that they have sold the pass on these provisions.

I suspect that there are hon. Members—not many, I regret to say—who genuinely believe that the Amsterdam treaty is not worth a row of beans. It was sold on the basis that there are people who want European homogeneity, uniformity, integration or whatever one might call it—political union—to be as extensive as possible. Even given the diminutive number of Labour Members present, I cannot believe that their constituents have not even the slightest interest in provisions of this sort, which will remove hon. Members' rights to take such decisions on their behalf.

We are dealing with questions of religion, racism, disability and age—a whole raft of provisions. There is no conceivable reason why the Minister and the Government should have allowed those decisions to be taken away from the people who voted them in at the ballot box on 1 May. It does not matter which party is in power. The reality is that the provisions will remain the same. Every Labour Member will face the same problem, even though so few of them are present.

When the provisions are translated into law and the horse trading takes place, subsidiarity collapses and we are confronted with the result—be it in two or three years—the Minister will produce a directive. If I am a member of the Select Committee on European Legislation when another raft of provisions goes through on any of those headings, I will call for a debate on the Floor of the House because they will they have gone through irrespective of the fact that the Minister said that they are a matter of unanimity. I can see some Labour members of that Select Committee present and I hope that they will remember what I am saying. I

will expect the Select Committee to demand a debate on the Floor of the House. I bet anything that the Leader of the House will say no to such a debate and propose that the matter be considered in a Standing Committee, which the Government can control.

Mr. Greg Pope (Hyndburn): What has this got to do with the amendment?

Mr. Cash: On a point of order, Sir Alan. Is it right for the Whip to make ridiculous comments from a sedentary position?

The Chairman: The hon. Member must not tempt me. I am responsible for order in the Committee and I will take the decisions about that.

Mr. Cash: I am not tempting you, Sir Alan, but merely pointing out to you, as an ex-member of the Select Committee on European Legislation, that you should note that the points I am making are matters of great concern to the House. As you well know, it is all about scrutiny. The Amsterdam treaty contains provisions that relate to national Parliaments, and their role and scrutiny are part of this debate.

I am deeply disturbed by the Minister's reaction to clause 1. He engaged in nothing less than weasel words. As my right hon. and learned Friend the Member for Folkestone and Hythe said, there has been no attempt to answer the serious questions that lie at the heart of the matter.

The Minister said that at present there was no intention to deal with the sort of problems that might come up because they did not require any treatment. The Human Rights Bill is before the House of Lords. I see the Minister looking down and I suspect that he knows what I am about to say. That Bill will effectively transfer a raft of jurisdictions to the European Court, under the Amsterdam treaty.

I am worried about the Minister's use of the words "at present". I see that he is shaking his head. That shows that he has not thought through the implications of what I am saying. It obviously has not occurred to him that there are provisions in the Human Rights Bill that cross over the provisions of article 6a. It seems likely to me that the Bill's transfer of jurisdiction to the European Court of Justice will amplify that court's jurisdiction in a way that will create serious difficulties in relation to article 6a.

I condemn the Government for acceding to the treaty and allowing article 6a to go through. I am entirely sure that, in time, my arguments and those of my right hon. and learned Friend the Member for Folkestone and Hythe and other Conservative Members will be justified and proved right.

The treaty and the article are so invasive of our identity and culture and of the manner in which we, as a tolerant nation, have legislated over the years that I am convinced that, when the time comes, the Government and the Minister will be found to have been in serious default. It is such a serious matter, concerning such fundamental questions, that they will stand condemned. I have no intention of withdrawing the amendment.

Amendment negatived.

Mr. Gary Streeter (South-West Devon): I beg to move amendment No. 9, in clause 1, page 1, line 18, at end insert

'and Protocol 7 paragraph (2)'.

The Chairman: With this, it will be convenient to discuss the following: New clause 22—*Subsidiarity: Annual Report*—

'.—The Secretary of State shall, within a year of entry into force, and annually thereafter, publish and lay before the House a report on the application in the European Union and the United Kingdom of the principles of subsidiarity laid down in the seventh protocol annexed to the Treaty of Amsterdam.'.

New clause 36—*Subsidiarity principle: legal advice*—

'Within one month of this Act coming to force, the Government shall report to each House of Parliament that it has received specific legal advice from the Attorney General that Protocol 7 to the Treaty of Amsterdam does not prevent existing Community regulations from being repealed in so far as they relate to the United Kingdom.'.

Mr. Streeter: All Conservative Members welcome the principle of subsidiarity. The amendment is designed to highlight the wording of the new protocol on subsidiarity contained in the Amsterdam treaty; far from strengthening that important principle, we believe that it will weaken it.

Subsidiarity is very much a Conservative idea, advanced by my right hon. Friend the Member for Huntingdon (Mr. Major), as Prime Minister, during the Maastricht negotiations and before. It is fair to say that, once again, people throughout Europe are benefiting from an idea that stems from the Conservative party in the United Kingdom.

Sir Michael Spicer (West Worcestershire): I do not want to be churlish about this—nor do I want to be clever—but I must ask my hon. Friend what regulation has been changed, or what direct action has ever been taken, as a result of subsidiarity.

Mr. Streeter: I was about to make the point that many Conservative Members would wish subsidiarity to go further and become more effective; indeed, when we heard press reports that the Government had brought back a new protocol on subsidiarity, we hoped that they had achieved an improvement, but we read to our disappointment that that was not the case.

If it is right—some of us have reservations—that, as some Labour Members have said, the high tide of European integration has been reached and is receding, perhaps the principle of subsidiarity has played a small part in bringing that about. It is an important principle. I recognise that it has been far from perfect, but it is certainly a step in the right direction. It represents an honest attempt to assert the primacy of the nation state.

In my opinion, such a concept connects favourably with what most people in Europe want. There are politicians throughout Europe who want an increasingly integrated Europe, but I believe that they are out of step with the heartbeat of most of the people of Europe.

Subsidiarity is important, and the relevant wording in the Maastricht treaty is effective. Article 3b states:

"the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community."

[Mr. Streeter]

We must now consider protocol 7 in the Amsterdam treaty, especially paragraph 2, which states:

"The application of the principles of subsidiarity and proportionality shall respect the general provisions and the objectives of the Treaty, particularly as regards the maintaining in full of the acquis communautaire and the institutional balance; it shall not affect the principles developed by the Court of Justice regarding the relationship between national and Community law, and it should take into account Article F(4) of the Treaty on European Union, according to which 'the Union shall provide itself with the means necessary to attain its objectives and carry through its policies'."

4.30 pm

That paragraph shows that the principle of subsidiarity has been expressly subordinated to those very principles, pillars and institutions that created the suffocating, supranational activity in the first place. Far from being improved by protocol 7, the principle of subsidiarity has been neutered and emasculated. Subsidiarity will be not more effective, as everybody in this Committee would wish, but less.

Under the Maastricht treaty, the European Union hired a watchdog and gave it full licence to roam throughout the Community to restrict the extent to which the European Union sought to do those things that could be better done at national level. People had reservations about the effectiveness of that watchdog, but that was the spirit behind Maastricht. Under Amsterdam, that watchdog has been muzzled, and is chained and locked in its kennels. The Minister may not agree, in which case I invite him to make that clear in his response. However, I believe that he has brought back from Amsterdam a watchdog that cannot bark.

Protocol 7 is now long and complex. Instead of a simple principle that everybody understood—although it was ineffectively implemented—we now have a long and complex protocol, full of contradictory statements. That will be food and drink to the European Court of Justice, which will be able to interpret the protocol according to its vision of, and attitude towards, European Union development.

Does anyone in this Committee believe that such interpretation will enhance and support the principle of subsidiarity? Rather, it will seek to give free reign to dominance by the institutions of the European Union. The protocol is long and full of warm words, typical of a new Labour attitude to problem solving. It contains weasel words and is touchy-feely, but unfortunately it does not stand up in the light of day. It will be fertile ground for the European Court of Justice to weave its magic.

Some progress has been made under subsidiarity, and we support some of the programmes that have been brought forward in an attempt to simplify legislation. They were a step in the right direction, and we look forward to further steps. Our main concern about the treaty of Amsterdam is that the principle of subsidiarity will not be further developed and enhanced by protocol 7, but will be confused and taken backwards.

If, as I suspect, the Minister disagrees with me, I hope that he will not in his reply simply give us his usual knockabout. I hope that he will respond to the legal points that arise from the debate, and that he will be able to reassure the Opposition that the principle of subsidiarity is not merely left in the same place by article 7 but is improved and enhanced. I hope that he will be able to clarify the apparently contradictory nature of some paragraphs of article 7, and that he will reassure us that we do not need to press the amendment to a Division.

Sir Michael Spicer: As my hon. Friend the Member for South-West Devon (Mr. Streeter) said, subsidiarity was brought forward at the time of the treaty of Maastricht as some sort of quid pro quo for the enormous transfers of power under the treaty, and the tremendous dynamic, and potential, for further transfers of power that lay embedded in its core, particularly in respect of the single currency and the institutional arrangements for that. Even those who did not vote against Maastricht, and members of the Government of the day, were worried about this.

The quid pro quo during the passage of Maastricht legislation was always, "But we have got subsidiarity." That was always the Government's core argument. I remember well that, throughout those debates, Tristan Garel-Jones, who I think is now a Lord, would say that we did not understand the arguments, that subsidiarity was what we had got out of the process. That was considered the enormous bonus that came out of the treaty of Maastricht. Two problems arise, to which we must return in this debate.

First, as I tried to suggest in my earlier intervention, nothing has been achieved through subsidiarity. I think that the Government, and particularly the former Prime Minister, intended that some sort of reversal of power should be involved in the concept of subsidiarity. There was even talk of 25 per cent. of regulations being reconsidered under the heading of subsidiarity. None of that happened. There has not been one reversal. The reason is the acquis communautaire. The process of occupied fields, of the continuum of accretion of powers by the centre, is written into law through the treaty of Rome as amended over time.

The second issue to which many of us referred during the passage of the Maastricht treaty was the fundamental question about subsidiarity: who determines what is to be subsidiary and what is to be centralised? That is always the crucial question in considering subsidiarity. Because of the acquis communautaire, it was clear to many of us that it would have to be determined at the centre. Power could not be devolved sui generis by people simply claiming power at the periphery.

The very concept of subsidiarity inevitably meant greater centralisation—the very opposite of what it purported to be. A central authority had to determine what was to be parcelled out and what was to be retained at the centre.

It was always thus, but at least under the treaty of Maastricht, the decision as to which authority at the centre was to determine what bits were to be parcelled out or to be retained was left a little indeterminate. At least there was an element of obscurity about that, which was something. In the treaty of Amsterdam, however, the matter is spelled out clearly.

The amendments rightly try to remove the terms of the protocol, which suggest:

"The application of the principles of subsidiarity and proportionality shall respect the general provisions and objectives of the Treaty, particularly as regards the maintaining in full of the

acquis communautaire and institutional balance: it shall not affect the principles developed by the Court of Justice regarding the relationship between national and Community law".

That protocol spells out clearly that, henceforth, it shall be the job of the European Court, under the terms of the acquis communautaire, and where it needs to do so, to develop law accordingly. The word "development" appears from an early stage, so we are not just talking about the application of existing laws, but the development of law. That has always been the case, but now it is spelled out under an intergovernmental conference treaty, and thus the European Court will move into sectors unoccupied by law in order to develop it. It will do so in this case with respect to the whole concept of subsidiarity.

At last the matter has been spelled out clearly in black and white. Not only will matters be determined by the centre, which is the complete opposite of the devolution of powers, but they will be determined by treaty in the protocol, if the amendment is not passed, so that the body that shall determine such matters will be the court. The court shall do so even where the treaty does not specify that, because the court will have the power to develop law as laid down by the agreements of Governments if the treaty is ratified.

In the past, in government, I have had disputes with my Front-Bench colleagues about subsidiarity, but today they are absolutely right. They have picked on exactly the provision that needs to be removed from the protocol. The consistent objectives of the previous Conservative Government and the current Labour one have been to devolve power. If they are true to themselves, the Government must remove that centralising element that will be incorporated in the treaty, if it is passed and ratified, and turned into law.

My Front-Bench colleagues were absolutely right to table the three amendments that are related specifically to the acquis communautaire and the court's powers. I hope that the amendments will be pressed to a vote, because then at least we will have established that the Conservative party still believes in devolution.

Mr. David Heath (Somerton and Frome): New clause 22 stands in my name and that of my hon. and learned Friend the Member for North-East Fife (Mr. Campbell).

The group of amendments under discussion strike at the heart of so much that we need to discuss within the workings of the European Union, and so much that has been obfuscated or avoided for many years. The concept of subsidiarity is one about which hon. Members in all parts of the Committee feel strongly. It is one that has been honoured more in the breach than in the observance for far too many years in Europe.

Although the treaty of Maastricht included the word "subsidiarity" in text for the first time, I must agree with those who argue that it made little or no provision for making that concept a reality in the European Union. It has done nothing to make it an effective check on the centralising tendency within the EU.

The concept of subsidiarity is not, as the hon. Member for South-West Devon (Mr. Streeter) has said, simply an assertion of the primacy of national Parliaments. If it were, I have my doubts as to the extent to which my party would support it. Our definition of subsidiarity is quite different—it means giving power to the lowest available level, the nearest to the people. It therefore extends from the EU seamlessly through national Governments to regional and local levels. The key to understanding subsidiarity is to appreciate that each of those levels is important. Each has a part to play in a properly regulated democracy.

Mr. Crispin Blunt (Reigate): Presumably the hon. Gentleman is making a case for amendment No. 9, which was moved by my hon. Friend the Member for South-West Devon (Mr. Streeter), and which argues that the principle of subsidiarity should also apply under acquis communitaire. Here is a wonderful opportunity to reverse the ratchet of ever-increasing Community competence—an opportunity that has been lost by the Government in their negotiations.

4.45 pm

Mr. Heath: I am grateful to the hon. Gentleman for his comments, and I shall deal with the concept of acquis communautaire in a moment.

My colleagues and I believe that a codification was long overdue, and that it was essential to include one in a form of protocol which gave some teeth to the loosely construed concept of subsidiarity, and made it effective. I disagree with the hon. Member for South-West Devon, the Conservative spokesman, about the European Court of Justice, to which Conservatives seem to have some sort of allergy. I do not believe that it is necessarily an inappropriate means of making the concept justiciable.

Inevitably, there must be an adjudicator, and that adjudicator cannot be an appellant. Therefore, there must be means to weigh the arguments for and against a particular level of decision making being applied at a specific level.

Mr. John Bercow (Buckingham): The hon. Gentleman has said that Conservative Members suffer from an allergy to the European Court of Justice. Does he believe that that court is an impartial judicial authority, or does he believe that, in whole or in part, it is signed up to the process of European integration? That fact would necessarily influence its decisions.

Mr. Heath: Any judicial system is only as good as the framework of law within which it works. That is precisely the argument that I am trying to enlarge upon now. It is important that we have a wide revision of the terms of subsidiarity, and that we extend that process as far as possible to the present arrangements governing acquis communautaire. It would be nonsense to start that process by considering matters from now on, and failing to consider retrospective ones.

There is a strong case for applying the principles in the protocol to everything that takes place within the EU. I should like to see that principle extended below the level of the nation state to regional and local government. The Government's welcome decision at long last to accede to the European charter on local self-government is important, but I have yet to see any action deriving from that which gives greater responsibility for decision making to local government level in this country. Perhaps it is early days.

Sir Michael Spicer: Will the hon. Gentleman give way?

Mr. Heath: I find it difficult to make a speech when I am constantly interrupted, but I will give way once again.

Sir Michael Spicer: The hon. Gentleman has made a comment of profound significance in response to my

[Sir Michael Spicer]

hon. Friend the Member for Buckingham (Mr. Bercow), and I want to make sure that it represents the Liberal party's position, because it is important. Is the hon. Gentleman saying that the Liberal party now believes in the reversal and retrenchment of powers and the abolition of the acquis communautaire? That is of enormous, profound significance, and I was certainly unaware that that was the Liberal party's position.

Mr. Heath: What we have consistently said and what we shall continue to say is that power should be exercised at the lowest available level. We have also consistently said that that is not necessarily the case at the moment, and there are many examples of the European Union acting at Community level on matters that could properly be decided at national or local level. Similarly, there are many examples of the UK national Government taking it upon themselves to make decisions that are better made at local level. One of the basic principles espoused by the Liberal Democrats is to devolve power to the lowest available level.

The test of whether the new protocol on subsidiarity is not the number of cases that are taken to the European Court of Justice, but the extent to which the Commission is made to think again before taking action by the discipline of having to present cogent arguments for having taken a decision at European level which, according to the new protocol, have to be both qualitative and, where possible, quantitative. I hope that that discipline will bite, but I remain to be convinced that it will.

It may be that we shall have to return to this matter at the next intergovernmental conference, because no effective action has resulted from it. At least the incorporation of the protocol gives justiciable grounds to hope that proper consideration will be given to these matters, and that there will be a change from what has become an established norm. If that is the case, it is wholly welcome, which is why I cannot accept the Conservative amendment—it throws out the baby with the bath water.

It is important that we get the protocol incorporated into the treaty and into law. From then on, however, I want regular assessments in the House and elsewhere of how the principles of subsidiarity have been applied to matters that are of importance to Britain, both between the EU and Britain and within Britain. Our amendment seeks to make that a clear discipline on the Government, so that we will have debates on the Floor of the House that will enable us to take up cases where we believe the principle has not been acceded to by the European Union and challenge such action.

I look forward to a body of law or a codification that will make clear what are the spheres of influence of the different levels of government, and to a time when we can be absolutely certain that matters that are properly considered nearer to the individual citizen will not be sucked up in the vortex of higher-level decision making.

Mr. Tim Collins (Westmorland and Lonsdale): We cannot allow the speech by the hon. Member for Somerton and Frome (Mr. Heath) to pass without comment, because it was a remarkable speech. In the early part, we appeared to have been taken up to the mountain and shown the promised land. The Liberal Democrats now seemed to be in favour of the repatriation of powers; of the concept that the exchange of powers between nation states and the European Union should not be solely one way, but that there should be the possibility of powers being returned after having been surrendered; and therefore of the acquis communautaire being regarded as not sacrosanct, but amendable.

However, in the second half of the speech, and in the hon. Gentleman's responses to interventions from my hon. Friends, it became clear that—yet again and as usual—the Liberal Democrats were willing the ends but not the means, and that they would be unable to support the amendment in the names of my right hon. and hon. Friends.

I support the remarks by my hon. Friend the Member for South-West Devon (Mr. Streeter). I believe that the origins of the concept of subsidiarity in the mind of my right hon. Friend the Member for Huntingdon (Mr. Major) were entirely honourable and honest. They reflected a wish on his part, in its turn reflecting the wishes of the British people, that there should be an assertion in the European treaties of the natural primacy of the nation state as the democratic unit with which people are most comfortable and of which they are most supportive.

At the time, that was not a naive view for my right hon. Friend the former Prime Minister to take, given the context of turbulence in the markets and the politics of many European countries in 1992. That view was expressed by many other people, not least by the European Commission and by the French Government in the run-up to and during the Maastricht referendum of 1992.

Sadly, it appears the comments made by the time by those of my right hon. and hon. Friends who were perhaps a little more cynical and worldly wise in their assessment of the situation, have largely been proved true, as the assurances that were given by the British Government, by many other Governments and by the European Commission have not been readily translated into action since then.

As we look to the protocol present in the Amsterdam treaty that we are debating today, we need to bear in mind that the concept of subsidiarity carries with it some difficulties. There is the word itself: when, in the commercial context, we hear of one company being a wholly-owned subsidiary of another, we accept that it is nothing less than a puppet of a higher authority, and not independent in any sense. We know that the concept of subsidiarity has its origins in the doctrine of the Roman Catholic Church, but one of that Church's central doctrines is that the person at its head is infallible.

Mr. Cash: As a Catholic, I believe strongly in the tenet:

"Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's.

I do not accept that, in any circumstances, we should allow the concept of subsidiarity based on theological considerations to interfere in the political process.

Mr. Collins: I entirely agree with my hon. Friend, who I think is supporting what I am saying.

The other problem with subsidiarity is that, in some senses, it puts things the wrong way round—it assumes that power naturally stems from the top and therefore has to be devolved by some route to the bottom; whereas most of us who are natural democrats believe that power rests with the people and should be transferred upwards only with the consent of the people, for specific purposes and for a limited period, and not ceded in perpetuity.

Mr. Bercow: I am sorry to interrupt my hon. Friend's eloquent flow, but, as he was developing his argument, I noticed the hon. Member for Somerton and Frome (Mr. Heath) chuntering from a sedentary position words to the effect that subsidiarity implied decision making at the lowest level. Does my hon. Friend agree that, if that were the case and if the European Union regarded it as being the case, by now a regulation would have been repealed under the subsidiarity principle? The fact that none has been repealed suggests that the hon. Member for Somerton and Frome is somewhat confused.

Mr. Collins: If the system had worked as it was designed to work, far more than one regulation would have been repealed by now, although I agree with my hon. Friend about the symbolic importance of the fact that not one has been repealed.

In the UK context, the debate often centres on the evils of a federal system, so it is ironic that an undoubtedly federal constitution—that of the United States of America—contains a provision that is far stronger than anything in the EU treaties—that powers which are not specifically provided for the union reside with the individual states. The USA therefore has a federal union that, in many respects and on many legal bases, reserves much more power to the member states than the increasingly centralised EU constitution we are debating today.

As my hon. Friend the Member for South-West Devon said, whatever the arguments may have been about the practicalities or otherwise of what was set out by member states in 1992, it is clear that the provisions of the treaty of Amsterdam will make matters far worse, not better. They will mean that the text will be justiciable by the European Court of Justice, which court, rightly or wrongly, has an explicit integrationist agenda.

My hon. Friend put his finger on another difficulty when he said that subsidiarity would now be subject, first, to the acquis communautaire, thereby explicitly ruling out those great ambitions that subsidiarity would be used as an engine of repatriating power, repealing directives and removing powers that were no longer valid or necessary; and, secondly, to article F4 of the treaty, which says that the Union will now have the right to arrogate to itself powers to deliver any of objectives of the treaty.

The Amsterdam treaty further amends the objectives of the Maastricht treaty. We know that some phrases that, to the United Kingdom eye, can sometimes seem relatively innocuous, can store up immense long-term political difficulties. One such phrase is "ever closer union". I am sure that, when the UK Government first signed up to it, it was regarded as relatively innocent, but it has become an engine of integration across a range of issues.

5 pm

If we consider that the provisions on subsidiarity will now be subject to the treaty's objectives, and that, after the Amsterdam treaty, the European Union has as one of its purposes to make its entire territory an area of "peace, security and justice", we begin to see that we are constructing a system in which the centralised institutions have carte blanche to do virtually anything they like.

No one in the House, or beyond, would object to the abstract concepts of peace, security and justice—who would? But if someone says that he is creating an organisation which can take upon itself whatever powers it needs to deliver such wide-ranging and sweeping objectives as peace, security and justice, where the only brake on the exercise of those powers—the provisions on subsidiarity—is made explicitly subject to that all-embracing power and that all-encompassing provision, we begin to see that—to pursue the often-used cliché that compares the European Union to a train—the train is heading downhill rapidly.

Not only is there no dead man's handle, but there is no brake. The subsidiarity provisions, which were only the lightest touch on the brake pedal, have been disconnected. The brake fluid has been removed and replaced with, at best, water and probably nothing else. As a result, we now have a rollercoaster that cannot be stopped.

For those reasons, I believe that what started as a brave and noble experiment by my right hon. Friend the Member for Huntingdon, the former Prime Minister, to find some basis of agreement to create a brake on the process of European integration, has, owing to the present Government's exceptionally bad negotiating tactics, become a further strengthening of the motor of European integration. For that reason above all, this amendment, perhaps more than any other amendment being considered by the Committee, must be passed. Without it, all the assurances that we have heard from the Prime Minister and other Ministers will be entirely worthless.

Mr. Bercow: Subsidiarity has been trailed over a long period as the saviour of British sovereignty. The reality of the past few years has demonstrated clearly that it is nothing of the sort. At best, it is a sop to those concerned with the preservation of self-government; at worst, it is a cloak that disguises or seeks to disguise the ever-increasing arrogation of powers to the central institutions of the European Community, now the European Union. It is a dangerous phenomenon that has been misrepresented.

We can argue the toss for ever and a day about the motives that guided the treaty makers at the time of the treaty of Maastricht and whether they intended it to be a genuinely decentralising force or whether they thought that it was a cloak covering further centralisation. In the final analysis, the motives matter not; the results matter a great deal. We now have the opportunity, after a period of several years, to assess what has happened and to reach a conclusion.

A number of my right hon. and hon. Friends have referred to the start of the debate, which, it has to be said, began with the negotiations over the Maastricht treaty. It is important to know what article 3b, which I describe as the infamous article 3b, of the Maastricht treaty said. My hon. Friend the Member for South-West Devon (Mr. Streeter) referred to it and his comments bear repetition.

[Mr. Bercow]

I shall share a private thought with the Committee today: the precise contents of article 3b have been imprinted on my mind for at least six years. I want to share them with the Committee. The article states:

"In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community".

I never bought into the concept, although I greatly respect the integrity and good intentions of those who did. It always struck me as mealy-mouthed, insubstantial and almost certain to be abused.

In order that the context of the debate about subsidiarity should be understood, let us remind ourselves of some of the reactions to it and the events that followed its inclusion in the treaty of Maastricht. Immediately after the signing of that treaty, my right hon. Friend the Member for Huntingdon (Mr. Major) expressed the belief that the subsidiarity provision of the treaty would be a great protection for the United Kingdom. I have no doubt that he meant it—"Hurrah," said he and others. They thought that it would stop the federalist engine speeding ahead. The truth is that even then—and I remember it—others were not so persuaded.

I refer, for example, to no less an authority than Lord Mackenzie-Stuart, no friend of the anti-federalist cause, but a considerable voice on the subject of European union and integration. He described article 3b as a "prime example of gobbledegook". He said that to regard the formula chosen as a constitutional safeguard showed "great optimism". That was his considered judgment at the time; he believed that it would not protect the rights of nation states and the primacy of national self-government.

Mr. Cash: Will my hon. Friend confirm that not only did Lord Mackenzie-Stuart say that in respect of the original proposals for subsidiarity, but he reaffirmed his view after the Birmingham European Council of 16 October 1992 in a letter that he wrote, either to *The Times* or *The Daily Telegraph*? He became even more concerned after that summit than he was before.

Mr. Bercow: My hon. Friend is entirely correct. As I noticed Lord Mackenzie-Stuart becoming increasingly cynical about the provision, I too became increasingly cynical.

Mr. Andrew Robathan (Blaby): My hon. Friend might not be aware that some of us were persuaded to vote against the Maastricht treaty—albeit in my case, only at Third Reading—because of our experience in Brussels. In March 1993, the then Secretary General of the Commission, a British civil servant called Williamson, told British Members of Parliament from both sides of the House—I know that Labour Members were equally upset and astonished—that everyone knew that the British had overplayed subsidiarity to a ridiculous extent and that it was not even worth talking about.

Mr. Bercow: I was not aware of that important fact, but I have now been enlightened by my hon. Friend, and his comments do not surprise me one jot. The sheer cynicism and deviousness of many of those who sought to fob us off with that supposed concession at the time know no bounds.

There was, ultimately, a test of the robustness, the virility, of the subsidiarity provision. That test came on 12 March 1996 when this country heard—I hope with a deep sense of shame—the opinion of the Advocate General in relation to the working time directive. I am delighted to see that the Minister of State, Foreign and Commonwealth Office, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), has raised his eyes from his notes and is paying attention.

What the Advocate General said was a damning indictment of our gullibility in the first instance. On 12 March 1996, the Advocate General gave his opinion on the attempted annulment of the working time directive. He said:

"In view of the fact that the objective provided for in article 118a is harmonisation, there is no doubt that the aim of the contested directive can be better achieved by action at Community level than by action at national level."

He was putting it on the line, so clearly that no one could doubt it, that it was always intended that such matters should be determined supranationally, not nationally. Therefore, those who entertained the hope that we could preserve sovereignty in respect of our domestic working practices were to be disappointed.

Many people never supposed for a moment that we could do so. For example, Lord Tebbit of Chingford was never in any doubt about that. He was perceptive about it from the outset. He knew perfectly well that the subsidiarity doctrine would be abused—and sure enough it was, to the extent that we could not even control our own working hours. That is what happened to subsidiarity then.

We now move on in the debate to phase 2—to the protocol on the application of the principles of subsidiarity and proportionality. My hon. Friends will have noticed that the new buzz-word is "proportionality." The objective is not very different: to convey an impression of reasonableness while offering nothing substantive of the sort. It is, in that sense, a slightly preferable word to "subsidiarity", which—for all except those as intellectually distinguished as my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins)—is difficult to understand or interpret. "Proportionality" seems a fairly obvious word and it conveys an impression of reasonableness which is not likely to be matched in practice.

I emphasise the point: under the protocol on the application of the principles of subsidiarity and proportionality, in the treaty of Amsterdam, the doctrines of the occupied field and of the acquis communautaire are established as sacrosanct and not to be challenged. There is no suggestion that anything would be allowed which would override the primacy of those doctrines, which are dear to the heart of every European federalist.

Although some of us were sceptical of the likely effectiveness of subsidiarity at the time of the treaty of Maastricht, some federalists did not want to make even that concession because they were petrified that it would lead to a decentralisation of power. Therefore, this time they were determined to get their own back: to emphasise beyond doubt that central forces within the Community would hold sway, that the acquis communautaire was safe and that the doctrine of the occupied field was not under threat. They succeeded.

Other hon. Members have referred to what the protocol says, and it is important that the debate should respect and reflect the words of the protocol. What does it say?

"The application of the principles of subsidiarity and proportionality shall respect the general provisions and the objectives of the Treaty, particularly as regards the maintaining in full"—

not in part, but in full—

"of the acquis communautaire and the institutional balance".

I hope that the hon. Member for Somerton and Frome (Mr. Heath) is listening carefully. The protocol continues:

"it shall not affect the principles developed by the Court of Justice regarding the relationship between national"

law

"and Community law, and it should take into account Article F(4) of the Treaty on European Union, according to which 'the Union shall provide itself with the means necessary to attain its objectives and carry through its policies'."

Therefore no one can say, "Ah, 'tis unclear; there is scope for optimism," or, in future, "The wool was pulled over our eyes." Neither of those things is or could ever be true. It is clear that the Community is to hold sway.

It must be recorded that there are currently six Labour Members in the Chamber for the consideration of a matter of the most momentous magnitude for the future of this country. A Government Whip has now left the Chamber. Indeed, I thought for a moment that two representatives of Her Majesty's Whips Office were about to absent themselves from the Chamber because they were more interested in the minutiae of Government whipping than in the significance of subsidiarity provisions for the future status and self-governing capacity of our nation.

My hon. Friend the Member for South-West Devon (Mr. Streeter) rightly referred to the substantive paragraph of the protocol, section (2), which I just quoted, which talks about the way in which the protocol will be applied. It is important also to refer to section (3), which reinforces and complements section (2). It emphasises the fact that in no sense is the protocol a challenge to Community power. Indeed, as hon. Members will see when they study it, it adds:

"Community action within the limits of its powers"

may

"be expanded where circumstances so require".

Therefore, not only shall we not get a net decentralisation of power under the subsidiarity and proportionality protocol, but there is scope for further centralisation.

Mr. Denis MacShane (Rotherham) *rose*—

5.15 pm

Mr. Bercow: Let the Minister not pretend ignorance. Let him not say subsequently that he did not know. He is seeking to drive through the House, under guillotine, a treaty the effect of which will almost certainly be to increase Community power and to diminish the cause of national self-government. That is the reality.

If the Minister disagrees with that thesis—if he has any serious counter to it, bar the knockabout badinage that has come to characterise the sub-standard responses to the debate that we have suffered to date—let him now say what his response is, but it is not good enough for him to dismiss our anxieties. Still less is it good enough for the hon. Member for Rotherham (Mr. MacShane)—who I believe feels pained that he is unable vocally to contribute to our debates, and so contents himself with taunting us by showing the disgusting and vulgar, loud European Union socks that he is wearing—to sit and be self-satisfied about it. This is a matter of the utmost seriousness, with portentous consequences for the future of our country.

Mr. Cash: Smelly socks.

Mr. Bercow: My hon. Friend the Member for Stone (Mr. Cash) makes a mildly impolite, but possibly apposite, reference to smelly socks. I say to him, in all candour, that the smell of the socks is nothing like as great as the stench of the course of European federalism, from the effects of which the country is suffering. I am sure that we can agree on that point.

The protocol says several things of interest. It says that Community matters shall be defined. Matters for the Community shall have to meet certain tests. A couple of optimistic or naive—or both—Labour Back Benchers may have some hope that the effects of that provision will be minimised, because Community action can be taken only if it meets certain criteria. What are those criteria?

First, we are told that, in order for action by the Community institutions to be taken, an issue should be "transnational" in character. The problem with that is that there is no absolute definition of what constitutes transnational. I would argue, and my hon. Friend the Member for Westmorland and Lonsdale and the shadow Foreign Secretary would argue, that the regulation of working hours is not a matter of transnational concern but a legitimate preoccupation of elected British politicians in the British legislature. On the other hand—genuinely and with good motives—many Labour Members may contend that it is a legitimate concern of the European institutions.

I do not believe that supranational regulation of working hours is necessary for an effective single market, but some Labour Members might. I simply point out that there is no natural, obvious, broadly acceptable definition of what constitutes transnational. If the Minister is planning to set our minds at rest by saying, "Ah, but it must be a matter of transnational concern; the Community cannot by its own fiat pluck something out of the air and say that it is a matter of transnational concern on which the Community must legislate," I reply that the case is not proven.

The second point is that, in order for Community action to be taken, it should be necessary for the requirements of the treaty to be fulfilled. That gives Conservative Members no succour either, for all that that requires is that those who want maximum Community action should draft clauses that would obviously require such action; alternatively, they should draft clauses to the treaty that could allow for such action.

My hon. Friend the Member for Westmorland and Lonsdale alluded to that point a few moments ago. He referred to noble but often sweeping objectives which are enshrined in Community law and in treaty obligations. Precisely how they are to be fulfilled is left open. Often it is left open because member states know that there are genuine differences between them over how it would be interpreted. We, the British, are usually patted on the head and told not to worry because nothing concrete is at stake—these are general declarations, in accordance with

[Mr. Bercow]

the continental approach to law making, not the British insistence on specificity. Of course, at a later stage, these obligations are referred to as justification for centralised action and Community diktat. If we object, we are told that we signed the treaty and the words clearly mean what the majority of countries say they mean. So when the Community legislates, we will have no success if we try to object.

Thirdly, we are told, in relation to this provision, that there should be benefits in scale or effect as a result of Community action. There is no argument to be had there, either. As far as we are concerned, the disbenefits in scale and effect of the application of the working time directive across the EU should have prevented its adoption—but they did not.

It is therefore a wholly ineffective attempt at reassurance if any representative of the Government says that there are tests that have to be met before Community action can be taken. There is none that is absolute. There is none that is dependable. There is none that offers encouragement to those Conservatives who believe that we have been consistently misled, let down and betrayed by the process of EU treaty making.

Sir Michael Spicer: My hon. Friend is making a brilliant speech, but I want to add a word about tests. We British have always thought that our legal arrangements allowed for specificity, whereas the Roman legal system is based more on general objectives. Indeed, we have often been conned by that difference. The protocol specifically states, however, that the matter should be subject to the general objectives of the treaty. That in itself underlines the importance of what my hon. Friend is saying.

Mr. Bercow: My hon. Friend is correct. The federalists have given the game away by saying that the satisfaction of key treaty objectives is what is required to justify Community action—thereby admitting that, as long as they can invoke the high-falutin' terms of the treaty, they can get on and do their business. They feel no need to justify themselves beyond that.

What is the final sop that the treaty offers those of us who are concerned to preserve self-government? It is that, under the terms of the protocol, the Commission will be required to

"consult widely before proposing legislation, and wherever appropriate, publish consultation documents."

Is that not enough to warm the cockles of the heart? Is that not a blessed reassurance as we debate the contents of the Amsterdam treaty? Does it not cause the hardest-hearted Euro-sceptic in the Chamber—I look eagerly to find my hon. Friend the Member for Stone (Mr. Cash), only to find that he has momentarily absented himself—to relent? Nothing of the kind, for it constitutes no check on the legislative ambitions of the Commission. It merely represents a challenge to its ingenuity.

Although I deplore the impact of the Commission's activities on the affairs of this country over a long period, I do not think that the people in the Commission are stupid. It is always wise to know one's enemy. I am in no doubt that the Commission is packed with highly intelligent, dedicated officials—

Mr. MacShane: Like Neil Kinnock?

Mr. Bercow: I do not know whether the hon. Gentleman is looking at me in that way because he is a disappointed man. I do not know whether he has ever applied for a job in the Commission and failed to get it, and so is critical of the intellectual powers of Commission officials.

Mr. Rammell: I am staggered by the hon. Gentleman's remarks. Do you not begin to understand that whatever views you hold—

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. Will the hon. Gentleman please confine himself to parliamentary language and stop saying "you"?

Mr. Rammell: I apologise, Mr. Lord. Whatever views one holds on the pace and development of European integration, describing the Commission as the enemy just inflames the debate. It does not begin to clarify the issues; indeed, it is a disservice to the issues that we are debating.

Mr. Bercow: I acknowledge the hon. Gentleman's sincerity: I disagree with his point. Let me be explicit. I believe it necessary to have a central power in the European Community. One can argue the toss also about, say, the Single European Act—but I chose my words advisedly. I referred as I did to the Commission not because I have any personal hatred of, or contempt for, the officials who serve it but because I believe in judging by results.

The hon. Member for Harlow (Mr. Rammell) is a regular attender at the proceedings of this Committee; I know that he has well-formed, strongly held opinions on European integration. I disagree with him usually, but I respect him. In the Labour party generally these days, however, there is a preoccupation with form and an inattention to substance. I am concerned about substance, not about being polite for the sake of it. I focus on what the Commission has done to this country. I happen to believe that it has been highly damaging to this country over some years. I also assert that this country has frequently been misled, as often deliberately as accidentally, by the Commission. That is the rationale behind the words that I used.

I said a moment ago that the requirement to consult widely and to publish consultation documents whenever possible constituted no check on the legislative ambitions of the Commission: it was merely a challenge to its ingenuity. My anxiety is that it will want to meet that challenge. It will beaver away, working ferociously hard to identify new areas in which it believes the Community should act.

Again and again we return to the point over which the hon. Member for Somerton and Frome skimmed. When there is a dispute, who decides? If we disagree, who is the judge? The answer is: the European Court of Justice. That is the point to which, it seems, the Minister has no meaningful or intelligible response. If he has one now,

I shall happily give way to him. I pause to see whether this distinguished representative of Her Majesty's Government will rise from his seat to favour the House with his wisdom. The answer is that he will not, just as he failed to do the other day.

Mr. Tony McWalter (Hemel Hempstead): It is rather offensive for the Minister to be constantly invited to contribute in that way, when the hon. Gentleman knows quite well that the debate will be replied to.

5.30 pm

Mr. Bercow: That is the most bizarre observation that I have heard uttered in the House since 1 May 1997. The notion that it is impolite to ask a Minister to respond there and then to a point strikes me as peculiar. We are, after all, engaged in a debate.

The Minister is a pleasant fellow, but there is just a chance—I put it no higher than that—that he might forget to respond to some points. To suggest that he would deliberately choose to ignore certain points would be a gross discourtesy, and I make no such suggestion. His forgetfulness would be entirely inadvertent—the consequence of a 15-hour day and the effect of his long run round Hyde park corner in the morning, which might cause him to neglect to respond to our arguments on subsidiarity. The other day the Minister did respond to a point from the hon. Member for Blaenau Gwent (Mr. Smith), but he did so poorly. I would hope that he could do so better this time.

I shall focus finally on the Government's attitude to date to the subsidiarity protocol. To my mind, the Government have capitulated to the European Union on that front. Three points illustrate the argument forcefully.

First, the Government have contented themselves with the protocol. They have made no objection whatever to the fact that this far-reaching proposal is enshrined only in a protocol within the treaty, on pages 84 to 86, if memory serves me correctly. The notion that a measure with such profound ramifications for the future self-government of this country should be confined to a protocol, without a murmur of protest from the Minister, is unacceptable. It is unworthy of a Minister to commend to the House such a lamentable capitulation to the European Union.

Did the Minister even try to ensure that something better was on offer? Did he race—we all know that he runs regularly and fast—after his opposite numbers in the EU and argue with them about it? Nay, there is no evidence that he did anything of the kind. He was content to accept a protocol further to consolidate the power relationship between the European Community and Britain, in favour of the former.

The second point about the Government's capitulation is that they have effectively ganged up with the European Court of Justice against the national constitutions of member states. Germany, France and Denmark have consistently argued that their national written constitutions supersede treaty obligations. The Community now contends otherwise. It seems that the British Labour Government want to support the Community and attack those who depend on their national constitutions. That is unwise. We have no such national constitution. Others do, and they depend on it for the preservation of their sovereignty. It is wrong for the Minister to line up with the ECJ in that way.

Thirdly, the Prime Minister has made no protest about the protocol. If the Minister wishes to argue to the contrary, no doubt he will rise, notwithstanding the exhortations of the hon. Member for Hemel Hempstead (Mr. McWalter). The Minister will be anxious always and everywhere to defend the effectiveness of his right hon. Friend the Prime Minister.

Mr. Pope: Hear, hear.

Mr. Bercow: I might have known. There is no subsidiarity in the Whips Office, but one is told that the hon. Member for Hyndburn (Mr. Pope) is in the Blairite faction, as opposed to the Chief Whip, the right hon. Member for Newcastle upon Tyne, East and Wallsend (Mr. Brown), who is in the Brown faction. *[Interruption.]* That is amply confirmed by the comments of other hon. Members.

If the Minister wishes to rise to defend the Prime Minister, he may. Our understanding is simple. The Prime has in no way criticised the subsidiarity and proportionality protocol. My recollection—I shall be advised otherwise if I am mistaken—is that in his statement of 18 June to the House following the Amsterdam conference, the Prime Minister hardly referred to the subsidiarity and proportionality protocol of the treaty. He alluded to many other points, and attempted to sell it as a great deal for Britain. Whether, in skipping through the subsidiarity provision, he accidentally missed the significance of pages 84 to 86, we are none the wiser. Whether it was the broad-brush approach, or whether he was so anxious to say, "I have to say," that he did not manage to focus on subsidiarity, I know not. *[Interruption.]* It was, as my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) points out, a plot, the details of which my right hon. and learned Friend may wish to expose later. The Prime Minister had nothing serious to say on the subject of subsidiarity then, and he has not since.

The truth can be simply stated. The power of the European Union over the affairs of this country has grown. That power is growing. Under the provisions of the treaty and the subsidiarity protocol, it will continue to grow. I say to my right hon. and hon. Friends that the time will come, and it will not be long from now, when that power and the drift in the direction of more Community power will need to be arrested and reversed. If it is not and we let down future generations, that betrayal will not be forgotten and it will not be forgiven.

Mr. Oliver Letwin (West Dorset): I am somewhat abashed to be following the precedent of my three hon. Friends, whose eloquence was beyond all measure greater than mine.

Mr. MacShane: No, no.

Mr. Letwin: In this case, genuinely, yes.

I shall deal with much slighter and more particular points, relating to the way in which protocol 7 has been drafted. I draw the Committee's attention to the concept of proportionality. Most of the discussion has concentrated on the notion of subsidiarity, although my hon. Friend the Member for Buckingham (Mr. Bercow) mentioned proportionality.

[Mr. Letwin]

Proportionality is described in the first paragraph as a principle

"according to which any action by the Community shall not go beyond what is necessary to achieve the objectives of the Treaty",

as my hon. Friend mentioned. Some of us have sat for many hours in one of the European Standing Committees, where a series of directives have come before us that have been defended by Ministers. We have frequently asked whether the measure in question went beyond what was necessary to achieve the objectives of the treaty. On every occasion, we have been assured that the objectives of the treaty were sufficiently grand in scope to justify the particular measure in hand.

An inspection of the entire range of possible directives, going far beyond the directives that have so far come before us—directives of huge scope and imagination—would reveal that the objectives in the treaty, which have, of course, been enlarged, as my hon. Friends have repeatedly pointed out, are sufficiently great to justify them.

There is no challenge in the challenge that my hon. Friend the Member for Buckingham suggested had been posed to the Commission—no ingenuity is required—because the objectives are so generally couched that brake in terms of conformity with objectives, like the proportionality brake, becomes devoid of meaning and application. We will never, I speculate, find a case where the Commission proposes a directive or considers the proposition of a directive and then discovers that the rule of proportionality affects the formation or the application of that directive. That is why I suspect that the attention of the Committee has been almost wholly upon the principle of subsidiarity.

There is a great difference between the way in which proportionality is described in the protocol and the treatment of subsidiarity. Subsidiarity is linked quite specifically not to the objectives of the treaty but, in paragraph (5), to the objectives of the proposed action. It might be thought that, somehow or other, that narrowed matters and gave us at least the beginning of some check on the development of Community action.

It might be thought in the case of a particular directive—I shall choose an uncontroversial example, such as the ban on tobacco advertising—that, if we could show that the objectives of the proposed action could not be sufficiently achieved within the framework of the nation state, we could throw out the directive. The wording of paragraph (5) gives us some hope that that aim could be achieved. It replicates the wording of article 3b of the Maastricht treaty, which my hon. Friend the Member for Buckingham, to his great credit, is able to remember. Even if one has an impoverished memory and is required to read it, one can see that the article is couched in those terms.

My hon. Friends have pointed out that much of that hope is removed by paragraph (2) of protocol 7, which makes it abundantly clear that, whatever argument we might make about the tobacco advertising directive, it could never be effective if it could be shown to be based on an existing acquis communautaire. That removes the first leg of a possible argument. Secondly, we would not be able to make the argument if it could be shown that the directive in some way cohered with, was based upon or sprang out of the principles developed by the Court of Justice regarding relationships between the Community and the states.

We might find also that we could not make the argument because it might be shown that in a particular case it was necessary for the Union to arm itself with the directive to attain its objectives and carry through its policies. That is the point to which I shall refer specifically this afternoon. There is a great conceptual link between the notion of subsidiarity based on the objective of a proposed action and the notion of subsidiarity as something to be applied only in light of the ability of the Union to give itself the means necessary to attain its objectives and carry through its policies.

Linking those two notions makes it clear what the protocol on subsidiarity, phrased in those terms, is telling us: a directive must not be challenged on the basis of subsidiarity if it can be shown that the directive in question is a carrying through of a policy adopted by the Community and is therefore necessary to the carrying through of that policy. Upon reflection, one can see that that is a wholly remarkable state of affairs. We have a protocol that purports to limit Community action, the genuine meaning of which is that, if the Community adopts a certain policy, it is reasonable for it to adopt a directive because it will ipso facto cohere with its objectives in having adopted that policy. Having adopted a policy and a directive coherent with that policy, we can say nothing against the directive on the grounds of subsidiarity.

If I knew how to construct brakes on my behaviour that consisted of my informing the police that it was legitimate for me to do anything that cohered with an objective that was a matter of my policy, I should be a happy man. The fact is that, in general, when one tries to create legislative constraints, one couches them in terms other than those that depend entirely on the proposition that whatever Mr. X wishes to do becomes legitimate by virtue of his wishing to do it.

I am genuinely puzzled, because, even if Ministers were profoundly dozy during the Amsterdam negotiations—we have evidence of that from other sources relating to different parts of the treaty—I cannot believe that the Foreign Office does not contain anyone who is able to engage in the construction that I have just outlined.

Mr. Cash: I do not wish to disturb in any way the brilliance of my hon. Friend's analysis, but does he recall the words of Lewis Carroll in "Through the Looking-Glass", who said,

"a word . . . means just what I choose it to mean . . . The question is, which is to be master—that's all."?

5.45 pm

Mr. Letwin: I have learnt much about treaties at the feet of my hon. Friend. He is right in his implication that the situation is even worse than I have portrayed: if the words were not so clear, the European Court would be the arbiter of their meaning—and we can guess how that arbitration would run.

However, the strange thing is that my hon. Friend may not be quite correct, because the words are clear—even to someone of a sceptical inclination—and they must have been clear to members of the Foreign Office who were

supposedly supporting Ministers at the negotiations. Therefore, the full meaning of those words must have been communicated to the Minister, to the Foreign Secretary and to the Prime Minister. They must be aware of this state of affairs. If they are, it is strange that they have not told the British public that subsidiarity now means that any directive may be adopted so long as it coheres with the objectives of the European Union.

That gives me genuine cause for concern that I may have misinterpreted the protocol. I genuinely hope that, for once—and not as a debating point—the Minister will answer that point. I hope that he will provide some reassurance and confirm that my interpretation is fallacious. If it is not, we have buried utterly the concept of subsidiarity—alas, the concept of proportionality was never alive; so we shall have two dead concepts and a protocol that has no meaning. I fear that my hon. Friends are right and that, at worst—in this case, the worst is the truth—we will be left with a cloak for the expansionist intentions of the European Union.

Mr. Blunt: I shall try, in my rather inadequate manner, to pick up some of the brilliant points made by my hon. Friends the Members for Westmorland and Lonsdale (Mr. Collins), for Buckingham (Mr. Bercow) and for West Dorset (Mr. Letwin). The first concerns the opportunity, presented to the Government in the conduct of the negotiations, that has been lost so lamentably.

In introducing the concept of subsidiarity—to which my hon. Friend the Member for Westmorland and Lonsdale referred so effectively—my right hon. Friend the Member for Huntingdon (Mr. Major), the former Prime Minister, played the French and the other continentals at their own game. He introduced an idea that, surrounded initially by warm and unobjectionable language, meant very little in terms of treaty obligations at Maastricht. However, Britain's ultimate objective was to develop a line of policy, translated into treaty requirements, that had some teeth.

Tragically, the Government changed on 1 May, and the opportunity that had been presented in the conduct of treaty negotiations at Amsterdam was lost. The ball was passed to the Labour party, which promptly dropped it. There was an opportunity to put into the treaty language on subsidiarity that meant that the application of subsidiarity to the acquis communautaire would have real teeth. It appears that that policy is supported by the Liberal Democrats. In a sense, that is itself sadness enough.

At the same time, in the conduct of the negotiations, we saw an example of where the French and other continentals were successful at the same game in a different sphere; the defence negotiations. There was language about eventual common defence that could mean anything. It was happily signed up to as, in a sense, a concession to an idea that had no teeth at Maastricht. It was turned into the progressive framing of defence policy and an absolute commitment to progress. Our partners in Europe will be able to ask, "Where is the progress if there is none?" and hold us to the terms of the treaty.

My hon. Friend the Member for West Dorset talked about the concept of proportionality. It seems bizarre to have a treaty provision that defines something as unobjectionable as some sense of proportion in terms of what the actions of the Community should be. Should not that apply to the vast majority of the way in which the Union works? Only, perhaps, if an organisation is rapidly taking on some of the characteristics of "Alice in Wonderland"—to judge by some of its treaty provisions—will we be in this place debating a design of the European Union.

My central point is about use of language. The ideas of subsidiarity and proportionality are meant to sound reasonable—I return to the point made so brilliantly by my hon. Friend the Member for Buckingham. The trouble with the conduct of much of the European debate—not only the treaty of Amsterdam, but over decades—has been the amount of disingenuous debate and information that has been put into the public domain.

European integration is a perfectly honourable idea. I respect people who hold the cause dear for the highest of motives. If only they were prepared to make their case with honesty, clarity and vigour to the people of our country, we could engage in a proper debate about the merits of the argument.

Some of us fear that the process of integration is a danger to the entire European project and the achievement of peace between nations since the end of the second world war. We fear that progress towards economic and monetary union is coming far too fast and far too soon, with the people of the United Kingdom—certainly—blissfully unaware of the nature of the dangers of that process and of the change that will take place in their politics if the train is allowed to continue along its track.

When the Minister replies, I ask him to treat the Committee with respect, to use language fairly and honestly and to be clear about the Government's exact objectives. I ask him not to cloak concessions and agreements made at Amsterdam with disingenuous language that is designed to suggest that the agreements are something that they are not.

Mr. McWalter: I did not intend to speak, but it might be helpful to introduce some counter-balance to some of the things that have been said. A claim being made for the Government's case is that words are increasingly being manipulated to mean whatever we decide to make them mean. The expression, which has been quoted, comes, the Committee might be interested to know, from Humpty Dumpty in "Through the Looking-Glass" who said that words can mean whatever we take them to mean or whatever we decide them to mean. When Alice objects to that proposition, Humpty Dumpty replies that it is not a matter of language—the question is

"which is to be master".

The debate has an "Alice in Wonderland" feel. Opposition Members' arguments boil down to the expression "acquis communautaire". It is the pivot for everything that they have said. The willingness to co-operate and work together, as understood by members of the European Community, seems strange and hostile to Conservative Members. They cannot begin to connect with the idea that we might want to have a constructive and co-operative relationship with our European neighbours.

[Mr. McWalter]

That being so, they say that we are faced with—well, it cannot be a Trojan horse because it is French—some sort of Parisian horse, or whatever, that allows us—

Mr. Blunt: Will the hon. Gentleman give way?

Mr. McWalter: I shall give way shortly. Please let me get started.

The argument of Conservative Members is that others are to be allowed to run roughshod over all issues that involve national sovereignty and the independent action that we as members of the United Kingdom would want.

The issues before us have many more aspects than those outlined by Conservative Members. A first-order problem concerns the way in which our Europe and our country operate. For example, the problem of acid rain is obviously transnational. One country's pollution can be another's acid rain. When I read protocol 7(5), I find, basically, a provision that expresses how important it is to justify Community action and to ensure that the principles of subsidiarity should be met.

The guidelines state that "the issue under consideration" should have

"transnational aspects which cannot be satisfactorily regulated by action by Member States".

Mr. Bercow: Will the hon. Gentleman give way on that point?

Mr. McWalter: I was asked to allow an intervention earlier; I shall take that one now.

Mr. Blunt: The hon. Gentleman is basing his speech on a false premise. He is saying that Conservative Members who are concerned about the progress of European integration are against co-operation with our partners in Europe. We are passionately in favour of co-operation and partnership with our partners in Europe. It is we who are grounding these objectives in their practicality. The developments that the hon. Gentleman is supporting will place an onerous burden on the individual nations of Europe and therefore destroy co-operation and partnership between the nations of Europe. That is the danger.

I would argue that my right hon. and hon. Friends who take the view that I have outlined are, in a sense, more passionately pro-European than those who are calling for European integration. Down the road of integration lies the end of the European project.

Mr. McWalter: The problem is that voluntaryism is often insufficient. I take up the second part of paragraph (5), which refers to where

"actions by Member States" might

"significantly damage Member States' interests".

One state may decide that it is rather cheap to produce something in a way that causes pollution and a neighbouring state might decide that it would like some action to be taken to prevent that happening. We need to have a sense of voluntary co-operation, and it is clear that the extent of it is extremely important.

We try to get as much as we can by way of voluntary co-operation, but the European Community commits us to membership of a framework within which we must take seriously the fact that some individual member states' actions should be restricted by the greater union of states.

Sir Michael Spicer: Will the hon. Gentleman give way?

Mr. McWalter: I shall move on to the third section of the paragraph before I give way. It states:

"action at Community level would produce clear benefits by reason of its scale or effects compared with action at the level of the Member States."

The whole package makes sense in respect of issues such as acid rain. It is not simply an absurd recipe, as was suggested earlier, whereby the only limits and constraints on Community action are sui generis, or part of the treaty itself.

Mr. Bercow: Unfortunately, the hon. Gentleman's mask has slipped. He spoke soothingly about the virtues of co-operation. He then discovered that Conservative Members objected not to co-operation, but to unwarranted imposition. Citing acid rain is an easy case, but it does not prove the point. Does the hon. Gentleman believe that the European Court of Justice, in foisting upon us its preference for the working time directive, was co-operating with the United Kingdom or telling her what to do?

6 pm

Mr. McWalter: If the hon. Gentleman is saying that acid rain is an easy case, clearly he knows more than I do about the solution to such issues. The problem of acid rain requires concerted and difficult transnational agreements that are not voluntary but need to be binding in the interests of our planet. We are a long way short of achieving that. The heart of the issue between Conservative Members and ourselves is often where to draw the line.

The hon. Gentleman clearly agrees that the business of not exporting pollution requires effective transnational agencies, but some of us are of the view—it is enshrined in the earliest drafts of the treaty of Rome—that anti-competitive practices, for example, are also important. If one nation adopts a framework for its employment law that seeks to export not its pollution but its unemployment, that may be of equal concern under the competition rules.

Sir Michael Spicer: The problem with the acid rain argument, which is often used to support the line of thinking in which the hon. Gentleman is currently engaged, is that most acid rain comes from non-European countries.

Mr. McWalter: Particularly since the reunification of Germany, a great deal of it comes from European countries, as I am sure the hon. Gentleman is aware.

Mr. Bercow: I am following the hon. Gentleman's argument closely and with interest. He refers to anti-competitive action: that action is unacceptable; it is therefore necessary for the Community to take a central

view and implement a Community policy in the context of the working time directive. In principle, what is the difference between that and a common taxation system? Although it seems unlikely under a Labour Government, if the United Kingdom has lower taxation rates than other European Union countries, is that not anti-competitive? In principle, does the hon. Gentleman rule out the adoption of a common direct taxation system within the European Union—yes or no?

Mr. McWalter: The hon. Gentleman's intervention shows that, ultimately, all such matters need to be decided by partners in the European project trying to decide where that borderline lies.

Mr. Bercow: What does that mean?

Mr. McWalter: There is no need to go mad about it. We accept that there is scope for genuine debate about where the lines should be drawn. Some member states may take the view that what we decide to do about immigration policy, for example, is a Europewide matter. The British Government have not taken that view. We have the right to take the view that it is not a matter of European concern. The Opposition should grant the Government some generosity of spirit about the way in which they want to work for the British national interest within an effective European Union that can do much to improve the conditions in the world economy.

Mr. Cash: Does the hon. Gentleman recall that David Begg and a number of others wrote an interesting paper about subsidiarity in the context of pollution and transnational matters entitled "Making Sense of Subsidiarity: How much centralisation for Europe?" they wrote:

"The quality of water drunk by a Dane does not change the welfare of a Spaniard, and there is prima-facie evidence that this directive flies in the face of the principle of subsidiarity."

Furthermore, when the House of Lords Select Committee on the European Communities considered the matter, it concluded:

"while the case against some aspects of the bathing water directive on subsidiarity grounds is well-founded, it may be politically unrealistic to look for the repeal of the directive."

In other words, there was a sense of alarm and despondency among members of the House of Lords Select Committee, including some distinguished jurists, because they knew perfectly well that, although there was every reason to repudiate the bathing water directive, politically, it would go through. That completely undermines the hon. Gentleman's argument.

Mr. McWalter: I am about to conclude, but I shall address the point. In any loosely liberal political system, there is always an ebb and flow between the different participants in any power regime. Sometimes powers are given to central authorities, sometimes they are removed. On the basis of the conduct of the previous British Government, many people might have concluded that the consolidation of power by the Cabinet and the Prime Minister was so excessive that there would never again be the prospect of effective devolution or impetus to local government. Luckily, however, there was a rising up against that philosophy, and, as a result, we now have a Government who are committed to devolution, to local government and to empowering people to take more control over their own lives. What applies in Britain also applies in Europe.

I thank the House for listening to me, and I conclude by saying that this is an excellent treaty and I am very happy to support the Bill.

Mr. Cash: Article 3b of the Maastricht treaty and the rubbish that that generated, the con trick that it involved and its amplification under the Amsterdam treaty, show that, effectively, member states are saying, "We can do what we like, but we shall wrap it up with minimal reservations so long as the lawyers are well paid for dancing on the head of a pin." Basically, the whole issue boils down to that.

We have heard some superb speeches from my hon. Friends the Members for Westmorland and Lonsdale (Mr. Collins), for Buckingham (Mr. Bercow) and for West Dorset (Mr. Letwin). I pay tribute to them, as they addressed the heart of the matter, arguing the case intellectually and with reason. In the context of the development of the European Union, for practical purposes nothing has been changed by the provisions of the Amsterdam treaty, although, where Maastricht ran into difficulties, there have been spurious attempts to produce alternative arguments and to put a spin on it.

As my hon. Friend the Member for West Dorset pointed out, the acquis communautaire lies at the heart of the problem. It is spelled out in article B of the treaty, which states:

"The Union shall set itself the following objectives:"

including

"to maintain in full the acquis communautaire and build on it with a view to considering to what extent the policies and forms of cooperation introduced by this Treaty may need to be revised with the aim of ensuring the effectiveness of the mechanisms and institutions of the Community."

When one puts forward proposals to ensure the effectiveness of the mechanisms and institutions of the community, no notice is taken.

The treaty goes on:

"The objectives of the Union shall be achieved as provided in this Treaty and in accordance with the conditions and the timetable set out therein while respecting the principle of subsidiarity, as defined in Article 3b of the Treaty establishing the European Community."

That means that we shall continue as before. We set out certain objectives, and everything continues inexorably towards a process that includes the acquis communautaire, the ratchet effect and the fact that nothing that has been decided can be challenged. As my hon. Friends the Members for Westmorland and Lonsdale, for Buckingham and for West Dorset have pointed out, the moment that we raise any objections, we are thrown back on to the objectives of the treaty. Inevitably, we go in a complete circle.

The process is a disgrace, because it puts forward, in words set out in a treaty that are justiciable and subject to the European Court of Justice, arrangements that are self-fulfilling and self-denying. On the one hand, they set out the objectives, but on the other they purport to give rise to the possibility of questioning them. However, questioning takes us back to the objectives, which include the application by the European Court of Justice of original objectives that go back to the intentions incorporated in the Maastricht treaty and, in many

[Mr. Cash]

respects, before that. That is a continuous process. The more one looks at the protocol, the more obvious that becomes.

The objectives of the treaty are not what is necessary to achieve the kind of Europe that is essential for harmonious relations into the next century. The treaty says:

"In exercising the powers conferred on it, each institution shall ensure that the principle of subsidiarity is complied with. It shall also ensure compliance with the principle of proportionality".

As my hon. Friend the Member for West Dorset said, that takes us back to what is necessary to achieve the objectives of the treaty, which are set out in the preamble. It is well known that the Court of Justice has to have regard to the preamble to decide how to interpret the provisions. That is different from the way in which we have interpreted law in the United Kingdom. We come back again and again to the circular argument.

Paragraph (3) of the protocol says:

"The principle of subsidiarity does not call into question the powers conferred on the European Community by the Treaty, as interpreted by the Court of Justice."

So we get another circular argument within the circular argument. The Court of Justice has to prevail if the question arises whether it should have jurisdiction. The whole thing is gobbledegook, as Lord Mackenzie-Stuart pointed out. It makes nonsense of the process of European integration.

I do not understand how the Minister can justify the provisions. The worst of it is that, after going through all the arguments and making attempts to persuade, no further argument can be engaged in. What do we do now, given that we get no answers from the Minister and no arguments from Labour? There is only one Labour Member present on the Back Benches. We are going nowhere—*[Interruption.]* Well, there are some on the left- hand side of the Chamber who are doing and saying nothing. We have to take more effective and immediate action to stop the nonsense that is going on.

6.15 pm

Mr. Desmond Swayne (New Forest, West): I shall be brief. Indeed, my contributions to the Committee have been becoming increasingly brief. I should like to pick up on the point made by my hon. Friend the Member for Stone (Mr. Cash) about the circular argument.

The protocol says:

"Subsidiarity is a dynamic concept and should be applied in the light of the objectives set out in the Treaty. It allows Community action within the limits of its powers to be expanded where circumstances so require, and conversely, to be restricted or discontinued where it is no longer justified."

That is what we had all understood subsidiarity to mean—powers could be given back. That is what it says clearly in the second part of the third paragraph of the protocol. However, the first part of that paragraph says:

"The criteria referred to in the second paragraph of Article 3b of the Treaty shall relate to areas for which the Community does not have exclusive competence."

In other words, subsidiarity means control over what we have not given to the Community—it is what is left. We must enjoy it while we still have it.

Mr. Doug Henderson: The hon. Member for New Forest, West (Mr. Swayne) should enjoy it quickly.

In reply to the point made by the hon. Member for Somerton and Frome (Mr. Heath), let me say the Government cannot accept the amendment, but I hope to announce, in a future debate this evening, a review of the way in which matters discussed at the Council of Ministers are reported. I hope that that will cover issues of subsidiarity.

We have had an interesting debate. I am glad that my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) was able to intervene. He provided some necessary balance, making some important points on the sensible provisions in the treaty.

The debate started with the hon. Member for West Worcestershire (Sir M. Spicer), who is not in his place, saying that the Conservative party believed in devolution. That is an interesting revelation. I was not aware of that policy change. We have heard a lot of arguments about subsidiarity in the European Union, but we have not heard much from the Conservatives about subsidiarity within a nation state, as the hon. Member for Somerton and Frome pointed out. If the Conservatives are to be consistent, they must examine subsidiarity not only in the European Union, but in the United Kingdom.

Mr. Letwin *rose—*

Mr. Henderson: I shall not give way at the moment, because I fear that I may run out of time.

We have witnessed an internal debate in the Conservative party on the provisions. The hon. Member for Buckingham (Mr. Bercow), whose contributions we look forward to in every debate, said that, when he was a special adviser to Jonathan Aitken in the previous Government, he felt that he had been fobbed off with the provisions on subsidiarity that were drawn up at Edinburgh.

Mr. Bercow: If the Minister wants to make a debating point, he ought at least to get the chronology right. The original subsidiarity proposal was enshrined in the treaty of Maastricht in 1991. I had the pleasure to serve as the special adviser to the Chief Secretary to the Treasury in 1995. Get it right, Minister.

Mr. Henderson: It is a minor but interesting point whether the hon. Gentleman was fobbed off before he worked for the coin of Jonathan Aitken or while he was working for the coin of Jonathan Aitken.

Mr. Blunt: The Minister should be prepared to send the Excalibur file of my hon. Friend the Member for Buckingham (Mr. Bercow) to him so that it can be checked.

Hon. Members: It is too big.

Mr. Henderson: It is too big, indeed. I think that I shall leave that matter, lest I give away Government secrets.

The hon. Member for Westmorland and Lonsdale (Mr. Collins)—I have no doubt that he, too, will correct me if I paraphrase him inaccurately—made the point that the right hon. Member for Huntingdon (Mr. Major) had the right intention on subsidiarity. He would say that, as someone who was—I think—the right hon. Gentleman's press secretary at that time, although I say

sincerely that the hon. Gentleman's loyalty is respected. His point was that the subsidiarity provisions operated under the Conservative Government had not worked or been effective.

That contrasts interestingly with the view put by the hon. Member for South-West Devon (Mr. Streeter) when he opened the debate. I am sure that he, too, will correct me if I paraphrase him incorrectly. His view was that the subsidiarity provisions under the Conservative Government had worked or had had the potential to work, but had been undermined by the provisions that were agreed in Amsterdam, which the Committee is debating. So we have heard three different views from Conservative Members on the content of the previous provisions under Maastricht and how they relate to the current provisions. Incidentally, if the newspapers are correct, I should extend kind regards to the hon. Gentleman on his birthday.

Mr. Bercow: It is my birthday.

Mr. Henderson: There is a spate of birthdays.

The hon. Member for South-West Devon argued that paragraph (2) of protocol 7 of the Amsterdam treaty stops the proper application of the protocol, yet the wording to which he referred is almost identical to the wording that was drawn up under the Edinburgh guidelines and negotiated by his party. Therefore, I find it very strange that he is taking such a position.

I shall—hopefully—explain my understanding of what was agreed in Amsterdam. Under Maastricht, article 3b set out the principle of subsidiarity in very general terms. Protocol 7 of the Amsterdam treaty spells out in detail the procedures that must be undergone to demonstrate that the principle of subsidiarity has been satisfied. That is categorised in paragraphs 4 and 5. That will provide a clearer test for the courts to apply if a measure is challenged on subsidiarity grounds. Equally, it will give the Council clear grounds on which to hold the Commission to the principle of subsidiarity when it proposes legislation.

The advantage to us in Britain is that, if we believe that a matter should be dealt with under subsidiarity and the Commission does not deal with it in such a way, it would be open to any nation state, including ourselves, to go to the European Court of Justice to redress the matter. That would have been extremely difficult under the previous provisions.

We have a coherent set of proposals. They represent a way forward and give practical effect to the concept of subsidiarity, which has been supported in principle by Front-Bench teams on both sides of the Committee.

Mr. Streeter: My hon. Friends and I have listened with great interest to the Minister's response. They were seeking bankable reassurances; hoping even that our interpretation of protocol 7 was in some way incorrect; hoping that British interests had been protected in Amsterdam after all. I listened carefully to the Minister's winding-up speech, and it is clear that no such reassurances have been given. We have no option but to conclude that the very powerful arguments made throughout the debate by Conservative Members are correct. The vital principle of subsidiarity has not been enhanced by protocol 7. In fact, it has been diminished by protocol 7.

A concept already considered by many to be less than perfect is now seriously undermined—holed below the waterline. It is clear—the Minister has not contradicted us in any way—that paragraph (2) of protocol 7 makes the concept of subsidiarity subject to the acquis communautaire, the European Court of Justice and article F4.

In a sparkling speech, my hon. Friend the Member for Buckingham (Mr. Bercow) got one tiny thing wrong. The Prime Minister did refer to the principle of subsidiarity on 16 June following the Amsterdam summit. He said that it had real teeth following the agreement of protocol 7. However, as we have heard, nothing could be further from the truth. The protocol has pulled the teeth of the principle. Perhaps, again, the Prime Minister did not understand what he had signed.

We have witnessed one of those parliamentary occasions on which the strength of Conservative Members' arguments has increased as the debate has gone on and the compelling nature of our arguments has been there for all to see. Perhaps it is possible to have a different view on the effectiveness of the subsidiarity provisions agreed under Maastricht, but, having listened to the debate carefully, it is not possible to have a differing view on the effectiveness of the Amsterdam treaty's subsidiarity provisions. The treaty seriously undermines the principle of subsidiarity and seriously damages the national interest.

It was not the Opposition's intention to push the amendment to a Division because, thanks to the ridiculous and iniquitous guillotine that the Government have imposed on us, it would have a knock-on effect for later debates, which are also important. However, such has been the power of Conservative Members' arguments, such is the importance of the issue and such has been the paucity of the Minister's response that we are left with no alternative but to put the matter to a vote.

Question put, That the amendment be made:—

The Committee divided: Ayes 135, Noes 362.

Division No. 131] **[6.27 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Clark, Dr Michael *(Rayleigh)*
Amess, David	Clifton-Brown, Geoffrey
Arbuthnot, James	Collins, Tim
Atkinson, David *(Bour'mth E)*	Colvin, Michael
Baldry, Tony	Cran, James
Bercow, John	Curry, Rt Hon David
Beresford, Sir Paul	Davis, Rt Hon David *(Haltemprice)*
Blunt, Crispin	Day, Stephen
Body, Sir Richard	Dorrell, Rt Hon Stephen
Boswell, Tim	Duncan, Alan
Bottomley, Peter *(Worthing W)*	Duncan Smith, Iain
Bottomley, Rt Hon Mrs Virginia	Emery, Rt Hon Sir Peter
Brady, Graham	Evans, Nigel
Brazier, Julian	Faber, David
Brooke, Rt Hon Peter	Fabricant, Michael
Browning, Mrs Angela	Fallon, Michael
Bruce, Ian *(S Dorset)*	Flight, Howard
Burns, Simon	Forth, Rt Hon Eric
Butterfill, John	Fowler, Rt Hon Sir Norman
Cash, William	Fox, Dr Liam
Chapman, Sir Sydney *(Chipping Barnet)*	Fraser, Christopher
Chope, Christopher	Gale, Roger
Clappison, James	Garnier, Edward
Clark, Rt Hon Alan *(Kensington)*	Gibb, Nick
	Gill, Christopher

Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Ottaway, Richard
Page, Richard
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Waller, Robert
Wardle, Charles
Waterson, Nigel
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. John Whittingdale.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna
(Perth)
Dafis, Cynog
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Deen, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken

Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. John McFall and
Mr. Clive Betts.

Question accordingly negatived.

It being after half-past Six o'clock, THE SECOND DEPUTY CHAIRMAN *put forthwith the Questions necessary for the disposal of the business to be concluded at that hour, pursuant to the Order [17 December].*

Clauses 1 to 3 ordered to stand part of the Bill.

New clause 18

ENHANCEMENT OF ROLE OF PARLIAMENT

'.—Pursuant to the Protocol on the Role of National Parliaments in the European Union annexed to the Treaty of Amsterdam, Her Majesty's Government shall—

(a) make available to both Houses of Parliament all legislative proposals or proposals for measures within one working day after transmission to the Government, and

(b) not agree to such proposals in the Council until six weeks have elapsed from their transmission to both Houses of Parliament.'.—*[Mr. David Heath.]*

Brought up, and read the First time.

Mr. David Heath: I beg to move, That the clause be read a Second time.

The Second Deputy Chairman: With this, it will be convenient to discuss new clause 23—*Council meetings: information for Parliament—*

'.—Pursuant to the protocol on Role of National Parliaments in the European Union annexed to the Treaty of Amsterdam, Ministers of the Crown shall, following each meeting of the Council of Ministers, make available to both Houses a synopsis of the meeting, with a statement on the position of Her Majesty's Government.'.

Mr. Heath: Both the new clauses stand in my name and that of my hon. and learned Friend the Member for North-East Fife (Mr. Campbell). These are important new clauses, although I hope a brief debate on them will suffice. They will do what the Government have professed themselves willing to do in other circumstances, which is to lay before the House at the earliest possible opportunity proposals that are to be discussed in Europe, and to ensure that proper scrutiny takes place.

At the moment, there is a gap in the provision, which is why we tabled new clause 18. The treaty of Amsterdam requires that all proposed measures should be submitted to the European Parliament and Council, and that no decisions should be taken in the Council until six weeks have elapsed. The gap is that, if the matter is a third-pillar proposal—an intergovernmental decision—it is not subject to the six-week rule—or it may be, as there is some ambiguity in the rules. Our amendment requires all proposals to be subject to the six-week rule.

At the moment, the scrutiny reserve, as it is called, does not apply in that area. There is a good reason why the proposal should be incorporated, and we are

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backed in that belief by the Select Committee on European Legislation, which concluded on 18 July 1996, in its 27th report on the scrutiny of European business, that

"the extension of the 1990 resolution to inter-governmental business need cause the Government no difficulty".

I entirely agree with that proposition and I hope that the Minister will be able to respond positively.

New clause 18 would also tackle two potential difficulties with the supply of documentation. The treaty of Amsterdam requires that European Commission Green and White Papers and communications shall be transmitted "promptly" to national Parliaments and that proposals for legislation should be

"made available in good time"

to member Governments, so that they may transmit them to their national Parliaments. It seems entirely appropriate that we should use the speed suggested in those proposals to ensure that the documents are also available to us as Members of Parliament. The new clause would ensure that the Government supplied proposals in their possession to hon. Members within one working day. Again, there seems to be no difficulty in that.

6.45 pm

New clause 23 would ensure that, following each meeting of the Council of Ministers, a Minister would provide a synopsis of the meeting with a statement to the House of the Government's position. Again, that is important for transparency, as has been recognised by Ministers: when the Home Secretary gave evidence to the Lords Select Committee on the European Communities in July, he said:

"what we do—and I am happy to give my mind to improving this—is publish very quickly after each Council a summary of what has taken place."

That does not happen uniformly throughout Government Departments.

I hope that the Minister will be able to assure me that good practice will be extended to all Departments, that we will have the benefit of knowing what is being done in the name of the House, this country and Europe, that such actions will be open to the widest possible scrutiny, and that accountability will be enhanced. Perhaps that will also underline the fact that Ministers are accountable to the House and that there is a proper role for hon. Members in scrutinising what Ministers do in our name.

I hope that the Minister will be able to respond positively to two new clauses which seem to accord with the Government's position and that we will not have to press them to a vote because he will satisfy the Committee that proposals are in train to enable that proper scrutiny to take place.

Mr. Doug Henderson: It is nice to see the season ticket holders here, or some of them—they have paid their money, anyway.

Mr. Menzies Campbell (North-East Fife): There are more people on our terraces than there are in the official Opposition's grandstand.

Mr. Henderson: I am afraid that the private boxes are empty.

I have a lot of sympathy with what has been said about new clause 18, but it is not practical. As hon. Members will know, those matters were reviewed recently and there have been substantial improvements. We cannot accept a reduction to one working day. The present commitment is two working days, which allows a useful practical margin, reflecting the fact that we receive about 300 documents a week and it can be unclear which are subject to scrutiny. Without seriously diminishing Parliament's capacity to scrutinise proposals, shortening the period would be unworkable and disproportionate.

The Government cannot agree to the proposal for a six-week period. The present commitment is stronger, and we do not agree proposals until they have cleared scrutiny, however long that takes. Emergency procedures are sometimes invoked. That is crucial in foreign policy: sometimes an initiative has to be taken—as with Algeria—when a matter is pressing. When the emergency procedures are invoked, that fact is relayed to the relevant Committees.

I hope that the hon. Member for Somerton and Frome (Mr. Heath) and his colleagues will accept that there is an intention to improve procedure. The new procedure is only weeks old, and I hope that it will be recognised that we need a little more time to see whether it works properly: one day would not be too practical.

New clause 23 is about providing to Parliament a synopsis of Council of Ministers' meetings. As I understand it, there are different practices for different Departments. Many of those practices were inherited from the previous Government, and Ministers are examining them all to determine whether change is needed. I believe that there is a need for a review. I am fairly satisfied with the procedures adopted in relation to the Councils of Ministers on which my right hon. Friend the Foreign Secretary and I sit, but I am happy to consider suggestions for improvements.

I want to review what is happening in other Departments, to see whether there are strengths in different practices that can be extended elsewhere. I hope that the hon. Member for Somerton and Frome will accept that we intend to provide information and not to be secretive, and that he will withdraw the motion and await the review, which I will publish as soon as I can.

Mr. Menzies Campbell: Can the Minister give us a time scale for the conduct of the review and the announcement of its results? That might be persuasive in determining whether we should ask the Committee to vote on the motion.

Mr. Henderson: I should like to be able to help the hon. and learned Gentleman, but I have found—as he would find if he were in government—that the co-ordination of all the Departments involved is always a little more tricky than one would hope, and timetables are not always honoured. I assure him that I will use my best endeavours to ensure that the information is received quickly and the practices are reviewed as speedily as possible, so that best practice can be extended across all Departments.

Mr. David Heath: I am grateful to the Minister for his reply, some of which has been extremely helpful. I hope that he will take seriously the point that there is a need

for uniformity of practice across the Government and that as much information should be given to the House, and on as many occasions, as possible.

If I have one piece of advice for the Minister, it is not to inherit practices from the previous Government. We look to the new Government to produce better, new practices.

Mr. Henderson: I want to make it clear that I was referring to administrative practices that have been established in the Departments for a long time. Not all the previous Government's administrative practices should be rejected; some are of long standing and have served the country well. We are conducting a review. The political aim is to ensure that information on the discussions of Councils of Ministers and the other appropriate bodies is made available to the House.

Mr. Heath: There are some administrative practices that it is better to reform, just as it would be better not to pursue certain policy directions for much longer. In the light of the Minister's assurances, on the assumption that there will be other opportunities to test the efficacy of the new procedures that he intends to put in place, and on the understanding that the Bill is not the only place in which we can ensure that new practices come into force in the United Kingdom, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 24

POWERS OF EUROPOL: REPORT

'This Act shall not come into force in the United Kingdom until a report tabled by a Minister of the Crown setting out in detail the new powers of Europol and the legal status of its officers in the United Kingdom has been debated and approved by each House of Parliament.'.—*[Mr. Streeter.]*

Brought up, and read the First time.

Mr. Streeter: I beg to move, That the clause be read a Second time.

The Second Deputy Chairman: With this, it will be convenient to discuss new clause 43—*Police operations in co-operation with Europol—*

'.—The relevant police authorities in the United Kingdom and their officers shall have full criminal and civil legal liability for any police operations affecting United Kingdom citizens they undertake in co-operation with Europol, notwithstanding any immunities granted to Europol staff.'.

Mr. Streeter: We tabled the new clause specifically to probe the Government on their intentions for the new powers concerning Europol. It is fair to say that we are supportive of the general principles behind this part of the treaty. Indeed, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) had a significant hand in the genesis of the measures some years ago. Conservative Members would of course support any reasonable measure that is intended to bear down on international and organised crime.

The new clause would require parliamentary approval of a report because, although we support its general principle, this part of the treaty, as I am sure that the Minister would be the first to accept, introduces or develops a significant concept whereby we effectively give legal immunity to a whole new class of people from overseas who are operating here. He will also be the first to recognise that there is public concern about the precise legal ramifications.

We had an interesting debate in the Ninth Standing Committee on Delegated Legislation on 4 December, and the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leeds, Central (Mr. Fatchett) sent me an extremely helpful letter on 18 December setting out some details, but I should like to probe the Minister a little more about some of the important legal implications.

We need a clearer idea about the activities that Europol officers will be involved in. Is it intended that legal immunity should cover all those activities, and in what circumstances will it be likely to be waived? What is it intended that a British individual should do if he or she has a complaint about the activities of a Europol officer?

My letter from the Minister's colleague said:

"Article 38 of the Convention provides that if damage is caused to an individual as a result of incorrect data processing by Europol (for example, if false information provided by Europol led to a British police force detaining a person in London), the remedy lies through action against the Member State in which the damage occurred, in the national courts."

If I were a British citizen whose reputation had been damaged or who had been arrested or falsely imprisoned as a result of someone making a major blunder and giving the police the wrong information, I would be very aggrieved to be told that my remedy was to sue France. That prospect does not fill me with great encouragement. I would also ask myself whether legal aid would be available for such an action.

Mr. Menzies Campbell: Certainly not.

Mr. Streeter: Perhaps the hon. and learned Gentleman is right, and it would not be available under the present Government.

I hope that the Minister can clarify the matter. I have not had a satisfactory response to my question about legal redress for citizens who are aggrieved. We need some clarity about the scope of Europol officers' operations. They may not have the power of arrest, but are they allowed, for example, to accompany British police officers in the making of an arrest? In such a situation, one can foresee difficult circumstances arising.

I hope that the Minister will regard the new clause in the spirit in which it was tabled. There are serious legal implications. I am not entirely satisfied that the greatest clarity has yet been forthcoming from the Government. I realise that we are dealing with a new concept, but the Minister will understand that it is important to place on the record in *Hansard* as much detail as possible about the legal scope available to Europol officers, the ways in which our citizens can be protected and the redress that they will have if things go wrong. I look forward to the Minister's response.

7 pm

Mr. David Heath: New clause 43 stands in my name. This is the third opportunity that we have had to discuss this matter, and I have been increasingly dissatisfied with the responses that I have received. A vital matter of

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principle is at stake in the extraordinary immunity that will be provided for Europol officers working in the United Kingdom. I am surprised by the insouciance of Labour and Conservative Members, because those immunities will put British citizens at a substantial potential disadvantage. No serious questions have been raised about that by anyone other than myself and my hon. Friends.

The Liberal Democrats have made it clear that we support entirely the additional co-operation that the proposals on Europol represent. We believe that there is a great role for police co-operation between the countries of Europe, and that Europol provides an avenue to achieve that. However, the order that was agreed shortly before Christmas will provide Europol officers with immunity from prosecution, except for traffic offences, in a way that is not, and never would be, available to British police officers in the execution of their duties in this country.

The argument adduced in favour of the order was simply that such immunity is provided as a matter of course to other European organisations that involve more than one country. For obvious reasons, such immunity is provided to organisations that hold Governments to account, but the powers available to police officers relate directly to the civil liberties of individuals or groups of individuals. That is clearly different from the position of officers of, for instance, the OSPAR commission, which we also discussed in the Ninth Standing Committee on Delegated Legislation.

The British public in this country will have no adequate safeguard or redress if they feel that they have been put at a legal disadvantage by the actions of Europol officers. The only safeguard is that the immunity can be waived by the director of Europol. An analogous position would be a police officer having immunity in this country unless his chief constable said that he could be prosecuted. For what reasons can the waiver be granted? It cannot be granted in the interests of justice or the freedom of the individual, but it can be granted in the interests of the operations of the very organisation that the director leads.

The order is a serious erosion of the liberties of the individual. I was surprised, when we raised the matter in the Standing Committee on Delegated Legislation, that the hon. Member for South-West Devon (Mr. Streeter) could not support our position. Indeed, when the order came before the House, it was instructive that only some 30 Conservative Members voted against it, and they were not joined by their Front-Bench colleagues.

The key question that the Minister must answer is why the powers will be given to Europol officers when they would not be given to British police officers. Why did the Foreign Secretary say, in response to a question from me in the Foreign Affairs Committee on 4 November:

> "I would certainly resist any immunity being granted to Europol beyond anything that might be available to the national police"?

The very next action of the Government was to do precisely that, and to provide a level of immunity that will not be available to a constable of the Avon and Somerset constabulary or any other force in this country. Why has the position changed?

I hope that the Minister will not employ the tactics used by the hon. Member for Leeds, Central, who resorted to bluster. He advised the Standing Committee on Delegated Legislation that I was the friend of the international criminal for daring to suggest that a British citizen should have the power of redress against a police officer who was acting outside his powers and outside the law. I was told that we were supporting international crime by daring to suggest that the waiver might not be an adequate safeguard.

The Government are mistaken, and this debate is the last opportunity that we shall have to make important points about immunity for Europol officers. For that reason—I do not know whether the hon. Member for South-West Devon intends to press new clause 24 to a Division—I hope to divide the Committee on new clause 43. It is an important matter on which hon. Members should have an opportunity to express their views.

Sir Richard Body (Boston and Skegness): The new clause concerns the powers of Europol. That phrase has no meaning whatever unless it means powers over the citizens of Europe and this country in particular. We are therefore in the realms of civil liberties. I am sure that the Minister recognises that fact and takes it seriously. I am also sure that he will agree that our police forces have procedures and methods that, while not always perfect, are on the whole superior to those on parts of the continent. It would be appalling if our people were to be subject to the loss of civil liberties of the kind experienced in parts of the continent. That is the fear which some of us have about the extension of the powers of Europol to this country.

We appreciate that when fraud is rampant in the European Union, to the tune of some £6 billion a year, Europol must do what it can to curb it. Although that is an important consideration, it is overridden by the importance of civil liberties. Labour Members seem to have a singular lack of interest in civil liberties, and I am sorry that nobody on the Labour Benches has sought to catch your eye, Mr. Lord, in this short debate, which is very important for civil liberties. New clause 24 was moved with great reasonableness, and I hope that the Minister of State will be equally reasonable and accept it.

Mr. Gerald Howarth (Aldershot): It has been a characteristic feature of the development of the United Kingdom's relationship with our European partners that various measures have been brought before the House of Commons for us to approve in the name of the British people on the basis that those measures included safeguards for the British people.

Over time, and despite the assurances that Ministers have given the House in good faith, we have found that the European Union has sought to arrogate to itself powers that go beyond the literal interpretation of the various agreements and treaties. I offer as an example the Single European Act 1985. It was understood by the Government of the day, and especially by Baroness Thatcher, the then Prime Minister, that the powers of qualified majority voting would extend only to certain areas of Community competence. Much of her resentment about what happened later arose from the fact that the Community sought to extend its competence beyond the areas to which the British Government thought that it had been confined.

I mention that as a small preamble, because we are debating Europol and the extent to which it will have powers to work in the United Kingdom. As a member of

the Home Affairs Select Committee, together with the hon. Member for Battersea (Mr. Linton), I visited the European Parliament before Christmas. We had a meeting with the committee dealing with justice and home affairs, which was also attended by people from other continental parliaments. It became apparent that there are those on the continent who envisage the creation of a European police force.

My hon. Friend the Member for South-West Devon (Mr. Streeter) was right to press the Minister to make it clear to us and to the British people exactly what the British Government understand is being conferred by article K.2 in particular. What powers are to be conferred on Europol? Will he share with us details of how he would react if attempts were made to extend Europol's role beyond co-ordination into acting as a European police force?

I remind the Committee that we must look at the treaty because we are presented with only a short Bill. Needless to say, the treaty is not the No. 1 best seller in W. H. Smith, but it is important that we make sure that people understand what exactly it says. Paragraph 2 of article K.2 states:

"The Council shall promote cooperation"—

note, "cooperation"—

"through Europol and shall in particular, within a period of five years after the date of entry into force of the Treaty of Amsterdam:

(a) enable Europol to facilitate and support the preparation, and to encourage the coordination and carrying out, of specific investigative actions by the competent authorities of the Member States, including operational actions of joint teams comprising representatives of Europol in a support capacity".

No one would disagree that it is right and proper to co-operate with our continental partners in the pursuit of cross-border crime and to take all necessary steps, particularly on drugs. However, will the Minister say how he understands the meaning of the expression

"including operational actions of joint teams comprising representatives of Europol in a support capacity"?

Does it mean that continental policemen will be attached to units in the United Kingdom and police Birmingham or Aldershot with powers of arrest over our citizens? Labour Members shake their heads, but our people need to know about such matters. I am sick and tired of being told that we should have read the treaty at the time because it was clear that it meant this or that, as happened with the treaties of Rome and Maastricht.

It is incumbent on the Government to anticipate how the treaty might be interpreted in communautaire fashion so that people say, "Article K.2 clearly leads to the creation of a Europewide police force. Did you not understand that? Here it is: 'including operational action of joint teams'." It is important to be clear about what the Government think they are signing up to.

I hope that the Minister will give an undertaking that the Government envisage, and are telling our continental partners that they envisage, that Europol officers will act in an advisory and support role, and that continental policemen will not roam the UK arresting our citizens. If that is what he has in mind, it would help if he told us tonight, so that people understand exactly what the treaty is all about.

7.15 pm

Mr. Menzies Campbell: I had not intended to contribute to this part of the Committee's deliberations, but I have been provoked by the reasonable and well crafted contributions of other hon. Members. I have in mind the fact that recently in Scotland a citizen recovered substantial damages from the chief constable of Strathclyde.

Several officers—seven, I think—were involved in an incident in which the individual concerned received serious injuries in the course of an arrest. The judge, Lord Marnoch, an experienced senior judge in the Court of Session, thought that the injuries went far beyond anything that was reasonable in arrest. He not only found that police officers had not told the truth, but that the pursuer, the Scottish equivalent of the plaintiff, was entitled to substantial damages.

If officers of a non-domestic police force operating under the aegis of Europol had been engaged in such an operation—it is not far-fetched, because the operation's objective was to obtain evidence for a charge relating to the supply of illegal drugs—they would not have been subject to the jurisdiction of the Court of Session, while the domestic officers would have been. That raises important difficulties, not only of practice but of principle. It is those which the Committee is anxious to hear the Minister address.

Paragraph 1(a) of article K.2 refers to

"competent authorities, including the police, customs and other specialised law enforcement services of the Member States in relation to the prevention, detection and investigation of criminal offences".

The words

"specialised law enforcement services of the Member States"

seem apt to embrace the activities of organisations in other member states equivalent to MI5 or MI6. Can the Minister confirm that immunity would extend to such organisations, and not only to police forces?

Mr. Swayne: I should like the Minister to consider paragraph 2(a) of article K.2, bearing in mind that the treaty requires that such joint operational activity should take place within five years. To what extent would a joint operation undertaken by Europol and British police forces be accountable to the House through the Secretary of State for the Home Department? If activities are undertaken by Europol officers under the aegis of Europol, there is a serious danger that responsibility to the House would be lost.

Mr. Doug Henderson: New clause 24 would make Ministers table a report before the Act came into force. That would delay the Act, which is unacceptable to the Government, but I hope that my comments will offer some reassurance to the hon. Member for South-West Devon (Mr. Streeter) about some of the issues that he raised.

The new clause moved by the hon. Member for Somerton and Frome (Mr. Heath) stipulates that British police forces would be liable for any operations conducted with Europol which affected British citizens. I do not discount the fact that British police forces would be subject to some liability, but those matters have not yet been determined. The terms of the new clause are prescriptive, and they are unacceptable to the Government.

Europol is covered by a convention according to which any change affecting its operations would have to be agreed by unanimity. At the moment, its operations are

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limited to information-gathering services. If those were to be extended, as the treaty anticipates, the way in which that takes place would have to be prescribed.

In answer to the hon. Member for Aldershot (Mr. Howarth), the Government do not envisage the establishment of a European police force. We do not even have a British police force: we have a number of different ones. We would not want to see any change in that structural relationship. As the Conservative spokesman, the hon. Member for South-West Devon, has made clear, however, we should like to see further co-operation on matters in which Europol could use its work, such as anti-drugs operations. The way in which that happens would have to be agreed in the future.

The hon. Member for South-West Devon also posed the hypothetical question about someone who felt that he or she had been damaged as a result of actions by Europol. I shall have to write to the hon. Gentleman about the legal redress available to a citizen under data protection. It is covered by the Europol convention, not the Amsterdam treaty. I want to take legal advice before I offer the hon. Gentleman a reply, and I undertake to do so as quickly as possible. I am sure that he will appreciate that that matter is not a direct responsibility of the Foreign Office, but more a matter for the Home Office. I shall therefore consult colleagues at that Department before I reply to the hon. Gentleman.

The Amsterdam treaty essentially offers the prospect of an extension of Europol's operations within five years. When that happens, its privileges and immunities will have to be reviewed. At the time of that review, the Government will report to the House in the normal way, via the improved scrutiny arrangements that we have introduced, any conclusions reached. Were any legislation to be required, it would be brought forward by the Government in the normal way.

Until that happens, the convention requires Europol to prevent any abuse of privileges and immunities granted under the provisions of the protocol. It also requires Europol to waive immunity in cases where its use would impede the course of justice. In practice, Europol will be unable to hide behind any immunity.

The hon. and learned Member for North-East Fife (Mr. Campbell) asked whether any services other than normal police services would be covered by Europol. Again, I cannot answer that question, because it is something that would have to considered in any review of an extension of Europol's activities. Consideration would then be given to how it would be appropriate for Europol to work with European police forces, and what type of structure would have to be introduced. At this stage, that has not been determined.

Mr. David Heath: I do not feel that the Minister is entirely the master of this brief. Any waiver of immunity would be issued according to a twofold duty. It would be waived, first, in cases where immunity would impede the course of justice; and, secondly, in ways that did not prejudice the interests of Europol. The interests of Europol therefore become the test against which such a decision is made, which is totally different from any other test in British legislation. Why are Europol officers being treated differently from British police forces? That is in flat contradiction of the assurance that the Foreign Secretary gave the Select Committee on Foreign Affairs.

Mr. Henderson: I am sure that the hon. Gentleman would recognise that Europol officers have limited involvement in current operations. Their work is information gathering, and were that to be extended over a five-year period, as the treaty of Amsterdam anticipates, any such extension would be subject to a debate and agreement by unanimity under the Europol convention. That would allow the Houses of our Parliament to discuss those matters, but it would be wrong to anticipate now the nature of those discussions. An assurance has been given that the immunities and privileges afforded to Europol will be reviewed then.

It is obviously important as a matter of principle that British citizens, and citizens throughout Europe, are protected. When a wrong has been committed there should be effective legal redress for citizens throughout Europe. Such matters will have to be addressed when considering the extension of Europol's work, but I am sure that hon. Members will recognise that I cannot say anything else about that now.

Mr. A. J. Beith (Berwick-upon-Tweed): In pursuit of the intelligence and information-gathering work that Europol is already engaged in, its officers might be present in the United Kingdom to assist in a major operation. If that operation misfired to such an extent that some citizens had reason to believe that they had been wrongly arrested, wrongly subject to adverse publicity or in some other way damaged, should immunity be waived so that proceedings could be taken against those Europol officers? The head of Europol would then have to decide whether it would be in its interests to allow that, bearing in mind the fact that, for intelligence-gathering reasons, he may not wish the extent to which the force had been involved to be disclosed.

Mr. Henderson: I am sure the right hon. Gentleman recognises that such an example would be dealt with in the next five-year period, when immunities will be reviewed. I hope that he will accept that the principled belief of the Government is that British citizens, in common with citizens throughout Europe, must have the right of redress if a wrong is committed against them by a British police officer or some other law enforcement agency officer. That would be a key point of the review. I do not believe that there is any difference between us on that. Given that the extension of Europol's information-gathering services is not envisaged at this stage, the right hon. Gentleman's argument is somewhat theoretical.

Sir Richard Body: Surely it is generally understood that there will be moves in due course to amend the convention that regulates Europol, in order to extend its powers. Surely I am right to say that, when that revised convention is considered, the House will have no authority or power to ratify those changes, although they may have far-reaching effects.

Mr. Henderson: I thought that I had tried to answer that point. I accept that it is anticipated that there will be some developments along those lines, but any such

decisions will have to be agreed by unanimity in the first place. The normal scrutiny conducted by the House would be part of that process. As I have already made clear in previous exchanges on the treaty, in principle I support the extension of our scrutiny procedures to issues covered by the second and third pillars.

My right hon. Friend the Leader of the House will make a more general statement on that subject, probably tomorrow. I hope that that will reassure the hon. Gentleman. If any decision is reached by unanimity which requires a change in British law, that will of course be dealt with through the normal processes of this House.

7.30 pm

Mr. Howard: I had not intended to take part in the debate, any more than did the hon. and learned Member for North-East Fife (Mr. Campbell), but I should be grateful if the Minister would express a view in confirmation or otherwise on my analysis of the situation, which significantly differs from that of the hon. and learned Gentleman and the hon. Member for Somerton and Frome (Mr. Heath).

The provisions in K.2, or article 30 as it will be of the treaty on European Union, make it absolutely clear that the only activities that Europol officers will be able to undertake will be in a support capacity. All operational decisions and operational actions will be taken by law enforcement officers, conventionally the police. Therefore, would it not be the case that, if the set of circumstances identified by the right hon. Member for Berwick-upon-Tweed (Mr. Beith) led to wrongful arrest, the police, who would be responsible for that wrongful arrest, would in the normal event be liable to the citizen and the citizen could obtain compensation from the police force in that way?

If that analysis is right—no doubt the Minister will want to take advice on the matter, but I am encouraged by the signs that I have seen—is it not the case that the new clause to which the hon. Member for Somerton and Frome has spoken is completely unnecessary, because the liability contained in that new clause would follow in any event?

Mr. Henderson: I am grateful to the right hon. and learned Gentleman. I confirm that my interpretation is the same as his in respect of the operation of police activities, and that Europol would be involved in a support capacity to police forces throughout Europe, whatever their internal structure.

The question about wrongful arrest is something that would have to be considered as part of a review process as the activities of Europol were established, even if they are established precisely in the way that the right hon. and learned Gentleman and I have interpreted the provision to intend. There would need to be detailed examination of the way in which Europol officers related to other officers in domestic police forces and of the question of who would carry responsibility for any liability incurred.

Mr. Howard: There are two separate questions, and there is a danger of confusing them. It is a matter of considerable importance, and no doubt an appropriate question for review, whether the body that ultimately pays the compensation is the British police force or Europol. That is clearly significant, and something that would be covered by the review. However, what is of interest to the citizen is that he gets compensation; it does not matter much to the citizen whether he gets it from a British police force or from Europol.

The concern that I suggest we ought to have about the treaty is whether the citizen will get the compensation to which he or she is entitled for wrongful arrest or for any other wrong done to him. The Minister, in the first part of his intervention, confirmed my analysis and my understanding that the citizen would have a right to compensation against the police force or other law enforcement agency in those circumstances. If that is right, it must follow that the new clause is unnecessary, however many questions may need to be considered in the review as to whether the ultimate compensation is paid by the British police force or by Europol.

Mr. David Heath: It is always an edifying sight when a former Secretary of State comes to the aid of a present Minister of State, but I believe that the right hon. and learned Gentleman is mistaken.

If officers acting in a support role require no immunity, why is that immunity not given to officers acting on behalf of the National Criminal Intelligence Service, whose role in respect of provincial police forces is exactly analogous to the role that will be carried out by Europol? Is it not easy to foresee circumstances in which redress to an individual citizen is appropriate as a result of police officers belonging to a local constabulary acting in good faith and blamelessly in the execution of their duties on the basis of information or other material provided by Europol which was not beyond reproach or blameless?

Mr. Howard: No—the analogy with the National Criminal Intelligence Service illustrates the error and the absurdity of the hon. Gentleman's argument. It would be ludicrous to suppose that, in this country, circumstances would arise in which a citizen had been wrongfully arrested and brought an action for wrongful arrest against the police force responsible for the arrest, but the police force said "Not me, Guv. You shouldn't be suing us—you should be suing the National Criminal Intelligence Service." It is simply beyond contemplation that that situation could arise, so the analogy the hon. Gentleman draws is a fanciful one, and is not relevant to the Committee's considerations this evening.

There may well be questions in due course, which is why the Minister is right to point to the need for a review of whether the ultimate source of compensation to the citizen should be the police force or Europol. However, what is important in terms of consideration of the treaty is whether the citizen gets the compensation to which he is entitled. I believe that the citizen would get the compensation to which he was entitled, and that ought to be our concern when considering the treaty. That is why the new clause is unnecessary, and why Conservative Members will not support it if it is pressed to a vote.

Mr. Beith: The former Home Secretary prompts me to say that he did not fully review my earlier point, because he confined his remarks to circumstances in which wrongful arrest had occurred. Other things might take place, and I gave the example of a person suffering adverse publicity because of information leaked by an officer which turned out to be false, or which should not have been leaked in any case, whether true or false,

[Mr. Beith]

because inquiries were still in progress. That action might have been taken by an officer of Europol and not of the police force involved. One can imagine other cases, involving not a simple case of wrongful arrest, but some other form of culpability directed at Europol officers.

We raise these matters not because we expect Europol officers to behave in that way, but because there must be an ultimate safeguard. That safeguard has been stripped away by the breadth of immunity given to Europol—a scale of immunity not given to British police forces, or to other organisations which assist British police forces such as the Security Service, the National Criminal Intelligence Service, or the National Crime Squad, all of which operate in a role that is in some way similar.

We remain extremely concerned, and I hope that, even if we have not persuaded them to take immediate action, today's debate will send the Government hastening back to interdepartmental consultation on this issue. There is a serious gap and, from his demeanour and the concern he has shown, I believe that the Minister is aware of that gap.

Mr. Streeter: This has been a valuable debate. I thank the Minister for making it clear that the Government have no plans whatsoever to support any concept of a European police force. For reasons given, we cannot support the Liberal Democrats' new clause, but I must tell the Minister that I am not entirely satisfied by his response to the debate. When he writes to me, as he says he will, I hope that he will set out in some detail the answers to some of the questions that I have asked. It is not so much that we want to know what will happen in five years' time; we want to know the limits of the scope of activity in the next five years. We also want to know more about the legal immunity.

I should have thought that, on hearing some of the concerns around the House today, the Minister would ask the Leader of the House of Commons, his right hon. Friend the Member for Dewsbury (Mrs. Taylor) to organise a longer debate on the subject in Government time between now and Easter, so that we can discuss some of the details. It is important that our citizens should be reassured. We want more detail about how the process will work in practice. I am disappointed that the Minister should introduce the measure without having fully thought through its legal implications and ramifications, and seemingly without adequate briefing.

Given all the circumstances, it is not our intention to press the new clause to a Division tonight, but I hope that the Minister has listened carefully and will note that we are not entirely satisfied; we require more information and an opportunity to debate the subject fully in due course. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 43

POLICE OPERATIONS IN CO-OPERATION WITH EUROPOL

'.—The relevant police authorities in the United Kingdom and their officers shall have full criminal and civil legal liability for any police operations affecting United Kingdom citizens they undertake in co-operation with Europol, notwithstanding any immunities granted to Europol staff.'.—*[Mr. Menzies Campbell.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The Committee divided: Ayes 38, Noes 324.

Division No. 132] **[7.40 pm**

AYES

Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Oaten, Mark
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tyler, Paul
Willis, Phil

Tellers for the Ayes:
Mr. Steve Webb and
Mr. Richard Allan.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise

Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Clive Betts and
Mr. John McFall.

Question accordingly negatived.

New clause 44

EXCHANGE OF INFORMATION BETWEEN COURT OF AUDITORS AND OTHER BODIES

'.—In accordance with Article 2, paragraph 43c (cmd. 3780, page 38) of the Treaty of Amsterdam, the Secretary of State shall establish a standing mechanism for the exchange of information between the Court of Auditors and, respectively, the National Audit Office and the Northern Ireland Audit Office, and, in respect of funds administered by local government, the Audit Commission and the Commission for Local Authority Accounts in Scotland.'.—*[Mr. David Heath.]*

Brought up, and read the First time.

Mr. David Heath: I beg to move, That the clause be read a Second time.

This is an important new clause. I hope that I shall speak briefly enough to enable the Minister to accept it without question in the short time available to us before 8 o'clock.

Very simply, there is a pressing need to beef up co-operation between the European and the national auditors. As we know, 80 per cent. of European

[Mr. David Heath]

expenditure is administered by national Governments; that is where the bulk of fraud, maladministration and other irregularities are found.

The Court of Auditors is doing a very good job. It seems to me that it is showing up some of the inadequacies in the present system. In its most recent report, for the third year running the Court of Auditors was unable to give formal approval to the spending accounts.

Fraud costs the European Union about £3 billion a year—an amount equal to about 5.4 per cent. of its entire budget. Between 1988 and 1996, VAT fraud alone cost the EU about £750 million.

I believe that the audit systems that are in place in this country are extremely good. I used to be a member of the Audit Commission and I obviously had some interest in the way in which that body worked. If we can link the very good audit systems that we have in this country with that available to the Court of Auditors through Europe, we shall provide a very good example of a seamless system of audit, which will substantially reduce fraud. We can then be much more open in our selling of that process to other member states, in the hope that they will accede to similar arrangements and that we can substantially reduce the fraud bill and redirect the money saved back to member states or into European programmes that need support. Obviously, a standing link would be the most efficacious way to achieve that.

If the Government are serious about cracking down on fraud—as I believe they are—they should take the opportunity to accede to the suggestion in the new clause and to provide that standing link, as an example to other member states. I ask the Minister to support the new clause.

Mr. Cash: During the passage of the European Communities (Amendment) Act 1993, I tabled an amendment regarding fraud and the issue of the relationship between the Court of Auditors and national Parliaments. Although, Sir Alan, I am sure that, you would not want me to impugn your integrity and impartiality during this debate, I am sure that as a former co-member of the Select Committee on European Legislation, you will recall that I have pursued this question diligently for many years.

I intend not to make a long speech but simply to respond to the hon. Member for Somerton and Frome (Mr. Heath), so I merely say that I do not believe for a minute that there is the slightest chance of the other member states agreeing to scrutiny arrangements of the type that are available to us in the United Kingdom in the form of the Public Accounts Committee and the Comptroller and Auditor General.

It is unnecessary for me to go into detail, as I have spoken on the subject many times, but I am deeply apprehensive about the proposals in the treaty of Amsterdam, and I do not believe for a minute that the improvements that the hon. Member for Somerton and Frome said he hoped for will take place. If there is no improvement, I am afraid that our taxpayers will be taken to the cleaners over and over again. I need not enlarge on that point, although I could easily make a speech of one and a half hours about it. In this case, one and a half minutes will suffice.

Mr. Doug Henderson: I cannot accept the new clause. I fear that it could lead to an increase in bureaucracy, which is not what the Government would wish. As I understand it, the National Audit Office is content with the present arrangements for co-operation with the Court of Auditors. It is looking into what improvements can be made to the current system; it has the Government's support in doing so. It would be much better to await its review and to see how improvements can be put in place before establishing any unnecessary additional bureaucracy.

Question put and negatived.

Bill reported, without amendment, pursuant to the Order [17 December].

Order for Third Reading read.

8 pm

Mr. Doug Henderson: May I first convey to the House the apologies of the Foreign Secretary—I believe that he has already conveyed them to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard)—who is on important Government business in China.

We are bringing to a close this stage of the parliamentary scrutiny of the Amsterdam treaty. We have spent many hours in detailed examination of the treaty, and I believe that the scrutiny by the House has been conducted with the thoroughness which this important treaty merits. We have discussed amendments relating to virtually every clause of the treaty, but, thanks to the Government's timetable motion, we have also been able to make reasonable progress.

I cannot agree with Conservative Members' claims that scrutiny has been inadequate. I do not regard a total of about 30 hours' debate in the House as a cursory examination; and compared with the scrutiny given in other EU Parliaments to similar measures, we have done very well.

By passing the Bill, we will be able to bring into UK law the parts of the treaty that give rise to Community rights and obligations, and thus to proceed to formal ratification of the treaty. I hope that progress on the Bill will continue to be as good, and that the United Kingdom will be one of the first member states to ratify the treaty of Amsterdam. With our presidency of the Union, that will send an important signal to our European partners that the new British Government are committed to full engagement in Europe. That contrasts with the Maastricht treaty which, in the hands of the previous Government, we were virtually the last to ratify. The ratification process is well on track in other member states, and we are optimistic that the treaty will come into force early in 1999.

Much has changed since the treaty was agreed in June. In those heady days of summer, the Opposition were strident in their advocacy of an immediate referendum on Amsterdam in the United Kingdom. I am pleased to note that they have now fallen in line with the Government's view that that would not be appropriate. I welcome Conservative Front Benchers' conversion, even if some Tory Back Benchers take a different view.

I pay tribute to hon. Members on both sides for the high quality of the debates on the Bill. *The Daily Telegraph*, no less, reported on 17 December that these debates had seen some of the most impressive Opposition speeches since the general election. I should add that there have not exactly been many runners in the contest, but I am happy to give credit where it is due. There have been many interventions by Labour Members, too, of great sincerity and quality.

The minority in the House who seem to remain opposed to the Bill have struggled to find any rational reasons for opposing it. The right hon. and learned Member for Folkestone and Hythe has shared with us his nightmare vision of the sanctions clause—our 14 partners will gang up on the UK for no good reason and impose sanctions on us. The right hon. and learned Member for Rushcliffe (Mr. Clarke), however, has pointed out that that is so far from reality as to be laughable. Anything that makes Conservative Members laugh is to be commended—they have not had much to laugh about of late.

The shadow Foreign Secretary has repeatedly castigated the Government for signing up to more qualified majority voting. That is somewhat hypocritical, given that the former Government signed up to QMV for a whole raft of single market legislation under the Single European Act; and for 30 other areas under Maastricht. The Tories disregard the fact that it is in our national interest to sign up to majority voting in a number of areas.

The right hon. and learned Gentleman has also tried to suggest that allowing British people the same benefits as are enjoyed by their European counterparts, who have incorporated the social chapter already, will bring the British economy crashing to its knees. The truth, as the vast majority of hon. Members recognise, is that this is a good treaty for this country.

The new treaty marks a new direction for the Union as it moves towards the new priorities of enlargement and working better for its citizens. The EU faces a host of new challenges: the need to compete in global markets; to adjust to profound social changes; to respond to external political developments; and to tackle new threats to the EU's security at home and abroad. We are determined that the Union should be in good shape to meet those challenges. As president, we are actively promoting policies to meet those challenges head on.

Agreeing the new treaty of Amsterdam was the first step in this process. We achieved what is widely regarded across Europe as a very British treaty which reflects the British Government's priorities on: employment, fighting crime, protecting the environment, subsidiarity and an increased role for national Parliaments, measures to counter fraud in the Community, greater openness in the Union, fighting discrimination, and animal welfare. To that list could be added foreign policy co-ordination, a recognition of NATO's key role in defence, and retaining the veto for key common foreign and security policy decisions. On all those issues, we went to Amsterdam looking for results—and we got them. We showed at Amsterdam that it is possible to have a constructive relationship with Europe to our mutual benefit.

We will accept no lessons from Conservatives on how to negotiate in Europe or anywhere else. They fail to understand that the EU is not a zero sum game. So we shall continue to play a full and active part in Europe, looking for consensus, not conflict, as the best way of securing the national interest. This treaty shows that that can be done, and the benefits of doing it. I look forward to telling the House about more such success in the future, and I commend the Bill to the House.

8.7 pm

Mr. Howard: The fact that we are now less than two hours away from the end of debating this Bill is an outrage. It gives effect to a major treaty which provides for the transfer of substantial powers from the Parliament of the United Kingdom to sources of power and authority outside this kingdom. It provides for the surrender of our veto, for an extension of qualified majority voting and for an increase in the powers of the European Parliament. It subjects us to the social chapter. It neuters any substance in the concept of subsidiarity. It will increase the extent to which laws can be made binding on the people of this country without their consent or that of their Parliament or Government.

Yet, as a result of a brutal exercise of the guillotine after only 12 hours' debate in Committee, completely free of filibuster, the whole of the Bill's scrutiny in Committee of the whole House has been confined to just over 20 hours.

Reporting progress a few moments ago, the hon. Member for Cardiff, Central (Mr. Jones) used the time-honoured phrase when he said:

"the Committee has gone through the European Communities (Amendment) Bill".

Rarely has that been a more hollow claim. The Minister said that scrutiny had been conducted with thoroughness. It is true that we have done what we could in the very limited time available, but the fact that the Government have imposed such a draconian guillotine on the Bill is a disgrace. I hope that, when another place comes to consider it in detail, that will be borne in mind. The best that the Minister could say when he was defending the guillotine was that the scrutiny that the House had given to the Bill compared favourably with that in other Parliaments of the European Union, as though that was supposed to be some consolation to us.

It would be foolish to consider the Bill in isolation. While power is being transferred from Britain to Brussels and Strasbourg, it is also being transferred from Westminster to Edinburgh, to some as yet undesignated seat in Wales, and in due course, no doubt, to the English regions.

It is all of a piece. Those who want to see a Europe of the regions, in which the important decisions in Europe are increasingly taken in Brussels and in the regions of Europe, with less and less being decided in national Parliaments, would applaud that agenda with enthusiasm.

Those of us with reservations about that agenda are not hostile to Europe or to the European Union. We are not anti-Europe or anti-European; on the contrary, we want to see a European Union that works, with Britain as a prominent part of it, but we believe that further and deeper integration, far from contributing to that objective, will have the opposite effect.

We believe that the strains and stresses that will result will undermine and fragment the cohesion of the European Union. We believe that they will increase the resentment felt in this country as more and more decisions are taken without the consent of the Parliament of the United Kingdom

[Mr. Howard]

That is why the Bill and the treaty to which it gives effect should have been given proper scrutiny. That is why enough time should have been made available for that scrutiny to take place. That is why the Government's approach to these important matters is such a scandal.

Last Thursday, to add insult to injury, we had the bizarre spectacle of the hon. Member for Ilford, South (Mr. Gapes), who is not in his place, taking up time with the apparent intention of protecting the Minister from the need to reply to the debate, and then blaming Opposition Members. It was the hon. Member for Ilford, South and the Minister who voted for the guillotine. They were responsible for the fact that the amount of time available was so limited, and they had the gall to point the finger at us.

During the debates that we have had, we have done the best we could to give the Bill due scrutiny, to identify its many shortcomings and to ask the questions that need answering. We have done that in a responsible way, as was shown by our attitude to the last amendment that we pressed to a Division. We do not make unnecessary points. We do not vote for unnecessary amendments. There is enough in the Bill to warrant justified opprobrium to make that unnecessary.

The Minister, to give him credit where credit is due, has made a brave effort, especially in the earlier part of our scrutiny, to answer our questions. It is not his fault that he could not, for the most part, give satisfactory answers or proper assurances. The fault is in the treaty and the Bill, and with the Foreign Secretary and the Prime Minister for signing up to the treaty.

The Government claim to want to create jobs. By signing up, in the treaty, to the social chapter, they will destroy jobs. The Government claim to want to lead Europe. By signing up, in the treaty, to more qualified majority voting, they will ensure that they can be ignored on major issues. The Government claim to want to improve democracy. By signing up, in the treaty, to measures that will weaken Westminster, they will undermine the basis of our democracy. In almost every area, the measures to which the Government have signed up in the treaty will achieve the opposite of what they intend.

The treaty is at least as bad for what it omits as for what it contains. It will bring about no progress on enlargement or on quota-hopping, and will do nothing to justify the Prime Minister's bold words before the election. The Prime Minister went to Amsterdam seeking to decentralise power within the Union. He failed. He went to Amsterdam promising to prepare the way for enlargement. He failed. He went to Amsterdam having given an explicit pledge to our fishing communities that he would secure a better deal for them. He failed.

For the reasons that we have given in our debates, and for the reasons given by my hon. Friend the Member for West Dorset (Mr. Letwin) in his excellent article in *The Times* this morning, the treaty is a bad treaty—bad for Britain and bad for Europe. That is why Conservative Members will have no hesitation in voting against the Bill tonight.

8.14 pm

Mr. Menzies Campbell: At this stage in the Bill's progress, it is unlikely that any minds will be moved to take up a different viewpoint from that with which they began. Much of what the shadow Foreign Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), just said echoes what he said on Second Reading and, if my memory serves me correctly, what he said when we debated the guillotine motion.

This is not so much a game of two halves as a debate of two irreconcilable viewpoints. It has been clear from the beginning that the Conservative party would vote against the Bill at this stage, as at every other stage. Some who have spoken would have voted against any Bill and any treaty that had come out of the IGC. If one analyses the speeches made over the days on which we have considered the Bill, one sees clearly that a large part of the present parliamentary representation of the Conservative party is opposed not just to further European integration, but to Europe itself.

The hon. Member for Rochford and Southend, East (Sir T. Taylor), who is in his place, indefatigable as ever, honourable, consistent in his opposition, has made no secret, even during a long period of Conservative government, of his opposition to any further integration in Europe.

I cannot help thinking that we and the country would have a much more productive debate if all those who genuinely want Britain to come out of the European Union would declare themselves, and if those who want to row back would tell us to what point they wish to row back—before Maastricht, before the single European Act? Their position is clothed in ambiguity.

Surely those who want to come out of Europe and those who want to row back have an obligation to offer a coherent alternative to the course on which successive British Governments have set themselves, and of which the Bill, following the Amsterdam treaty, is a logical and, in my view, not particularly significant extension.

Mr. Howard: Does the hon. and learned Gentleman believe that those who are in favour of a federal Europe owe it to the House to come clean and tell us that? Do not those who are in favour of the Bill and the treaty have a duty to tell the House what they see as the ultimate destination of the European Union that they want?

Mr. Campbell: I have no complaint about the notion of a federal Europe. Federalism, as properly defined, is a system of government that devolves power, rather than aggregating it. *[Interruption.]* I know that some hon. Members find it difficult to control themselves or to conceal their true feelings. I offer them the Oxford English dictionary if they are looking for a definition. I have no quarrel with the notion that the economic integration of Europe was bound to be followed by increased political integration.

Mr. Gerald Howarth *rose—*

Mr. Campbell: I have argued that case in the House, and so has my party, for a long time. I have no quarrel with the notion that we should have something approaching a federal United Kingdom. That is why I have argued for home rule throughout my adult political life.

Mr. Blunt *rose—*

Mr. Campbell: Federalism allows one to define clearly and unambiguously the powers of the respective

Parliaments. In my view it is a proper solution to the government of the United Kingdom, and in due course, if the peoples of Europe want to bring it about, it may be a proper solution to the way in which Europe should organise itself. However, a model of federalism is a long, long way in the distance from what we are considering in the treaty.

Mr. Cash *rose—*

Mr. Bercow *rose—*

Mr. Campbell: Take your pick.

Mr. Cash: In his enthusiasm for home rule, does the hon. and learned Gentleman accept that there will come a moment when people will be as anxious to ensure that we retain our legislative independence in this place as Parnell was determined to obtain it for the Irish people in his time? The home rule argument is totally at variance with the democracy of the United Kingdom.

Mr. Campbell: I certainly do not accept that. Let us consider the history of the last part of the 19th century. If the arguments then in relation to Irish home rule had succeeded, perhaps we would not be experiencing some of the current difficulties in our relationship with Ireland. It is worth pointing out that another effort was made just before the outbreak of the first world war—if my memory serves me correctly, legislation seeking to bring home rule to both Ireland and Scotland received a Second Reading—but it failed because of the assassination at Sarajevo.

I remind the hon. Gentleman that, when the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) was leader of the Conservative party, he came to Perth and issued what was called the declaration of Perth. He argued the case for a Scottish Parliament extremely persuasively—to the extent that the late Sir Alec Douglas-Home, later Lord Home, told the people of Scotland in 1979 that they should vote against the proposals of the then Labour Government because the Conservatives had promised them something better: an assembly with tax-raising powers. I think that I have given enough history lessons to some of those less well-informed Opposition Members.

Mr. Bercow: I thank the hon. and learned Gentleman for giving way so generously. To Opposition Members, he appears to resemble nothing so much as a shifting goal post. Let us try to pin him down. Some years ago, Jacques Delors expressed the hope and the expectation that, ultimately, 80 per cent. of laws affecting the citizens of the United Kingdom would originate in Brussels. Is that acceptable to the hon. and learned Gentleman? If it is not, will he tell the House at what point he would draw a line in the sand and say, "Thus far and no further"?

Mr. Campbell: I do not think that it is possible to conduct such matters in that way. I find it rather amusing to hear references to Mr. Delors and federalism. Hon. Members may remember that Mr. Dehaene offered to play an important role in Europe but was turned down by the right hon. Member for Huntingdon (Mr. Major), the former Conservative Prime Minister, on the grounds that he was thought to be too federal. Mr. Santer was chosen instead. The right hon. Gentleman described him as "the right man in the right place at the right time". However, in his first important contribution to the debate on Europe, Mr. Santer said that he thought that federalism was the direction that Europe should take. I do not believe that Conservative Members are in a position to preach to the rest of us about such matters.

Mr. Blunt *rose—*

Mr. Campbell: No. I think that I have given way rather generously, and now I must continue. I am sure that some of those Opposition Members who wish to intervene will seek to catch your eye later, Mr. Deputy Speaker.

The Tory consensus that was a rallying point on Second Reading—opposition to the social chapter—will no doubt have survived to Third Reading. However, it is a pretty fragile basis upon which to build a lasting consensus in the Conservative party on the issue of Europe. That consensus was fractured even in the course of this Bill by the 12 angry men who wrote to *The Independent* in support of a single currency. If today's reports are to be believed, the former Deputy Prime Minister, the right hon. Member for Henley (Mr. Heseltine), is willing to engage in cross-party efforts to inform the public of the benefits of Europe, and particularly the advantages of a single currency.

Those people have been dismissed as yesterday's men—particularly the former Deputy Prime Minister. That is rather cavalier treatment. I wonder how many of those who are now anxious to join that chorus were eager to welcome him to the diet of liebfraumilch and overdone chicken which I believe is the fare at the annual dinner of most Conservative associations.

The social chapter is no threat to the economy of the United Kingdom or to inward investment. Inward investment is more at risk from the present economic difficulties of investing countries, such as those in Asia, than from any risk associated with adopting the social chapter. The United Kingdom needs a work force that is educated, motivated and confident—not one that feels exploited. By way of illustration, we are talking about what is essentially best practice: some 57 blue chip United Kingdom companies, such as BP and British Airways, already have works councils.

The treaty establishes several principles. Environmental protection and sustainable development must be fundamental priorities and qualified majority voting can be extended to areas such as fraud. Two months ago, the European Union Court of Auditors reported that, in the previous year, £3 billion had been wasted through fraud. That figure is about £9 billion for the past year. If ever there were an argument for introducing qualified majority voting to deal with a problem, it lies in those bald figures.

Sir Teddy Taylor *rose—*

Mr. Campbell: I hope that the hon. Gentleman will excuse me, but I must make progress. The treaty opens the way to enlargement—although not as much as it should as there is no proper consideration of the institutional changes that will be required when enlargement takes place. There will have to be some other consideration of that in another intergovernmental conference or another forum of that kind.

[Mr. Campbell]

The treaty states the primacy of the North Atlantic Treaty Organisation. However, those who remember the detail of the Maastricht treaty will recall that the proposition for a common foreign and security policy was without prejudice to any existing treaty obligations of EU members. The treaty allows closer co-operation through the Western European Union regarding humanitarian and peacekeeping tasks.

Viewed objectively in relation to common foreign and security policy, the treaty amounts to no more than a consolidation. However, I believe that the policy will continue to develop. There is a current practical example of that. A troika has gone to Algeria, under the leadership of the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leeds, Central (Mr. Fatchett), to put forward proposals on behalf of the European Union in the interests of the people of the European Union. I believe that that kind of arrangement is likely to be repeated on many future occasions.

On Second Reading, the Foreign Secretary described the Bill as a triumph, and his shadow, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), described it as a disaster. As I said then, they cannot both be right, but they can both be wrong. We have reached the concluding stages of the Bill. I believe that it marks modest progress in Europe and modest progress in the interests of the United Kingdom. That is why I and my right hon. and hon. Friends will support it in the Lobby tonight.

8.27 pm

Mr. Austin Mitchell (Great Grimsby): I feel rather like a late guest at a funeral who sweeps in at the conclusion of the sermon and announces that the dear departed was a bit of a creep. In this case, the dear departed is the Bill, and that is a pretty accurate description of it and the Amsterdam treaty. We must find another way of implementing such measures in this place. It is ludicrous to push legislation through on a Government majority—that will always happen because the Government have negotiated the legislation—supported by the Liberal Democrats, who will support anything from Europe because they are Euro-daft. The hon. and learned Member for North-East Fife (Mr. Campbell), who has just spoken, has demonstrated that.

Mr. Menzies Campbell: As the hon. Gentleman said, he has come late to the wedding feast. [HON. MEMBERS: "Funeral."] He has come late to the celebration. If he had been in the Chamber only an hour ago, he would have heard us take issue with the Government about part of the treaty. The hon. Gentleman is, by and large, a sensible individual who adopts a sensible view. I do not always agree with him, but it does not do him or his argument much good to indulge in that sort of sweeping generalisation.

Mr. Mitchell: I agree that the Liberals always try to get the best of both worlds. I agree also with some of the sensible amendments that were tabled on openness and the production of reports. However, it remains the case that the Liberals will accept anything that comes from Europe because they accept the ultimate destination of a federal Europe; the rest of the House does not. The Liberals are alone in that respect. They are out of touch with public opinion, but people do not notice because the Liberals are not particularly important politically.

The stand of the Liberals is characterised by my recollection of the then Grimsby by-election, during which I was fighting on a platform of taking British control of British fishing waters. The Liberals were passionate enthusiasts for and supporters of Europe. During the very period of the by-election, a Liberal Member introduced a private Member's Bill that would have had the effect of the British taking control of a 50-mile limit. In other words, the Liberals believe in a common fisheries policy that precludes such a limit, but they are prepared to act in that fashion for opportunist, populist reasons. They whip up populist complaints while accepting the principle that has given rise to them.

I was saying, in effect, that we are engaged in a bad way of doing business. We are pushing through legislation when we cannot even consider the treaty to which it relates because we are considering the implementation of the treaty in British law and not the provisions of the treaty. We have had no influence on it. It would be far better—this would give us coherent options—if we could discuss what our proposals are and come to decisions for which Ministers could bargain, rather than have posthumously to accept whatever is determined.

I must make a shocking confession: I voted for the Bill's Second Reading. Since then I have received much friendly mail from fellow Euro-sceptics throughout the country inviting me to go forth and multiply, to drop dead or to do other things that I am not especially inclined to do. Tonight, however, I intend to kneel down for my principles by abstaining. That is real courage on my part, because I am a nervous rebel. I have never seen myself as a natural born rebel.

I believe that I am justified in abstaining on Third Reading. The Bill has not improved, despite the amendments that were tabled—some of which I supported—on openness, reports and clarity. I still adhere to my view that the Bill relates to a pretty futile treaty. In effect, it is the first treaty for the Labour party.

The original negotiations took place under the Conservatives. The negotiations on a single market took place through the Conservatives. The Maastricht treaty was carried through by the Conservatives. Here we are, new Labour, with a new and sensible approach. Surely it is sensible to say, "Let us work with Europe to see what we can get by working together rather than taking a confrontational approach." That is eminently sensible, and I went along with it.

The Labour party is not naturally a Euro-enthusiastic organisation, because we represent the people, and the people are pretty cool and sceptical about the whole business. We are concerned primarily with jobs and economic growth, which makes us worry about the economic consequences of Europe. At the same time, it is right to introduce a new spirit, to end isolation and to end the us-and-them situation in Europe, just as we are dedicated to ending the us-and-them approach in British society.

We testified as a new Government to a desire for change and co-operation by accepting the social chapter. It is not something with the horrendous consequences that the Opposition spokesman, the right hon. and learned

Member for Folkestone and Hythe (Mr. Howard), sought to put before the House. In fact, it is a piece of sublime mysticism and nonsense that in practice means very little. However, we testified to it by saying that in principle we were in favour of monetary union.

I accept that big concessions have been made towards Europe, but what have we secured in return? The answer is the usual European approach of never giving a sucker an even break. We have got nothing. We were bamboozled by a mess of Amsterdam potage. Some say that we are engaged in—I think that it is probably the right interpretation—tying up the loose ends of Maastricht, but others see it as supercharging Maastricht. In so far as it does that, the process is covert and threatening.

I am concerned by some of the Bill's consequences. For example, I am concerned to see Europe becoming an entity in respect of foreign, security and defence policy. I am concerned also that the Western European Union accepted that. Indeed, its acceptance is embodied in the treaty. This is potentially disastrous. It has been specifically accepted that the WEU will develop its role as the European political and military body for crisis management.

There will be

"further development of its own operational role."

There is reference to "crisis management mechanisms" and

"Preliminary Conclusions on the Formulation of a Common European Defence Policy."

We read of the

"definition of principles for the use of armed forces".

Here we have a defence entity emerging. There is the potential for enormous conflict between the role of NATO and that of the WEU along with the European Union. The seeds of confusion are planted in that tension.

I think that we are seeing the undermining of subsidiarity through the treaty. I think also that *The Daily Telegraph* was right to argue last week that, once accepted, the principle that I have outlined would make the EU legally a federation. Its jurisdiction would derive not from the authority of member states but would come directly from the European treaties as interpreted by the European Court. I think that that is right. We are accepting that as our principle and, therefore, we are accepting that form of federalism—something both major parties committed themselves in their manifestos to opposing. We committed ourselves to opposing the emergence of a European federation yet such a federation is implicit in the position that has been taken on subsidiarity.

The real worry is that we are not advancing democracy. The people's Europe is an attractive concept that is much talked about. If it could be a people's Europe I might reconsider my attitude, but at present, and I think for the future—I stand to be converted—the nation state is the only form of government in which we have been able to give people control over their own destinies and is a framework that enriches people of the particular nation. The nation state has done that successfully since the second world war.

It is no coincidence that Britain's growth slowed and that unemployment quadrupled after we joined the European Union. The nation state is the only way that we have found, yet it is undermined by the treaty because we are building on a legalistic entity called Europe that is not government of the people for the people by the people but essentially government of the treaty by the treaty for the treaty—and for those who wrote the treaty and will interpret it.

The people do not figure in that legalistic morass. We have a constitution that, thanks to the reordering that is implicit in the treaty, is spread over 314 articles and more than 50 protocols. The original concept of Europe, when it was the common market, was to try to build a palace on a cowshed because it stemmed from the common agricultural policy. We are trying now to build a vision on a legal morass.

The process is self-defeating, because the people cannot identify with the tangled complex of interpretations and qualifications that Europe is emerging as. Europe is bogged down in argument, legalism and interpretation. This is happening at a time when the real battle over the economy is still to be fought in terms of economic and monetary union. We are faced with an abhorrent concept and it is not one the people can view with any enthusiasm. It is a self-defeating approach. I hope very much that it is, and I cannot support it.

What can I do? Well, I can be cowardly—new Labour, new rules on dissent. If we vote against Government policy en masse, we are more or less all right; vote against it alone—I do not see myself conspicuously supported in the Chamber—and it is rather like "Beyond the Fringe". At this stage in the conflict, do we need a futile gesture? Various Euro-enthusiastic friends have been encouraging me to make that futile gesture by saying, "You must stand up for your principles tonight, Austin." Instead, I shall abstain for them.

8.38 pm

Sir Teddy Taylor: The hon. Member for Great Grimsby (Mr. Mitchell) deserves congratulations for being willing to abstain. I know that life is tough under new Labour, and I can assure him that, if he gets into trouble, I shall be glad to make a contribution to his welfare and that of his family.

I disagreed with the hon. Gentleman only on the dangers of a federal Europe. I wish that people would stop talking about a federal Europe because when one considers the current state of the European constitution, a federal Europe may be infinitely better than what we have under the treaty. A federal Europe would be democratic; the European Union is not. A federal Europe would set out the lines of responsibility between the centre and the small regions or nation states; the present structure does not. I certainly do not support a federal Europe, but people should accept that what we now have is well beyond a federal Europe and that we are kidding ourselves, as we have done so often, by describing it as a danger.

You were very kind to call me, Mr. Deputy Speaker, as I have spoken on all previous European treaties, so I shall be brief. I wish to make three simple points that I hope the Minister will consider. First, although there has been some disagreement on the extent to which power has been passed over, I hope that he will accept the basic point that, once again, we are handing over power from our democratic Parliaments and getting nothing back. All previous European treaties, including the treaty of Rome, have passed power to the centre away from democracies to a new form of indirect democracy controlled by the single European state.

[Sir Teddy Taylor]

The hon. Member for Great Grimsby spoke about sitting round the table and being positive. Every Prime Minister has done that. All Governments start out in the same way. They are always enthusiastic. They say, "We shall do things differently. We shall be positive and sit around the table and do things sensibly. We are not like the idiots who came before us, and we shall do sensible things." The previous Prime Minister was anxious to be at the heart of Europe. He meant that sincerely, but it all went wrong, as it did for the Prime Minister before him, and it will happen again. I hope that the Minister will accept the simple fact that a great deal of power has gone and nothing has come back. Is it not time for us to approach the European conferences to propose that some powers should return to democracy?

Secondly, the Minister has presented the treaty as a victory, as though it is in some way better than the other treaties. If he looks back at the speeches made on previous treaties, he will find that the same argument has been put in every case.

I recall the debate on the Second Reading of the Bill relating to the Maastricht treaty. I felt very guilty about it, because the then Prime Minister was a very nice person, but what he said was ridiculous. Other Ministers—in the Foreign Office and in the Ministry of Agriculture, Fisheries and Food—said the same thing. They said, "We are not giving anything away. There is a balance. First, we have the opt-out on the single currency."

I would love to show today's Ministers the paper issued by the Bank of England on the so-called opt-out. It states:

"As the UK has opted out, the article 109(4) regulation will not apply directly in the UK. However, most of the relevant provisions will most certainly apply indirectly because they are part of the monetary law governing the Euro and will therefore be recognised by the English courts."

That was page 86 of the excellent document issued by Eddie George which tells the truth. Those who think otherwise are kidding themselves.

We then had the social chapter opt-out, which was also a joke, because, when it came to the 48-hour week, we found to our horror that all the social chapter measures could be brought in under other majority vote proceedings. We then had all the great celebrations about subsidiarity. They were also a joke. Although some people think that there is some danger under the Amsterdam treaty, basically they think that it is okay.

The Government are now claiming a new concession, which I understand was achieved by the previous Government, although that may be a wild political rumour, guaranteeing our frontiers. I wish that they would look at what is happening in the European Court as it affects some of my constituents. The Government may think that we have control of our borders, but in practical terms they are being undermined by the European Court.

The speech by the hon. and learned Member for North–East Fife (Mr. Campbell) illustrated the undue optimism to which I have referred. He referred to the terrible business of fraud in Europe. He said that we now think in terms of £3 billion, £4 billion or £5 billion being lost through fraud. He said that we needed a majority vote to deal with the problem. I know that he is an optimist and a very kindly person and I am sure that he is kind to children and dogs, but what difference will majority voting make?

We have a series of policies, such as the common agricultural policy, that are an invitation to fraud. Even if all the Ministers sit round trying to take decisions by majority vote, it will not make any difference. The hon. and learned Gentleman will remember all the pledges made by the previous Government—and, indeed, the present Government—about reforming the CAP. It is so pathetic. I know that my hon. Friend the Member for Ludlow (Mr. Gill) shares my outrage at the amount of money we spend on agriculture. Last time they said that they would reduce spending by cutting prices, and introduced area payments as compensation. They paid out the compensation, but sadly the prices did not fall, and the CAP is more expensive than ever.

My third and final point relates to the tragic lack of public interest in the whole business. A relatively large number of Conservative Members are present tonight. I have been most encouraged by the new intake of Back Benchers. In previous Governments, some of the Back Benchers on both sides of the House have been absolute rubbish. This time, we have a wonderful intake of people who are committed and concerned. However, there are very few Labour Members present tonight. They should not think that I am attacking them, as they usually have far more Members present than we do, given the limited number of Opposition Members. It is clear that there is no great interest in the subject.

When Referendum party candidates stood at the election, many people thought that they would wake everyone up and that people would either shout at them and say that it was rubbish or vote for them, but they made hardly any difference—although there was a serious marginal impact on the Conservative party.

I hope that the Government will accept that, when we pass multitudes of democratic power to non-democratic institutions, we have to get people interested, so that we either support it and wave a flag or oppose it. The plain fact is that people are not agitated, and nor is the House of Commons. In my view, that is because they are not being told what is happening to them, their families and their futures.

Although it is dangerous to ask the Government to spend money—I always try to avoid asking Governments to spend money—perhaps they should consider setting up a European truth campaign. I am not asking for a great deal of expenditure as I would not want to get involved in all the nonsense of agriculture. I would simply like the Government to place a little advertisement—perhaps it could be sponsored by politicians or people who want to promote European truth. I understand that a former deputy leader of the Conservative party was interested in promoting European truth.

We need to tell people what is actually happening—how much the European Community costs the average family in Britain. It is an awful lot of money. I have the figure here, but I would not think of trying to spread propaganda. I would like the Government, the Opposition and the Liberal Democrats—who also say that they believe in truth—to agree to tell people what it has actually cost them.

I remember the former Prime Minister, Lady Thatcher, quite rightly jumping up and down with rage at the possibility of an annual cost of £1,000 million, or £20 per

person. She said that it was a ridiculous amount of money. It is far more now. I should like the Government to tell us what our net contribution is costing the average family.

The Confederation of British Industry is desperately enthusiastic about the EC, perhaps because the big firms would much prefer to deal with the Commission than with a democratic Government. I also understand that a great deal of money comes to the CBI from the EC, although that would not influence anything. The business community should tell people what has happened to our trade. I have the impression that most people think that the EU is good for trade, but of course it has been a disaster. The figures that I have seen, which may be wholly inaccurate, say that we now have a total deficit of £100,000 million.

I should also like people to know about the volume of legislation. How many laws are introduced under European rules that we cannot control? What is the truth? I should also like to ask about fraud. It is important that we should tell people the truth.

The great sadness is that we have negotiated another great treaty that will pass a huge amount of power to Europe at a time when Europe is getting into a deeper and deeper mess. If hon. Members are interested, they should look at tonight's *Evening Standard*, where they will see that the pound has gone up again, not because people like Britain or have confidence in it, but because they are looking for somewhere to put their currency to get it out of Europe because they are terrified about what may happen with the single currency.

It is desperately sad that we are ratifying another treaty to hand over more power. It is desperately sad that the Government, like previous Governments, are optimistic about what will happen. The greatest tragedy is that the public are not greatly motivated by this huge subject that we are debating. Like most Members of Parliament, I get a huge number of letters every week. I cannot recall one—this is tragic—about the Amsterdam treaty. I had some a few weeks ago on a tiny issue—I mentioned it to the Minister—relating to the transfer of power to Europe to discuss issues such as sexual orientation. Apart from that, I have had nothing.

The public should be concerned. It would be great if the Government, the Opposition and the Liberal Democrats agreed that people should be told what is happening. People should be told the truth. Then they might wake up and might not be presented with any more desperately worrying, undemocratic treaties like this one and all those that have gone before.

8.50 pm

Mr. Cash: What are we going to do about this treaty? The short answer is that no doubt we shall vote against it as a party, but despite the huge number of amendments that have been tabled to the Bill, the guillotine has been imposed. I tabled more than 100 amendments with some of my hon. Friends. They have all been voted down by the massive majority that the Government enjoy for the time being. Here we are, on Third Reading, with three Labour Back Benchers present. One of them has said that he will abstain; another, a member of the European Legislation Committee, is preparing to make what I imagine will be a short speech before the Minister replies; one other is sitting there in a Rodin-like posture, thinking about what he might do next.

There is no interest in the Bill or the treaty. There are about six people in the Strangers Gallery and one in the Press Gallery.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman must not make any reference to outside the Chamber.

Mr. Cash: I accept your strictures on that, Mr. Deputy Speaker, but the reality is that there is no interest in the treaty or in the Bill. That is a disgrace for democracy in the United Kingdom.

The Opposition have played their part. A significant number—there may not be many—of Conservative Members have made exceptional speeches, attempting, within the constraints of the guillotine that has been imposed, to delve into the issues involved in the treaty and bring them out. Even if the media—the radio, the television and even the press—are not remotely interested in the future of the United Kingdom, Conservative Members have demonstrated their concern with some exceptional speeches, showing brilliant analysis and research.

Debates on the Maastricht treaty took about 60 days. It is astonishing that this Bill has been given no more than 20 or so hours of debate. It is a disgrace and an indictment of the Government that they have allowed that. There has been no filibuster from the Conservatives on any amendment. If there were any justification for a guillotine, the Government would have to point to some attempt to extend the debate beyond reasonable parameters. That has not happened.

The treaty contains a protocol—not merely a declaration, but a protocol—on scrutiny by national Parliaments. If the Government were even remotely interested in proper analysis and scrutiny, they would have allowed a decent amount of time to discuss the fundamental questions facing the future of the United Kingdom. Scarcely any time was given to qualified majority voting, for example. Other issues include the role of the Court of Justice, the relationship between the common foreign and security policy and NATO, or unemployment, to which the Government appear to give so much attention.

The Minister made simple, uninformed comments about fraud. He assumed that there will be a diminution in fraud as a result of these arrangements, but he gave no reasons. He knows perfectly well that the other member states are scarcely interested in the subject. We have discussed subsidiarity today. There are also discussions to be had about the social chapter and the employment prospects of our constituents.

The treaty of Amsterdam is no more than a finger in the dyke. In fact, it is even less than that. There is no intention to bring about the necessary reversal in the process of European integration, which is the object of those who are driving the federal goal forward. We should identify the main architects of the process to which the Government have given in by acquiescence and appeasement. Chancellor Kohl has made it abundantly clear that his objective is political union. There has been no attempt to trim that back. No negotiating position has been adopted that would have any effect on the fundamental movement towards European integration.

As Chancellor Kohl has said, European integration and German unity are two sides of the same coin. That is the name of the game. Through qualified majority voting,

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with countries that are economically and politically dependent on Germany, they will create the kind of Europe that they want. That is not the Europe that the British people want. It is not even the Europe that the German people want. That is the irony of the situation. The Bill is fundamentally un-European and undemocratic.

At a recent meeting with members of the Nordic Council, I asked many Ministers and distinguished Members of Parliament from those countries what would happen if a question on Amsterdam and political integration were put to their people. They all agreed that they would not get it through. "So what are you doing about it?" I asked. They replied, "Oh, our countries are too small. We have no option. We have to go along with it."

The process is being driven by fears and concerns and by the manipulation of the French and German Governments, who are determined to achieve their aims at all costs. The Government stand indicted of having appeased and acquiesced in that movement. The Minister ought to reply to these points. As far as I can judge, he has not replied to one question that was put to him on Second Reading or in Committee; I doubt whether he will answer any on Third Reading.

As I look at the treaty, I see that Minister for Foreign Affairs after Minister for Foreign Affairs has signed it, including Dr. Klaus Kinkel, Federal Minister for Foreign Affairs and Deputy Federal Chancellor. The list goes on to include

"Mr. Douglas Henderson, Minister of State, Foreign and Commonwealth Office".

I mean no disrespect to the Minister, but where is the Foreign Secretary's name? Why did not he sign the treaty? That is what I would like to know. The treaty is a cop-out and a sell-out by the Labour Government.

Mr. Blunt: My hon. Friend is being slightly unfair to the Minister, who gave lengthy consideration in Committee to the points that we raised. In fact, he took an hour to go through all the points that were raised by hon. Members on both sides of the Committee, which I think members of the Committee appreciated. However, since the guillotine motion was imposed, his approach has become necessarily slapdash to an appalling degree.

Mr. Cash: I am perfectly prepared to accept that the Minister is a decent and—although it is difficult for me to say—nice chap, but that is not enough.

Mr. Bercow: There is no room for sentiment on this matter.

Mr. Cash: As my hon. Friend reminds me, it is pretty difficult for me to say something like that about members of the Government.

We are dealing with fundamental questions. We are not simply going through the motions of debating transport or environment policy. This Bill is about the United Kingdom's constitution. It is more important than the Scotland Bill. The Scotland Bill might be very important—indeed, I tabled 62 amendments to it—but this Bill is about the future government of the United Kingdom, and the difficulties that it will create for future generations cannot possibly be underestimated.

The hon. and learned Member for North-East Fife (Mr. Campbell) spoke about his desire for home rule, and said that the treaty was no more than modest progress. There has been no serious opposition to the proposals from the establishment in the United Kingdom—nothing from the media to speak of, no reporting, no firm action, as I believe has been necessary. There is only one way through the morass, and it goes back to Maastricht itself. We must renegotiate the treaties. There is no other way forward.

To be against the idea of a single currency as it evolves—even for 10 years—presupposes that the previous Government could not have adopted such a position. It is therefore incumbent on the Conservative party to give the kind of consideration to renegotiation that would lead us to a new horizon, a truly European horizon, which would be in the interests of the people not only of this country but of Europe as a whole. There is no doubt that the Conservatives have won the argument. When historians come to read these debates, they will judge for themselves, but I believe that we have won the argument hands down. No reply has been given, and hardly any Labour Members have spoken.

If people do not take any notice of what we say, if argument, persuasion and reason mean nothing any more in the House of Commons, and if the media will take no interest in what we say, we shall, as I have hinted before, have to take more direct action. If the measures require it—and I believe they do—we will take action to ensure that the British people understand what is going on. The question is not one of ameliorating a minor measure; it is about fundamental changes in the UK's future. Therefore, as I said earlier, just as Parnell fought to ensure that people in Ireland obtained legislative independence, so in this country are we bound to take the necessary action to ensure that we retain—indeed, regain—the legislative independence that is required for the United Kingdom.

9.3 pm

Mr. Edward Leigh (Gainsborough): It is a great pleasure to follow such veterans of these debates as my hon. Friends the Members for Rochford and Southend, East (Sir T. Taylor) and for Stone (Mr. Cash), and particularly my Lincolnshire neighbour the hon. Member for Great Grimsby (Mr. Mitchell), who made a number of interesting points, all of which I agreed with.

A feature of the debate has been that every speaker has bemoaned the lack of public interest. Why is that? I think it is because the treaty—indeed, the language of Europe—is dressed up in such a beguiling way. To an ordinary member of the public, the social chapter sounds so reasonable. Of course we want to protect people in the workplace. To a member of the ordinary public, subsidiarity sounds so reasonable—as do concerns about the protection of the environment. Despite the noble efforts of my hon. Friend the Member for Stone and others, it has been difficult to stir up public interest.

The devil lies in the detail in these treaties, and, in the few minutes vouchsafed to me, I shall deal with one issue which has not been dealt with so far—the clause on discrimination. Again, it seems so very sensible. How could anyone object to an article which says:

"within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament,

may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation"?

Nobody in our country could, at first sight, possibly argue with such a provision.

Once the Bill has been passed—as it will be, with a massive majority—and once the treaty is ratified by this country, the clause could have many unintended effects. Its application and its wording are unpredictable. The Government have assured us—and will go on doing so, if they bother to reply to this point—that the Council must legislate under this clause. As we well know—it has been argued effectively by many of my hon. Friends in the debate—the European Court of Justice will seek, under those words, to extend the effect of the clause. Paradoxically, that could have an unintended but serious impact on religious liberties in the United Kingdom.

The United Kingdom has an enviable record in European history of protecting religious and other liberties. This difficult issue is best left to member states. Whatever one's views on the European convention on human rights and its incorporation into UK law—something that the Government are now doing; it is being dealt with in the other place—it is a sounder basis for dealing with the protection of liberties than the article that I have just quoted.

Specific EU legislation in specific areas can deal with specific problems, but if we ratify such a general clause without thinking it through, it could have a serious impact on religious liberties. Of course the European Court of Human Rights has a human rights agenda. That is fair enough, although many of us have expressed concerns about that court over the years. The problem with the European Court of Justice is that it will have a concern with human rights in the context of closer European integration. What was intended to be, fundamentally, an essentially economic court will now start wandering into very sensitive areas.

We have seen how that can cause major problems: for instance, in the Grogan case, where Irish abortion law—decided after a referendum and incorporated in the Irish constitution—was overturned by the court. The Irish Government had to get a special provision in the Maastricht treaty to determine their own affairs on an issue about which the Irish people feet strongly. This county has an advanced corpus of legislation on race and discrimination, and there is general support for that legislation. There might be problems with religious or other discrimination in certain countries in the EU, such as Greece—I know not. However, those issues should be addressed directly.

What we have here is a catch-all clause. Surely it is a question of balancing the right not to be discriminated against with the right to practise a religion or hold views freely and associate with others with common ideas. One of those rights should not undermine the other. I contend that that is what the treaty will do.

During the past 50 years, we have built up a great corpus of legislation. For example, in state education, discrimination against teachers on the basis of their religious opinions has been outlawed for more than 50 years. In Northern Ireland, legislation bars discrimination on the grounds of religion. Those provisions are already in our law. What need has this country for the treaty?

All our laws contain common-sense exceptions. One has to apply common sense in this matter. I shall give a few examples of discrimination in the public sector. Are there to be court cases about those issues? Many women object to mixed-sex wards in hospitals; should such wards close? Should the magistracy be open to adults under the age of 27? Should doctors be able to refuse fertility treatment to women in their late 40s? Should Sikh pupils be forbidden from carrying metal knives around their necks? Should the institution of marriage be restricted to heterosexual couples? Will the Church of England be able to keep control over who is married in its churches? Should Church schools be allowed to require head teachers to be practising Christians? Should they be able to insist that teachers of sex education personally adhere to that church's teaching on chastity outside of marriage?

Those are all difficult questions of conscience about which various religions and groups may feel strongly, but other people may have no concern. Are people who want to practise their faith in their own way to find themselves in a court of law because of the treaty that we are passing tonight in a Chamber that is three-quarters empty? This is not merely some arid debate about treaties or laws. It concerns everyday life and is therefore important. So the rights of one group have to be balanced with the rights of the majority.

I mentioned the example of Sikh boys, who are indeed refused the right to wear metal knives in school, but may, for instance, be permitted to wear plastic knives. Sometimes, United Kingdom law is based on Christian principles, which can require discrimination. For centuries we have required the courts to discriminate in many areas. For example, bigamous marriages are legitimate in some religions, countries and sects, but are not legal in the United Kingdom.

In conclusion, we have no written constitution in this country, but our religious freedoms have developed over centuries. Within Europe, we have a reputation that is second to none for protecting people's right to speak their mind and to practise their religion and faith in the way that they want. That record has not necessarily enjoyed by every European country. The greatest evils that have befallen the continent have resulted from discrimination based on race or religion. We know that, but in this country, despite the fact that we have not adhered to this type of treaty before and that we have no written constitution, we have a truly enviable record.

Are we entitled to take the risk of undermining the tolerance and progress that have taken centuries to build up through the common law? We are not, so we should have serious doubts about that aspect of the treaty.

9.13 pm

Mr. Rammell: I am happy to give the treaty and the Government's negotiation of it my whole-hearted support. I fundamentally and passionately believe that it is a good treaty and a good deal for Britain. Despite the self-congratulation on the Opposition Benches, they have not put their arguments forcefully and no arguments have been won.

Conservative Members constantly draw attention to the absence of Labour Members in the Chamber. Perhaps they are absent because they have not been wholly convinced by the arguments advanced consistently here and elsewhere by Conservative Members in the past five years. They have not convinced their own party, let alone the House as a whole.

My hon. Friend the Minister with responsibility for Europe rightly drew attention to the bizarre call by the Leader of the Opposition, in October or November,

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I think, for a referendum on the outcome of the Amsterdam treaty, and said that it had apparently been ditched. There was a shaking of heads among Conservative Members when he said that, so I would be interested to hear whether that policy—clearly a policy of opposition rather than of government—has indeed been ditched.

The shadow Foreign Secretary evinced much anger—fabricated, I believe—about the use of the guillotine. I say fabricated, because the whole House knows that the guillotine was used with impunity by the previous Tory Government over 18 years, on many Bills dealing with many different issues. His criticisms ring somewhat hollow.

Mr. Blunt: If the hon. Gentleman examines the history of the use of the guillotine in the past 18 years, he will not find a single example that is worse, in terms of curtailing debate, than the one introduced on this legislation. When the guillotine was introduced on the Single European Act, it was in the face of a deliberate filibuster, with spurious points of order and other delaying tactics. None of that existed in the discussion of the current Bill.

Mr. Rammell: One Government's filibuster is another Opposition's reasoned argument; or the other way round. The guillotine was used on the Single European Act and on a host of other legislation. That justifies the point, and undermines Conservative criticisms.

I was intrigued to hear the shadow Foreign Secretary imploring the House of Lords to disrupt the Bill. That does not accord with Conservative Members' passionate defence of democracy and the sovereignty of the House. They are willing to undermine the actions and views of the House through the actions of a wholly undemocratic second Chamber. For Conservative Members, British nationalism, not democracy, is paramount in British institutions. That is a wholly different matter, and members of the public will be aware of that.

Mr. Bercow: Is the hon. Gentleman suggesting that the process of European federalism that is under way can claim popular support, when elections to the European Parliament—one of the Community's institutions—consistently bring a turnout of under 40 per cent? Is he seriously arguing that, in the light of the continued resistance of many member states to referendums on crucial constitutional questions, the process that he so favours has anything remotely resembling majority popular support? If so, I do not think that he inhabits this planet.

Mr. Rammell: Conservative Members have often based their argument against the European Parliament on the turnout for elections. They think that it is a clinching argument, undermining the democratic legitimacy of the European Parliament. It would be interesting to know whether they took a similar view on local government, in which the turnout for elections is of a similar order.

The turnout for elections to the European Parliament is as low as it is, first because people do not understand decision making in the European Union and the contribution that the Parliament makes to it; and secondly because the Parliament's powers are limited and they accord it the respect that they believe that it to deserve in relation to the power that they perceive it to hold. That is why the turnout for the elections is as low as it is and, over time, we must address that issue and change the situation.

The hon. Member for Stone (Mr. Cash) lamented the fact that the public have no interest in the treaty or the Bill. There are two reasons why the House and the public do not take sufficient interest in those issue. The first is a lack of clarity about the way in which Europe reaches decisions and effects results. The second is the extreme nature of the views put forward by some Conservative Members who exaggerate and distort the treaties and everything else that comes from Europe.

Mr. Blunt: The reason is not the extreme views put forward by Conservative Members but the extreme views that are not put forward by those who are pursuing a European agenda that they know does not enjoy popular support.

Mr. Rammell: I shall give an example of what I mean by exaggeration for effect and the distortion of what is proposed. When we discussed the provision in the treaty that clearly addresses discrimination on the basis of sex, race, disability and sexuality, we heard supposedly reasonable Conservative Members refer to paedophilia and bigamy, both of which are outlawed in every country of the European Union and have nothing to do with the anti-discrimination measure. Such tactics underline the way in which people's understanding of, and confidence in, Europe are blurred by the extreme views advanced by some Conservative Members.

Mr. Collins: The hon. Gentleman has now said three times that the public in this country and elsewhere in Europe do not understand European decision making. If that is so, why does he want more decisions governing their lives to be taken by that process?

Mr. Rammell: I want the decision-making process in Europe to be opened up. That is why I believe that Council of Ministers meetings should be opened up and why I welcome the fact that the treaty will provide a six-week delay on the scrutiny reserve. I also welcome the increased powers that will be given to the Conference of European Affairs Committees, recognising its role in opening up the decision-making process on behalf of national Parliaments. What is flawed is not necessarily the nature of European institutions but the way that decisions are made.

Mr. Bercow: I am pleased to learn of the hon. Gentleman's interest in public opinion. The inference could be drawn from what he has just said to my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) that he would favour a referendum in all member states of the European Union on the Amsterdam treaty. The hon. Gentleman signals that he is not in favour of that level of democracy—we should know what level of democracy he does favour. Does he wish to take this opportunity to tell the House that, unless the people of Germany are given a referendum on whether to participate in the European single currency, German participation

should not be allowed to proceed and the single currency should not go ahead in the expectation of German involvement?

Mr. Rammell: We constantly hear from Conservative Members that we should not develop a federal Europe—that we should be a Europe of nation states. I agree, and if that is so, it would be unwarranted for me or any other elected politician in this country to preach to another country about its decision-making process on Europe.

The hon. Member for Stone is not in his place, but I was fascinated by the insight he gave into Tory party politics on European monetary union. I understood him to say—perhaps he will be able to clarify his remarks on another occasion—that the Tory policy of putting off the decision on EMU for 10 years could not have been carried out in government and could be adopted only in opposition. I agree. Had the Tory party won the general election on 1 May, it would have taken a different view in government. Conservative Members shake their heads, but they should consult *Hansard*, because that was implicit in what he said.

Mr. Bercow: On a point of order, Mr. Deputy Speaker. The hon. Gentleman is courteous and it is not like him to insult another hon. Gentleman without having warned him. Is it in order for him so to refer to the speech of my hon. Friend the Member for Stone (Mr. Cash) when he is not in the Chamber and has not been forewarned of the attack?

Mr. Deputy Speaker: The hon. Member for Stone (Mr. Cash) has played a full part in this debate. It is entirely a matter for him whether he is in the Chamber at any given moment. I have heard nothing out of order.

Mr. Rammell: Thank you, Mr. Deputy Speaker. I am sure that the hon. Member for Stone will be able to pursue his arguments. I understood him to be saying what I suggested. That gives us an insight into the politics of the Tory party on the single currency.

Mr. Christopher Gill (Ludlow): Will the hon. Gentleman give way?

Mr. Rammell: I shall give way just once more—I know that Opposition Members want to speak.

Mr. Gill: Does the hon. Gentleman agree that one of the unanswered questions of this debate is that of the effect of fixed exchange rates on unemployment? Neither the Minister nor Labour Members have been able to explain away the fact that, whenever Britain has taken part in fixed exchange rates, unemployment has gone up exponentially. Can he explain that to the satisfaction of Conservative Members and of some of his colleagues?

Mr. Rammell: The Amsterdam treaty does not refer specifically to economic and monetary union or fixed exchange rates, but I shall happily answer the question. If a single currency works, as I believe that it will, it will tackle currency speculation and lead to more stable exchange rates and therefore, in the long run, lower interest rates and higher growth, which would lead to greater job creation. I ask the hon. Gentleman to think back to September 1992, when the pound was forced out of the exchange rate mechanism by international currency speculation.

Mr. Gill: Will the hon. Gentleman give way?

Mr. Rammell: No, I have given way several times and other hon. Members want to speak.

The hon. Member for Rochford and Southend, East (Sir T. Taylor) talked about a European truth campaign. I am not sure what that means, but I favour ensuring that people understand the arguments about Europe. However, when it was suggested that the Government should use European Union funds to run a balanced information campaign on the pros and cons of a single currency, Conservative Members vehemently opposed the idea. I see that the hon. Gentleman agrees with me. That undermines his argument.

Barring a few minor details, and the key issue of the social chapter, the treaty and the Bill are the ones that a Conservative Government would have brought back from Amsterdam had they been re-elected on 1 May. That wholly undermines the arguments of Tory Front-Bench spokesmen.

The Euro-sceptics, who are, as usual, heavily represented, have a more important question to answer. They have made it abundantly clear, tonight and on other occasions, that they are opposed, root and branch, to the European Union and its development. They would have opposed any treaty that any conceivable Government could have brought back. They must explain whether such views are compatible with continued membership of the European Union. The hon. Member for Stone came close to addressing that question. If, as I believe, their views are not compatible with continued membership of the European Union, we should have an honest and open debate, and they should openly advocate the case for withdrawal.

When the Euro-sceptics honestly and openly go into that campaign, I ask them to reflect on the fact that there have been two occasions since the second world war when British political parties have honestly and openly campaigned with a hostile attitude to Europe and a negative attitude to the European Community or Union. It happened once in 1983 under the Labour party and once in 1997 under the Conservative party. On both occasions, those political parties suffered the biggest defeats in their political history. The fundamental reason for that is that British nationalism and British chauvinism is skin deep. The stance adopted by the Conservative party on European issues has forced people to confront the reality of what life would be like if we withdrew from Europe. That is why I fundamentally believe that, given your current views, you are unelectable.

Mr. Deputy Speaker: Order. The hon. Gentleman is addressing the Chair.

Mr. Rammell: I believe that, given their views, Conservative Members are unelectable. I welcome that, partly because it means that the Labour Government will be in office for many years to come, but I am realistic enough to realise that, at some stage in the future, it is possible that the Conservative party will come back to power. If and when that happens, I hope for the sake of

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the country that wiser counsels will have prevailed within the Conservative party and caused it to abandon the dangerous route down which it is currently attempting to go.

9.30 pm

Mr. Gill: Hon. Members will not be surprised to hear that I regard this as a sad day for the House, the country and the British people. It is also an extremely sad day for the hon. Member for Great Grimsby (Mr. Mitchell) and others like him who find themselves having to abstain on tonight's vote.

The hon. Gentleman and others have fought long and hard against many aspects of European integration. By their determination to articulate their views so well, they have obviously attracted a following among the British people, who will be extremely let down by their actions tonight.

We understand the pressures on hon. Members to obey their party Whips. We understand why certain Members, instead of voting against something that they have opposed for almost their entire political careers, will fail to do so tonight. We understand the reasons only too well, but people outside will never understand it. I fear for the credibility of those hon. Members who know in their heart of hearts that they should vote against the Bill for all the reasons that they have articulated consistently year after year.

That lack of action does not just destroy the credibility of those hon. Members who are seen to be reneging on all the promises they have made over the years, but reflects on the credibility of us all. It reflects on the credibility of the House. Several times during the debate, hon. Members have questioned the lack of interest shown by the public in what is going on in Parliament tonight. Is it any wonder that the people should become so apathetic about the affairs of the House when they see not just one, but one after another, hon. Member peel away from the strongly held views that they have articulated for so long and which they have led the people to believe that they will continue to articulate and vote for?

Apart from the fact that, on this occasion, Government rebels will not vote against this particular European Bill, there is a sense of deja vu about our proceedings. In Committee, we have witnessed Ministers standing at the Dispatch Box offering inadequate explanations or answers to questions put to them. I understand why that is. I understand as well as they do that the treaty has to go through and that, if they accept but one of the arguments deployed in Committee, the treaty falls, so Ministers simply cannot accept any amendment.

Ministers are on quite sound ground with some of the amendments, and can argue and tell the movers of the amendments why they are wrong and the Government are right, but that does not apply to all the amendments tabled in Committee. Some of the answers given by the Government are totally inadequate, just as during the last Parliament Conservative Ministers at the Dispatch Box were unable to give satisfactory answers to the reasonable questions put to them. Once again in the House of Commons, the argument has been lost, but the Government will inevitably win the vote.

As I said in an intervention on the hon. Member for Harlow (Mr. Rammell), there has been no answer to the question of how we are to reconcile ourselves to fixed exchange rates and unemployment—that is too difficult a question to be answered, so we skate around it. When I put that question to the Foreign Secretary a few weeks ago, he said that I must understand that, when we had fixed exchange rates previously, we had a Conservative Government—as if that explained everything, as if that was a satisfactory answer and as if that made the Government's views absolutely right when in fact they were absolutely wrong.

There has been some talk in the debate about obfuscation; that is the polite way of referring to half-truths, deceptions and downright lies. I agree with my hon. Friends the Members for Rochford and Southend, East (Sir T. Taylor) and for Buckingham (Mr. Bercow), who have ventured to suggest that, had the British people been told the truth about European and had it been explained to them that we are talking not about a new form of democracy but about the integration of our country into a European Union, they would not have voted yes in the 1975 referendum; nor would they have been as tolerant with their politicians as they have been thus far.

I have no complaint against the Commission: generally speaking, what the European Commission says is what it intends to do and what it intends should happen; and what is written in the treaties is what is intended should happen. Where I depart is from those politicians who pretend that, once it is written and we have entered into a legal and binding contract as per these treaties, it can then somehow and miraculously all be altered.

We are not entering a democracy, and I invite hon. Members to consider that there can be no democracy in any nation or any group of nations when it is not possible for the electorate of that nation or group of nations to remove the people by whom they are governed. I know of no means by which we in this country can remove the European Government, and I invite the Minister to tell us how, under the great scheme of things, it is possible to remove those who, in future, will be charge of our destiny in the European Union.

The European Union is not a democracy—it is a collective, and one need only look at what is happening in our farming and fishing industries to know that. Worse is to follow, because that collectivism is to be applied to our economy and, as a result of the treaties, Europe will have a collective economy. The Government will say that they are going to achieve reform in Europe, but the question they must answer is how they are to achieve that reform. They know as well as I do that to achieve any dramatic or radical reform in the European Community requires unanimity.

It is all very well for Ministers to say that we will get reform of the agricultural policy, the fisheries policy, or any other policy, but that is just a cop-out. It sounds good, it fobs people off and it buys a little breathing space, but I invite the Minister to tell us how he will get unanimity to change, for example, the fundamentals of the common fisheries policy. How will he get unanimity to change the fundamentals of the common agricultural policy, and so on? Those are the real questions, the unanswered questions, and I invite the Minister to come to the Dispatch Box tonight and answer them.

More than anything else, I fear that we are creating a situation in which hon. Members are effectively to be neutered. In an earlier speech at the beginning of the

Committee stage, I warned of the effect of neutering Members. I have a serious warning for anyone who will listen to it about the long-term effects of neutering Members and depriving them of the ability to give satisfaction to the people who put them here: this country and all the other countries that do it will descend into anarchy.

The European Union is promoted by a political elite. One of my hon. Friends referred to the attitude of the Nordic Council, which illustrates that point. The Government have said that there is no constitutional bar to the single currency, but there is a constitutional bar to completing a total integration of the European nations in the European Union, which is what we are doing. It is a constitutional bar because it removes from the people who put us here the right to get rid of us or to get rid of the people who make the decisions that affect their lives.

I have been consistent throughout my time in the House on matters of the European Union. I believe that I am right, and I shall go on saying what I believe to be the truth. It behoves all of us, regardless of whether we are in government or in opposition, to tell the truth. Only in that way will we get the British people back on the side of their Parliament and back on the side of the people whom they sent to represent them.

There is much more that I could say on this all-important issue. To my Conservative colleagues I simply say in conclusion that there is only one game left in town, and that is to defeat the single currency and to defend the freedom of the pound sterling.

9.41 pm

Mr. Blunt: In moving the Third Reading, the Minister said that this was a good treaty. I do not think that anyone can legitimately make that claim for the treaty, which is unintelligible to and unapproachable by ordinary members of the public. It is why the public and the media have displayed an almost complete lack of interest in the debate. A number of hon. Members, from both sides of the House, have made that point eloquently.

The treaty has failed in its central objectives for the UK. It has failed to advance, even at the most basic level, the interests of the bigger countries in promoting democracy by weighting their influence through weighting the number of their votes in the Council and the Commission. It has made no progress on the issues of enlargement. We shall wait to see the other parts of the European Union that do not have an interest in enlargement—the farming lobby and Club Med—begin to obstruct the process of enlargement.

Today, the Prime Minister and Foreign Minister of Hungary addressed a joint meeting of the Foreign Affairs and Defence Select Committees. They will be sadly disappointed at the conduct of enlargement negotiations, as they are put off year after year.

In Committee, we have heard many sedentary interventions from the hon. Member for Rotherham (Mr. MacShane), who, sadly, is not in his place now. Such interventions go to the heart of the problem involving the construction of Europe: the future of the European project is beginning to lack democratic legitimacy.

My experience of South Yorkshire as a soldier in a South Yorkshire Regiment tells me that it is beyond belief that the hon. Member for Rotherham represents the views of the people of Rotherham. From my experience of the people of South Yorkshire, I know that the opinions that he expresses in this place about the future of Europe are completely at odds with the instincts of the British people.

A sort of schizophrenia affects the Conservative party as much, in a sense, as it does the Government—and indeed the whole country—about our approach to Europe, and the treaty goes nowhere near beginning to address those issues for the United Kingdom. The time is coming when we must make up our minds whether we are honestly going to commit to, in effect, a united states of Europe.

We nearly heard such language from the Liberal Benches during the debate. The hon. and learned Member for North-East Fife (Mr. Campbell) spoke about his wish for a federal United Kingdom. He then spoke about a federal Europe. He should have gone on to say a federal united states of Europe—a federal state in which authority is delegated down from the centre. If he expressed what he believes in those clear terms, we would understand exactly where the Liberals were coming from.

However, even the greatest enthusiasts for European integration on the Liberal Benches haver around with language, and are not prepared to state their position clearly to the British people. The enthusiasts for Europe on both sides of the House should not treat the people of the United Kingdom with contempt, by obfuscating their true objectives; they should make the position clear.

The treaty of Amsterdam has served to undermine the competitive advantages that the Conservative Government carved out for the United Kingdom at Maastricht. The Labour Government have given way on the social chapter. Our competitive position as a country will be undermined. Therefore, all Conservative Members, regardless of their position on Europe, can unite to vote against a Third Reading of the Bill.

Within every political party, a decision must be taken about our whole approach to Europe. The treaty does not remotely address those key issues. It is about time that we started to debate in this place, honestly and objectively, what the European Union should be and what it should not be. Then we should invite our country to reach a decision.

9.46 pm

Mr. Letwin: I shall be extraordinarily brief. I just wish say that in Committee, I—in parallel with many other Conservative Members—raised three points, each of which, if they were right, were important.

First, I alleged that the powers of the European Court of Justice were being vastly enhanced—specifically, that the basis was being laid for the eventual intervention of the European Court of Justice in British criminal law.

Secondly, I alleged that the presidency of the Commission was being given political direction of the Commission, with the intent of laying the basis for the eventual elevation of the presidency of the Commission to a role similar to that of the President of the United States—the role of president of Europe in the sense understood by Mr. Delors.

Thirdly, I alleged that protocol No. 7, by its definitions of subsidiarity, permitted the European Union to adopt any objective in any specific action and to legitimise that action—be it a directive, a regulation or a decision—as

[Mr. Letwin]

conforming with subsidiarity merely by virtue of the fact that it conformed with the objective adopted by the European Union.

Those are three serious allegations. It is an extraordinary state of affairs when, throughout the proceedings in Committee, the Minister ostensibly responsible for Europe has not denied, referred to or refuted any of those allegations, but has merely passed them over in silence.

Those allegations may be false. I am but a new Member of this House, earnestly striving for truth, but—[HON. MEMBERS: "Oh."] It does not seem to me a disgraceful thing for a Member of Parliament to try to do. It does seem to me disgraceful that the Minister for Europe should not answer—should not think that it matters whether he answers—in a debate, however curtailed, on this treaty and this Bill. He should have answered those points and many others like them made by Conservative Members. Either he should answer our points, or he should desist from being the Minister for Europe and take up a lowlier post, leaving his job to someone who is willing to take on the argument.

9.49 pm

Mr. Streeter: It is no surprise that the Government have chosen to crush proper scrutiny of the treaty. Throughout our deliberations, the extent to which the Government failed at Amsterdam has become abundantly clear. Through a mixture of bad judgment and incompetence, the Government made many concessions to others but received nothing in return. The treaty is good news for the European institutions and bad news for the nation state.

First and foremost, the treaty is unacceptable because it imposes on us the burden of the social chapter. It is no coincidence that, when they took office, the Government inherited the strongest economy in Europe, an economy which prospered under a Conservative Government who were prepared to defend the national interest in Europe and to guarantee jobs and prosperity for the British people.

That hard-won advantage was given away at Amsterdam. The Government talk about reducing the burden on business; then they do the very reverse. All that is doubly ironic, as the treaty adds the promotion of employment to the list of Community objectives. That led to the so-called employment summit at Luxembourg. Will the Minister tell us how many jobs were created in Europe as a result of that summit? When will Labour realise that Governments do not create jobs? It is businesses, entrepreneurs and risk takers who, free from bureaucratic burdens, create jobs: not Governments, not summits, not more meetings.

Britain's competitive advantage has been surrendered, and if for no other reason than that, the treaty should not be ratified. That is why we will oppose it tonight.

On their return from Amsterdam, Ministers sought to present the treaty as innocuous—a technical treaty that did no more than make common-sense improvements to the operation of Europe. As our debates have shown, that is simply not true. Ministers have failed to understand the long-term implications of what they have signed. Nowhere is that ministerial incompetence more obvious than in respect of the opt-in to border controls. The Foreign Secretary thought that he had agreed to one arrangement—opt-in by QMV—only to discover that he had agreed to something completely different—opt-in by unanimity. Explanations for that blunder have changed almost weekly. We still await a clear explanation; the House still awaits an apology.

Changes made to the institutional arrangements of the Union are not merely technical. They are significant changes in the nature and powers of key European institutions. Time and again, the treaty takes powers from member states and passes them to the European institutions—all for nothing in return. Perhaps the hon. Member for Great Grimsby (Mr. Mitchell), a Labour Member, put it best earlier when he talked of big concessions for nothing in return. That sums up the Amsterdam treaty.

We are told that Britain is to be compensated for the loss of our second Commissioner by a re-weighting of votes in the Council of Ministers. But there is no commitment in the treaty to re-weighting. It provides either for a re-weighting of votes or for the use of dual majority. Does the Minister accept that the latter is of no use whatever to Britain, and that it may sometimes act against our interests?

The Minister has insisted that he would not agree to our second Commissioner being removed without re-weighting. Why, then, did he agree to the inclusion of the alternative in the treaty? The Government have also given away our unfettered right to choose the British Commissioner for as long as we have one. Currently, member states must consult, but can ignore the opinion of, the Commission president on whom to nominate. Now the president is to have an unlimited veto over member states' nominees to the Commission.

The Minister also said that it was unthinkable that that power would ever be used. Why, then, was it written into the treaty? I assure the Minister that there are plenty of people in Brussels to whom the use of the veto is far from unthinkable. Does not history suggest that European institutions, especially the Parliament, find ways of using to the full every new power that they are given? What power the treaty gives them. Take the president of the Commission. Henceforth, all members are to work under his political guidance. When combined with the existing provisions of article 160, that effectively gives the president the power to hire and fire. For that reason, we object to the power.

The new power has nothing to do with good management, and everything to do with transforming the Commission into an overtly political body led by an overtly political president—one man, total power, surrounded by placemen depending on patronage: a new Labour solution, if ever there was one.

Unlike Labour, successive Conservative Governments have a record of success in European negotiations. Conservative Ministers ensured that when Britain agreed to the extensions of QMV in 1986, we guaranteed the creation of the single market—a reform which has brought more benefits to Britain than to any other country. We accepted QMV in limited areas for a specific purpose and got a real benefit in return. There were no such successes for Britain at Amsterdam. Britain's veto was just given away, with nothing in return.

As a result of Labour's failures at Amsterdam, the European Parliament has, among other new powers, a right of veto in no fewer than 23 new areas of policy. That, in a nutshell, is the result of the treaty: less power for member states, more power for the institutions; less power for the House to resist measures harmful to Britain, more power for the institutions to pursue their interventionist agenda.

The Conservative party is not anti-European. We want Europe to work for us and for every member state. We are in favour of co-operation. We are pro-European, but we are against shoddy negotiation. We are against damaging treaties. This treaty fails Britain. It will destroy British jobs. It falls short of what could and should have been achieved. It gives away so much for so little in return. We will oppose it.

9.56 pm

Mr. Doug Henderson: With the leave of the House, Madam Deputy Speaker.

Madam Speaker: I am Madam Speaker, not Deputy Speaker.

Mr. Henderson: I am sorry, Madam Speaker. I beg your pardon.

The hon. Member for South–West Devon (Mr. Streeter) said that the Conservative party was not anti-European. He and his colleagues must have confused me over the seven days that we have dealt with the various stages of the Bill. They will also confuse the country about what Parliament should be doing about an issue of importance to the nation.

As was acknowledged by many of those who spoke in our debates, the issues before us are far more important than party political interests. They are crucial to the nation's interests. The Conservative party does the nation a disservice because of its divisions on Europe. Within the Conservative party there is clearly a core of opposition to Europe. Incidentally, I think that it is destroying the Conservative party, although I shed no tears about that. I am worried, however, that it threatens to destroy the integrity of our nation.

Some of the opposition is principled. I recognise the contributions made by Opposition Members with long-standing views against many issues relating to the European Union, but a different core of Conservative opposition seems to be emerging, which is focused far more on the internal politics of the Conservative party and the possibility of progress within the party. That is extremely damaging.

Mr. Bercow *rose—*

Mr. Henderson: I am not giving way. There are only two minutes left.

There is overwhelming support on the Labour and Liberal Democrat Benches for the EU and the provisions of the treaty—and I believe that there is some support on the Conservative Benches, which has been muted during these debates. Some Conservative Members have dissociated themselves publicly from the backward-looking old-fashioned anti-Europeanism of the Conservative Front Bench.

I believe that it is a good treaty. This is a good Bill that would have been unattainable under the Conservatives. It is strong on foreign policy, border controls, employment and the single market and strong against crime and fraud. They are major achievements and priorities of the British presidency. I commend the Bill to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 370, Noes 145.

Division No. 133] **[9.59 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Darling, Rt Hon Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George

Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Robert Ainsworth and Mr. Kevin Hughes.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan

Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maijns, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. John Whittingdale.

Question accordingly agreed to.
Bill read the Third time, and passed.

PETITION

National Health Service (Bromsgrove)

10.16 pm

Miss Julie Kirkbride (Bromsgrove): This petition is from the residents of Bromsgrove, who are facing intolerable cuts in their local health service. We have two hospitals that serve the constituency, although neither is situated in the constituency. Both are facing cuts in their accident and emergency departments and one is facing cuts in elective surgery.

I am particularly grateful to my local newspaper, the *Bromsgrove Messenger*, which collected 3,500 signatures on a petition that I can present to Parliament. It organised people to write in and protest about what is happening to our local health service.

The petition, addressed to the House of Commons, says:

The petition of residents of the Bromsgrove area declares that the services provided by the Alexandra Hospital in Redditch and the Kidderminster General Hospital are vital to the people of north Worcestershire.

They wish to remind Parliament of the promises made on 1 May 1997, when the Labour Government pledged that they would seek to improve our National Health Service.

They believe that the present proposals to close the accident and emergency departments at the Alexandra Hospital and Kidderminster General Hospital, along with all the elective surgery at the Kidderminster General Hospital, are utterly unacceptable to the people of Bromsgrove who rely on those services.

They further believe that the funding and management of the health service is one for Ministers and the Government of the day and cannot be blamed on local administrators.

The petitioners therefore request that the House of Commons urge the Secretary of State for Health to use his authority over the Worcestershire Area Health Authority to stop the closure of these departments.

It is signed by Dr. Elizabeth Shaw JP, Park Hall, Bromsgrove.

To lie upon the Table.

A3 (Hindhead Tunnel)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

10.18 pm

Mrs. Virginia Bottomley (South-West Surrey): I am grateful for the opportunity to address the House on a matter of enormous concern to my constituents and to people throughout the south-east. The extent to which the road problem causes concern throughout the region is shown by the number of hon. Members present this evening—my hon. Friends the Members for North-East Hampshire (Mr. Arbuthnot), for Havant (Mr. Willetts) and for Christchurch (Mr. Chope), who has taken a close interest, and the hon. Member for Portsmouth, North (Mr. Rapson).

I had not anticipated the degree to which the road problem is a priority for people who work in the House. Since I arrived this evening, I have spoken to a Senior Office Clerk in the Vote Office, the Principal Doorkeeper, a Deputy Principal Doorkeeper and three other Doorkeepers, all of whom have informed me that their journey to work is hampered by the nightmare at Hindhead. They have asked me in the strongest possible way to reinforce the sense of priority that they hope the Minister and her Government will give to the proposals.

The case is essentially simple; the many arguments are technically compelling. I hope to demonstrate how the plans fit the criteria set out by the Minister's Department as a test for priority action. The criteria are integration, economy, safety, the environment and accessibility.

The Minister should be clear that the issue evokes enormously strong feeling in my constituency. Week in, week out, I have heard of the frustration and alarm of local people, and of the danger, delay and pollution they face on the stretch of road. The concern is not new, but it is mounting. It reflects a unity of purpose across political and geographical divisions that something must be done, which has built up over decades. It is not good enough that the road improvement scheme should simply feature in the consultation document. People want action, not words. They need a firm plan for when work will begin.

Over the years, there have been enormous improvements to the A3. It is an excellent road from London to Portsmouth and round to Southampton, but the difficulty lies on the only four-mile stretch of single carriageway at Hindhead in my constituency. Over more recent years, there have been proposals for improvements at Hindhead. In 1987, a red route was proposed, but the following year there was disappointment over it. That was followed by a proposal for a yellow route, and a modified yellow route. In June 1992, the approval of tunnel proposals was announced following consultation, and, since March 1993, that has been the preferred route. Since then, I regret to say that there has been relatively little progress.

My constituents are obviously becoming progressively more alarmed and concerned as the volume of traffic builds, and since the rest of the road is so very much better. In recent months, I have been collecting signatures for a petition, with which my hon. Friend the Member for North-East Hampshire has helped. The volume of signatures has meant that we have had to extend the period during which people are asked to complete the forms. I hope that, like my hon. Friend the Member for Bromsgrove (Miss Kirkbride), I shall then be able to place the petition in the Bag behind your Chair, Madam Speaker.

The petition declares that unacceptably long delays are constantly suffered by A3 road users. Local towns and villages are adversely affected by the volume of traffic, which damages the environment and causes danger to residents. Businesses in the area and across the region suffer from costly and wasteful delays. The Hindhead commons provide exceptional landscape and national history, which should be protected for all to enjoy.

I shall quote from a sample letter from Andrew Robb, one of my constituents:

"Everyone is united on one point, namely the desperate need to relieve the existing bottleneck, which worsens every day, which gives rise to major risk of accident on the existing single carriageway and roads leading to and from it and which causes considerable atmospheric pollution. Please would you give the absolute highest priority to reaching a decision on this issue as quickly as possible. Further delays would be disastrous."

I turn to the technical case. The A3 is a road of strategic regional importance, with links to Europe. It provides a key route from the coast at Portsmouth to London. It has already undergone exceptional and extensive improvement. Nigel Bourne of the CBI said in his submission to the Highways Agency, which the Minister has probably seen:

"It is really quite illogical that the main road from London to Portsmouth should suffer from such ridiculous levels of congestion, particularly when the remainder of the road is generally built to a good standard."

The bottleneck is all the more intolerable because it has caused substantial blight in the surrounding area. The major route between Portsmouth, the second busiest international passenger port in the country, and London, with its international airports and road links to the north, is severely disrupted.

Mr. Syd Rapson (Portsmouth, North): Is the right hon. Lady aware that Portsmouth city council's interest is in economic development and that the strangulation of the A3 is causing concern in the council? Potential developers and visitors to the city are being dissuaded because of the bottleneck which, linked with the awful train service, does not do much for the city. That is the main strength of the council's argument, although it would agree with most of the points being raised by the right hon. Lady.

Mrs. Bottomley: I thank the hon. Gentleman for his comments. I am well aware of the economic opportunities—and problems—facing Portsmouth. I hope that the millennium celebrations—in which the Millennium Commission has invested some £50 million—and the regeneration of the dock area will result in great opportunities not only for Portsmouth, but for the Isle of Wight. The hon. Member for Isle of Wight (Dr. Brand) stopped me on his way in this evening to say how strongly his constituents feel about this matter. All the time that business is jammed at Hindhead, constituents face extremely difficult circumstances. I appreciate the contribution from the hon. Member for Portsmouth, North and the city council's work in this regard.

As the hon. Gentleman is well aware, the road is a regional gateway to Europe. Regeneration and regional prosperity require a sound road infrastructure. To quote from the CBI:

"Continued consultation with our members reveals their increasing concern with the state of the roads in the South East, particularly in view of it being the gateway to Europe. There is no doubt that the future of wealth creation in the region is dependent on the infrastructure and schemes are needed now to bring roads up to the barest minimum requirement."

The need is here and now. We must not hide behind strategies as excuses for delay. As the CBI said:

"Discussion on an integrated transport strategy should not be allowed to be a further reason for delay. The roads schemes will be required in any event and are long overdue."

My constituents—like those of the hon. Member for Portsmouth, North and my hon. Friend the Member for Guildford (Mr. St. Aubyn)—will welcome any rail improvements, which may help to ease the situation for A3 users along other stretches of the road. I do not wish to ignore that.

An integrated transport policy requires the road link between Portsmouth, Southampton, London and the airports to be of a suitable standard. At present, it is not. I welcome the fact that the Minister's consultation document recognises that an effective trunk road network is crucial to UK competitiveness. Congestion and uncertain journey times are adding to business costs. I entirely agree with businesses in my constituency—and those of other hon. Members—who are counting the costs of congestion. The Hindhead blockage is bad for business locally, regionally and in Europe. Time, fuel and money are wasted in the bottleneck.

The chairman of the Headley Down housing association speculated that

"the commercial costs of the delays over the years must be enormous."

He points to the many individuals, including himself, who have suffered financial loss.

That local assessment is in line with the trend analysed by Trafficmaster, who showed that, in the third quarter of 1997 alone, 38 million man hours were lost to congestion, costing UK businesses £1.8 billion in time, resources and lost appointments. Nowhere is that truer than at Hindhead.

My third argument relates to road safety. In my constituency between January and September of last year, there were 37 collisions, with three deaths and a further 64 casualties. In the past five years, there have been 255 collisions. That is too many, and without urgent action, the numbers will grow. With the investment in Portsmouth, Southampton and throughout the region, I do not wish the stretch of my constituency to emerge as people's final resting ground on the stretch between London and Portsmouth.

Of course, it is not only on the A3 that the danger is growing. We are witnessing a disastrous effect. Traffic is ingeniously, speedily and recklessly rat-running throughout the entire area. All the delightful villages of north-east Hampshire and south-west Surrey are being invaded by reckless drivers, desperately trying to beat the jam. Residents both old and young are put at risk, the quality of life is being damaged and the danger is mounting. On those grounds, they urgently ask the hon. Lady to look carefully into the situation.

In "What role for Trunk Roads in England?", the Government set out the objectives for the A3 improvement scheme, which are: to reduce congestion and delay to road users; to enhance road safety; and to provide additional capacity. I welcome those objectives, but the report does not do justice to the overwhelming environmental case for action on the A3. That road bisects a landscape of national and international significance.

In Kyoto recently, the Secretary of State said that the Government were committed to environmental protection. This debate provides the Minister with the ideal opportunity to endorse a project that will have substantial environmental gains. The Hindhead commons, through which the A3 runs, are National Trust land. It has been designated a site of special scientific interest and, on a European dimension, it is a candidate special protection area.

In its letter to the Department, the National Trust, echoing local views, writes:

"We urge that the A3 Hindhead scheme be retained in the programme, and considered for early implementation. It is near Draft Orders stage of design; and is one of the few schemes that satisfies the majority of transport and environmental objectives".

With encouragement like that from the National Trust, how can the hon. Lady possibly resist? The Hindhead commons are a national asset. The combination of high landscape, ecological and heritage value make a significant contribution to the country's environmental capital. The enhancement and protection of such assets carry a high priority in Government planning policy. The replacement of the existing surface road with a tunnel would achieve such objectives.

I can also inform the hon. Lady of the comments from the Council for the Protection of Rural England:

"The Devil's Punch Bowl is a landscape feature that is completely dominated by the present level of traffic congestion. Relieved of traffic it could once more be an incomparable place where the public could experience the quiet enjoyment of the rich Surrey countryside."

Finally, the Countryside Commission says:

"We have, since the proposal for a road scheme improvement on the A3 at Hindhead was submitted for consultation, consistently support the option for a tunnel development as the only acceptable proposal. We believe that this is the only scheme that has fully considered the impact of development upon the landscape, local character and wildlife of the Surrey Hills Area of Outstanding Natural Beauty".

However, the CPRE letter sums up what is happening, stating:

"The whole area of minor rural roads around the junction is plagued at peak times by traffic seeking out rat runs."

Dramatic topography, tranquillity, panoramic views and the diverse habitats all combine to give this area a nationally significant scenic quality an international wildlife value and make it a regionally important resource for recreation. As the National Trust rightly says, the only detracting feature is

"the intrusion resulting from traffic on the A3, as it skirts the rim of the Punch Bowl, which is both visible and audible over a wide area."

The tunnel solution would see the National Trust lands reunited, with the present road fully restored to heath land. Obviously, there are local reservations about the adverse impact of the scheme on areas such as Boundless copse and Tyndall's wood, but the significant benefits that

[Mrs. Bottomley]

would arise from the provision of a tunnel, combined with the closure of the existing road, would be of national and international importance.

I have spoken about the effect of rat runs on the environment. They also damage local accessibility—another of the criteria against which the hon. Lady's Department is judging the trunk road proposal.

It should have become clear by now that one of the most severe problems facing my constituents is the increasing volume of traffic seeking to avoid the A3 and using roads that are unsuitable. In the Government document, the Minister says:

"Accessibility is about making it easier to reach the places we need to get to."

Growing congestion on the A3 at Hindhead clearly prevents that, and diminishes the concept of equity, the final criterion in the document, which says that we should be fair to every group of people, with all their differing needs.

The current situation is not fair to commercial traffic, long-distance commuters, holiday makers or local residents; or, indeed, to those of us coming into work in the House. The National Trust said:

"A tunnel would pose no constraints on accessibility."

It is the obvious solution, and the only way in which to tackle the existing bottleneck.

I appreciate the Minister's presence at this late hour. I hope that I have made clear to her the strength of feeling about the proposal. It is vital that it achieves priority and that, in the response to the trunk road review, the people of Hindhead and the region are told what the timetable is and what steps they can take next. They are affronted and outraged, and becoming increasingly angry.

A young man of 15 from Rodborough school in Witley, Sebastian Coulthard, wrote to me. I hope that he will be able to look forward to the road being completed before much longer. He said:

"My family and I suffer every day the consequences of the excesses of traffic in Haslemere and every time we pass by the Hindhead crossroads I feel very sad to see how blighted the area has become . . . I also feel sad at the extraordinary amount of accidents that have happened in the stretch and how it has become a cause of concern and irritation for those who live near it. I hope this letter helps you convince the Government of the misery that people have been experiencing in this area and decide to start building the tunnel NOW."

I agree with Sebastian.

10.36 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I am grateful to the right hon. Member for South–West Surrey (Mrs. Bottomley) for the opportunity that she has afforded the House to discuss this topic, which is clearly of importance to hon. Members of all parties, and not exclusively to her constituency. She has highlighted that importance by pointing out the presence of the hon. Members for Christchurch (Mr. Chope), for North–East Hampshire (Mr. Arbuthnot) and for Guildford (Mr. St. Aubyn). I also thank her for her generosity in affording an opportunity to my hon. Friend the Member for Portsmouth, North (Mr. Rapson) to intervene in the debate.

Mrs. Bottomley: I am also delighted to see the hon. Member for Putney (Mr. Colman) here. He too feels extremely strongly about this, not only because many residents of Putney spend their holidays in the Isle of Wight and so, I hope, plague him on the matter.

Ms Jackson: I hardly think that anyone would regard the representations of constituents as a plague, but I am none the less grateful to the right hon. Lady for pointing out my hon. Friend's presence.

I congratulate the right hon. Lady on setting out her arguments so clearly and strongly, within the context of the importance of safety, the environment, economic sustainability and community issues.

The A3 is a road of regional significance, linking the port and city of Portsmouth to London and, via the M25, to the rest of the country. It is paralleled in the transport corridor by the London-Portsmouth railway, which also provides a significant link between the communities of Portsmouth, east Hampshire, west Surrey and London.

As well as providing access to Portsmouth, the A3 acts as a commuter route, carrying a large traffic flow of about 80,000 vehicles a day to the north of Guildford. I understand that some of the commuter problems were made clear to the right hon. Lady by some of the Doorkeepers who work in the Palace.

The flows decrease to the south of Guildford, with traffic flows around Hindhead in the order of 27,000 vehicles a day. As it is a route to the ports, there is not much seasonal variation in its use. The proportion of heavy goods vehicles on the A3 is near the national average of 10 per cent. Congestion occurs around Guildford, and it is severe at peak periods on the single carriageway through Hindhead.

The built and natural environment of Hindhead provides challenging constraints in finding a solution to its problems. I have in mind the Devil's Punch Bowl, to which the right hon. Member for South–West Surrey referred and which is a dramatic landscape feature to the north of Hindhead and part of the Hindhead Commons heathland site of special scientific interest. The alignment and the number of direct accesses on to the trunk road at Hindhead contribute to the poor safety record on that stretch of road.

I understand the desire of the right hon. Member for South–West Surrey for early decisions on the A3 Hindhead improvement scheme, which has already been through a number of reviews. As she knows, the Government have embarked on a fundamental review of transport policy. Our objectives, as a Government, are a strong economy, a sustainable environment and an inclusive society. As the right hon. Lady pointed out, transport is a vital part of all those aims.

Good communications are central to the economy and our quality of life. However, the backdrop to the fundamental review is a candid recognition that we need a shift in direction. Revised national road traffic forecasts published last autumn show traffic increasing by nearly 40 per cent. over the next 20 years. If current policies continue, congestion will get worse, the impact on the environment will be even more severe, and those who have no access to private transport will find it even more difficult to get around.

My right hon. Friend the Deputy Prime Minister recently returned from the successful Kyoto summit—the right hon. Member for South-West Surrey also mentioned it—with a legally binding target for the European Union to reduce greenhouse gases by 8 per cent. The United Kingdom's contribution towards this target, to be determined in spring and summer of 1998, is likely to be above the average. To meet the target, measures will need to be taken in all sectors of the economy.

The Government have signalled their intention to tackle the growth of emissions from the transport sector through policies such as the integrated transport strategy. A number of measures to reduce CO_2 emissions from transport, in addition to the fuel duty strategy, are, therefore, being considered as part of the integrated transport policy review.

We must develop an integrated transport system that makes the best use of the contribution each mode can make; ensures that all options are considered on a basis that is fair and is seen to be fair; and takes into account, from the outset, considerations of accessibility, integration, safety, the environment and the economy. Above all, an integrated transport system must be sustainable. One of the encouraging aspects of such an ambitious task is the degree of consensus that we do need to change.

We cannot achieve that change in isolation and we want actively to engage those involved in transport. It is a feature of the policy development work now under way that we are involving a wide range of external advice and expertise, including local authorities, businesses, trade unions, transport professionals and transport users. That is the context for the roads review, which is examining the role that trunk roads should play in an integrated and sustainable transport policy.

Against the background of increased congestion, we have three broad options for roads: first, to make better use of existing infrastructure; secondly, to manage demand; and thirdly, to provide new infrastructure. To make best use of existing infrastructure is the obvious first choice. It has been provided at substantial cost in both financial and environmental terms and we must make the best use of that investment. Technologies old and new can help to make better use of our roads network. A number of measures can also bring safety benefits and we will need to ensure that those are given proper priority. We need, however, to be realistic about what the various options can deliver.

We must also consider seriously other harder options: managing demand and providing new infrastructure. Managing demand is a vast topic. It encompasses reducing the need to travel by, for example, land use planning, an assessment of the extent to which a shift to other modes can be encouraged and, inevitably, controlling demand by pricing or rationing mechanisms. Many local authorities are seeking through integrated transport packages to combine demand management and other measures so that mobility is maintained while its adverse consequences are reduced. In the local transport settlement recently announced by my right hon. Friend the Minister for Transport, I was pleased that the Government were able to continue to support Surrey county council's transport package for Guildford, which will help to alleviate congestion and provide increased support for its safe routes to school transport package.

The Highways Agency's programme of small safety schemes is continuing, but major new construction is under review. Providing new infrastructure is a very difficult option, both financially and in terms of the impact that it may have on the environment. Our starting point is that we will not proceed with major new road construction unless we are satisfied that there is no better alternative; even then, there will be difficult choices to be made within the limited resources available.

There is no substitute for rigorous case-by-case examination of the options. Volume 2 of our roads review consultation document, "What Role for Trunk Roads", sets out region by region the perceived traffic problems and the roads programme inherited from our predecessors. The existence of a scheme in the inherited programme is prima face evidence that there is a transport problem. We sought from our regional consultations a view on whether those are the most important problems, or whether others deserve greater priority. We envisage two outputs from this part of the review: a firm, short-term investment programme; and a programme of studies to consider the remaining problems, out of which the medium and long-term investment programme will emerge.

The Government office for the south-east held three day-long seminars last autumn as part of our consultation process on integrated transport. At an integrated transport policy seminar in Woking last September, which was attended by my noble Friend the Minister for Roads, delegates agreed that more work was needed to encourage the transfer of freight movements from road to rail, particularly on the strategic transport corridors serving the ports.

Seminars in Ashford and Reading last October looked at transport corridors in the Government office for the south-east region, including the A3 transport corridor between the M25 and the Hampshire ports. Many of the right hon. Lady's points about the importance of the A3 Hindhead improvement scheme for safety, the environment and support of the economy were also made at the seminar. Strong representations were made and there was a clear consensus on the importance, regionally, of high-quality, reliable routes, both road and rail, to the south-east ports, including Portsmouth.

The Hindhead problem was highlighted as requiring particularly urgent attention. Many delegates were in favour of the 1996 road programme scheme going ahead as quickly as possible to bring the route up to a consistent standard and to alleviate the environmental and traffic problems. That view was also strongly reflected in the written contributions that we received about the A3 at Hindhead. Others favoured a study that would first establish what role there was for rail to assist in managing demand, both at Hindhead and more generally on the A3, and whether there were alternative, smaller scale improvements that could address the problems. We will take all those views into account in deciding how best to proceed.

[Ms Jackson]

Developing a forward-looking integrated transport policy that supports a strong economy, contributes to a sustainable environment and helps to create a just and inclusive society, is a huge challenge. Through the work now under way on trunk roads, we want to achieve a robust short-term programme and a system for planning future investment in the road network, whether by measures to make better use of the existing network, or by providing new infrastructure, that is fair and seen to be fair—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MADAM SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twelve minutes to Eleven o'clock.

House of Commons

Tuesday 20 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Health Inequalities

1. **Mr. O'Neill:** What plans he has for tackling inequalities in health in Scotland. [21712]

The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith): The priorities and planning guidance for 1998–99, issued in August 1997, to the national health service in Scotland includes tackling inequalities in health. In addition, a Green Paper will be published shortly, seeking views on our proposals for improving health in Scotland and for tackling inequalities.

Mr. O'Neill: I congratulate my hon. Friend on announcing the publication of the long-awaited Green Paper. It is 18 years since the Black report was published, showing clearly the link between inequality and poor health throughout the United Kingdom. Could my hon. Friend also find the means to make the Black report available again? He will recall that it was available for only a short period before it was suppressed by Mrs. Thatcher's last Government.

Mr. Galbraith: I very much regret that the Black report was not published extensively and in full. The last Government's failure to recognise the link between deprivation and ill health has greatly held back the progress of the nation's health. We are currently involved in updating much of the information contained in the Black report, although the basic premises will remain the same and will be reflected in our forthcoming Green Paper.

Mr. Moore: In reviewing funding formulae for the health service in Scotland, will the Minister ensure that deprivation in rural areas receives as much priority as any other factors that he may take into account?

Mr. Galbraith: As the hon. Gentleman knows, a specialist group is reviewing the SHARE—Scottish health authorities revenue equalisation—allocation formula, which has been around since the late 1970s and needs to be updated. One of the areas that it is considering for the distribution of funds is what is known as the "rurality" index. I make no judgments about it. We are waiting for good scientific advice, which is what we expect from the committee.

Mr. Maxton: Does my hon. Friend agree that one of the greatest inequalities in health in Scotland is the appalling difference between the dental health of young people in deprived areas and in better-off areas? Does he agree that the most effective and cheapest way to solve that problem once and for all is to introduce fluoride into the public water supply?

Mr. Galbraith: Yes, we often forget the importance of dental health in this debate. Like all ill health, it is directly related to deprivation in society. We can tackle poor dental health by cutting down sugar intake and by regular brushing of teeth, but the best and most effective way to improve dental health in deprived communities is to include fluoride in the water supply.

Locate in Scotland

2. **Mr. Fallon:** What representations he has received about the future of Locate in Scotland; and if he will make a statement. [21713]

The Minister for Education and Industry, Scottish Office (Mr. Brian Wilson): My right hon. Friend has received representations from a number of individuals and organisations. We have made it clear, in response to such representations, that Locate in Scotland is and will remain an outstandingly effective inward investment agency.

Mr. Fallon: If there is no concern about Locate in Scotland's ability to compete fairly with the United Kingdom's other inward investment agencies, why is the Department of Trade and Industry negotiating a concordat between them all?

Mr. Wilson: I am more than confident of Locate in Scotland's ability to compete effectively. In the past two weeks, I have had the privilege of making a couple of announcements about substantial successes for Locate in Scotland. I am pleased to announce today another success, which is the attraction of 30 new jobs to Arbroath through Alps Electric (Scotland) Ltd., which is investing £350,000. I expect to make many more such announcements. All of that is a tribute to Locate in Scotland. Everybody who takes a serious interest in those matters knows that the last thing that Locate in Scotland wants is a free for all involving other agencies and prospective agencies in the United Kingdom putting up the bidding for the creation and attraction of jobs. It therefore makes sense to have a concordat involving all parts of the United Kingdom to deal particularly with expressions of interest from potential inward investors where initially the interest is generic to the whole of the UK.

Mr. Ernie Ross: I welcome the past successes of Locate in Scotland, but does my hon. Friend agree with Labour Members that, in the context of the Scottish Parliament, Locate in Scotland will have a pivotal role in attracting significant investment, as it has had over many years?

Mr. Wilson: I agree with my hon. Friend. Locate in Scotland will be accountable to the Scottish Parliament,

and that is entirely as it should be. It will be an important part of its devolved functions. I have no doubt that Locate in Scotland will continue to be successful. Since the general election, it has been clear that all the scare stories from the Tories about either the change of Government or the constitutional settlement in the United Kingdom that we proposed were just that—scare stories. Inward investment decisions have continued to increase rather than diminish.

Mr. Kirkwood: In any review of Locate in Scotland's work, will the Minister consider the balance between investment in areas that already have access to regional development assistance and investment in the more rural areas that do not? I acknowledge the good work that Locate in Scotland has done in the past, but does he accept that it makes it much more difficult for Ministers to give any assistance to communities furth of the central industrial belt, in towns such as Hawick, in which the Minister has taken an interest recently?

Mr. Wilson: The regional selective assistance map will be reviewed, and I shall ensure that the hon. Gentleman's comments are taken into account. What comes through repeatedly in discussions with inward investors to Scotland is that, although money is an important part of the package, it is far from being the only factor. There may be overriding reasons to go to a part of Scotland that is not blessed in the way that the hon. Gentleman described. The skills of the labour force, the availability of workers and the environment are factors on which the Borders would rate favourably. My constituency has not done very well out of inward investment decisions in recent years, but it has the advantages to which the hon. Gentleman referred. That can work both ways, as many factors are taken into account. However, his comments will be noted and considered.

Mrs. McKenna: Does my hon. Friend agree that Locate in Scotland is one of the most successful inward investment agencies in Europe? The expansion a couple of weeks ago of the German company Isola Werke in my constituency to include another 300 jobs is one of its successes.

Mr. Wilson: Yes, that was the second announcement of the new year, and it was excellent. I would go further than my hon. Friend and say that I do not think that it is one of the most successful development agencies in Europe; it is the most successful. There is no doubt that a combination of the United Kingdom's overseas presence and what it does for inward investment, and the enormous value that is added by the activities of Locate in Scotland, give us a two-track approach that works extremely well in Scotland's interest and in the interests of the United Kingdom economy.

Mr. Alasdair Morgan: In his discussions on the concordat, will the Minister take into account the recent report of the Select Committee on Trade and Industry? Does he agree that any further restrictions on the activities of Locate in Scotland would be at the cost of jobs in Scotland?

Mr. Wilson: I was delighted with the Select Committee's report on inward investment. It bore out what I have been saying in recent months. There has been a lot of over-excited chatter about threats to Locate in Scotland, and a great deal of nonsense talked about its alleged poaching activities. The report was extremely encouraging on both grounds.

I assure the hon. Gentleman and anyone else that there is no conspiracy against Locate in Scotland. Everyone recognises that its work is good for Scotland and for the whole of the United Kingdom. In that spirit, Locate in Scotland will go forward, and a concordat makes sense. No one who takes a serious interest in this matter—as opposed to making silly nationalistic points—thinks that there is anything in it for Scotland to have a free for all in which agencies have an unfettered right to bid against one another, the result of which is that jobs cost more, not least to Scotland, and we lose rather than gain investors.

Farm Incomes

3. **Mr. Swinney:** When he last met representatives of the Scottish farming industry to discuss farm income levels. [21714]

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): Ministers meet the National Farmers Union of Scotland on a regular basis. My right hon. Friend the Secretary of State last met representatives of the union on 16 December. My noble Friend Lord Sewel last met them on 5 January, when farm incomes, among other issues of concern, were discussed.

Mr. Swinney: I welcome the Minister to his post. He will be aware of the TSB agricultural study, which was published yesterday and which shows that 94 per cent. of farmers believe themselves to be less prosperous this year than last year, that there has been a collapse in agricultural investment and that there is poor confidence in the hill and livestock sectors.

What measures is the Minister taking to secure European Union support for the lifting of the export ban, either through the computerised traceability scheme or through the date-based scheme? When does he expect the first beef from Scotland to be sold in Europe, alongside beef from Northern Ireland?

Mr. Macdonald: I acknowledge that farmers are going through a very difficult period in comparison with earlier years. As the hon. Gentleman knows, the lifting of the export ban is being pursued in a number of ways. There is the certified herd scheme—the work on computerisation is proceeding as fast as possible—and there is the new date-based scheme, which we are pursuing in parallel with the European Commission.

Mr. Home Robertson: I welcome my hon. Friend—who represents the most rural constituency in Britain—to his important responsibilities.

When my hon. Friend meets representatives of farmers in Scotland, will he explain that the blockade at Stranraer carried out by people such as John Cameron is likely to make it rather more difficult to resist similar blockades against Scottish food exports in the future? Will he join me in paying tribute to Sandy Mole for his excellent record of responsible leadership of the National Farmers Union of Scotland in recent years? As a member of that

union, may I also pay tribute to the Government for their excellent initiatives to restore public confidence in Scottish beef, both at home and abroad, and to support the vital hill farming sector?

Mr. Macdonald: I am grateful to my hon. Friend for his comments. I entirely agree with him about the unfortunate nature of the events in Stranraer and elsewhere, which did not help the case at all. I also associate myself with my hon. Friend's remarks about Mr. Sandy Mole, with whom we had a very good working relationship. I hope that we shall continue to have that good working relationship with his successors.

Mr. Ancram: I, too, congratulate the Minister on his appointment, and wish him well in his responsibilities. I am, however, surprised and somewhat disappointed that his right hon. Friend the Secretary of State is not responding to this question. Does he really not appreciate the seriousness of the crisis facing farming, and the damage that is now being done to agriculture by the high rate of sterling and the green pound? Will he disown his noble Friend Lord Sewel because of his view that farmers have been treated generously in the past, and should stop complaining now? Will he also take action urgently to rescue an industry that is vital to Scotland's rural economy, but is currently in danger of going to the wall?

Mr. Macdonald: I certainly agree that the industry is vital, and that it faces difficult pressures. That is why the Government have indeed taken action. We have announced an £85 million package, a full third of which will go to Scottish farmers who—as the right hon. Gentleman knows—are facing a particularly difficult time.

Mr. Ancram: That simply is not good enough. Such complacency is endemic in the Minister's Government at present, and does no service to agriculture in Scotland.

Does the Minister not understand that financial help is now urgently needed, as is compensation for the high value of the green pound? The help that was given earlier has already been overtaken by extra charges. No other country in Europe would not have triggered the compensation mechanism in such circumstances. Will the Minister and his colleagues wake up and do something for the farmers of Scotland?

Mr. Macdonald: Let me directly compare the assistance that we have provided with the assistance provided last year. Last year, the right hon. Gentleman's Government provided £60 million of extra assistance to deal with the Bovine Spongiform Encephalopathy crisis, but they made no further provision for the following year. We have provided £85 million to respond to farmers' current difficulties.

University Applications

5. **Mr. David Davis:** How many applications have been made to Scottish universities for the 1998–99 academic year; and how many were made in the comparable period for the 1997–98 and 1996–97 academic years. [21716]

Mr. Wilson: Figures for Scottish higher education institutions have not yet been published by the universities central admissions system. However, provisional United Kingdom figures show that, by 15 December 1997, the universities and colleges admissions service had received 326,220 applications for entry to higher education in 1998. That compares with 347,037 at the same point in 1996 and 340,711 at the same point in 1995.

Mr. Davis: I thank the Minister for his answer. It is always regrettable when the number of applicants for higher education goes down, particularly when, as in this case, those applicants are not helped by an immoral policy that discriminates against all UK students who are not Scots. More Northern Ireland students apply to Scotland than to anywhere else in the UK. When we are in every other way helping Northern Ireland to remain a part of the Union, what is he doing to end that immoral discrimination?

Mr. Wilson: I would caution anyone against placing too much importance on applications because there is a big difference between applications and admissions. In quoting any of these figures, hon. Members have to remember that, in the current academic year, admissions to Scottish universities went up by 5 per cent. as people moved, understandably, to pre-empt the changes in student funding.

On the point about non-Scottish students, again, the right hon. Gentleman should consider some of the statistics. For instance, in an Adjournment debate last Thursday, I pointed out that, in marked contrast with the near hysterical comments at the last Scottish Question Time about the prospects for St. Andrews university and about the cataclysmic implications for the Scottish economy, applications to the university from non-Scottish students within the UK are up 6 per cent. for next year. The problem of Northern Irish students is a funding problem for the Northern Ireland Office. It has to decide how to fund students who go to universities in other parts of the UK, as the Scottish Office has to determine how Scottish students are funded.

Mr. Dalyell: How long can a system be sustained whereby students on the same course pay different fees simply because they come from different parts of the UK?

Mr. Wilson: My hon. Friend knows that his question is disingenuous. It is not simply because students come from different parts of the UK; it is also because they hold different entry qualifications. If he wants perfect symmetry in the UK education system, that is a big argument, but at present Scottish school-leaving qualifications are geared to the Scottish four-year honours degree course and students who hold A-levels may in many cases enter in the second year of a four-year course. In making a judgment about which university to go to, any student will take into account whether he wants to enter a four-year course in the first year or whether he should take advantage of the possibility of entering a four-year course in the second year, if his qualifications are appropriate.

Mr. Wallace: For students entering university in 1998–99, in subsequent academic years, what will the position be with regard to supplementary allowances? Does the Minister accept that that is of considerable importance to students throughout Scotland, particularly those from

more remote areas, who are worried about their travel allowances? For example, a student from Shetland attending Dundee university may face travel costs of £360. It is important that students entering a course should know what the financial implications are throughout their period at university. Those who enter in the coming academic year should have the same supplementary allowance arrangements throughout their stay at university.

Mr. Wilson: The existing arrangements do not disadvantage students in terms of travel costs, but that is all part of the consultation on the Dearing and Garrick reports. I would be pleased to hear any additional point that the hon. and learned Gentleman would like to make to me on the matter, but there is no such proposal.

Rev. Martin Smyth: Some people might think that the Minister's answers have been disingenuous. Northern Ireland students have travelled to Scotland since long before the Act of Union 1801. I therefore ask that the matter be given further consideration. Can the Minister tell us, for example, the difference in academic standards? Northern Ireland students have met the Scottish standards and come through with flying colours—not only to the betterment of Northern Ireland students but to the credit of Scottish universities.

Mr. Wilson: Northern Ireland students, and students from all other parts of the United Kingdom, are very welcome and valuable components of the Scottish higher education system, and they will continue to be so. The debate is very narrow, because 40 per cent. of all students—irrespective of where they come from—will pay no tuition fees, and only a relatively small minority of students will pay the full amount.

Whether fees should be met for paying students from other parts of the United Kingdom who are on Scottish four-year degree courses is a question for the relevant territorial Department—for the Department for Education and Employment, for English students, and for the Northern Ireland Office, for Northern Ireland students. Those Departments have their own considerations in answering that question. I have responsibility for Scottish students in higher education. I realise—as the Garrick report realised—the anomaly in Scotland of the four-year degree being the normal course linked to school leaving qualifications, and I have dealt with that anomaly.

Dr. Fox: In the fiasco over non-Scottish UK students and over student fees generally, two matters are clear. First, the Minister has absolutely no appetite for the changes that he is introducing. Secondly, the changes are utterly Treasury-driven. Will the Minister tell us whether the Treasury's inability to recognise the different funding requirements for Scottish and English higher education provision is—to use the words of No. 10 Downing street—one of the Chancellor's "psychological flaws"?

Mr. Wilson: I have an appetite for annually putting £140 million extra into Scottish higher and further education. The Tory legacy was to pile on the numbers and to cut the money.

Kincardine Bridge

6. **Ms Squire:** What representations he has received on the replacement of the Kincardine bridge. [21717]

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): Since taking office, we have received 11 letters on issues related to the replacement of the Kincardine bridge. I am also aware of the meeting in July between my hon. Friend, supported by members and officials of Fife council, and my hon. Friend the Member for Edinburgh, North and Leith (Mr. Chisholm), during his period as Minister responsible for local government and transport at the Scottish Office.

Ms Squire: Does my hon. Friend agree that replacement of the Kincardine bridge has widespread support, and that replacing it is a matter of urgent priority in assisting inward investment, in easing traffic congestion and in reducing pollution at Kincardine? Given the years of delay and indecision by the previous Government, is the Minister able to announce any early action that he intends to take to secure the bridge's early replacement?

Mr. McLeish: I am very conscious of my hon. Friend's active pursuit of the matter, which is a very important transport issue. A review of the options at Kincardine is now being finalised by officials—whose advice I expect to receive shortly—and a decision will be taken as soon as is reasonably practicable. Because of the matter's importance, we have accelerated the options review.

Consideration of Kincardine must also be set against some very important strategic transport issues in the central belt. I will therefore be seeking at an early stage to have a meeting with all the councils around the Forth estuary, to examine not only the matter of the Kincardine bridge but other matters. I intend to create a more comprehensive, strategic and important forum for pursuing those important matters, and I look forward to an early meeting with my hon. Friend to go over some of the issues, including that of Kincardine bridge.

Scottish Parliament Elections

7. **Mr. McAllion:** What assessment he has made of the advantages of holding the first elections to a Scottish Parliament in 1999 on the same day as local government elections in Scotland. [21718]

The Secretary of State for Scotland (Mr. Donald Dewar): I believe that a joint poll will increase interest in the local government elections and lead to a higher turnout with lower overall costs. It also avoids voters having to go to the polls three times in quick succession.

Mr. McAllion: First, may I wish my right hon. Friend every success in his bid to become a candidate at one of those elections? I hope that we are given the stamp of approval by what has already been called the people's panel. Is not the real link between the two elections that the outcome of both will have a huge impact on the future structure and financing of the water and sewerage industry in Scotland? Therefore, may I have my right hon. Friend's assurance that between now and the elections he will prevent the unelected water quangos from entering into

any private finance initiative contracts which will effectively tie the hands of Members of the Scottish Parliament and prevent local councillors from fulfilling their manifesto commitment to bring the water and sewerage industry back under local democratic control?

Mr. Dewar: I can give my hon. Friend two assurances. First, I shall not be shopping in Dundee with regard to any of the elections and secondly, I congratulate him on his ingenuity in referring to unelected water boards. I must also disappoint him by saying that I cannot give him the assurance that he seeks. I expect the water boards to address the problem of getting much-needed investment into the industry and achieving the standards that people in Scotland deserve.

Mrs. Laing: Can the Secretary of State please explain why he considers it important to achieve a so-called gender balance in the elections to the new Scottish Parliament and how he intends to do so?

Mr. Dewar: That again is ingenious. I hope that the hon. Lady does not imagine that by standing in her place she is convincing me that there are arguments against women in Parliament. We are all anxious—including, I am sure, the hon. Lady—that we have a fair representation of women so that the House of Commons, the Scottish Parliament and local government look a little more like the community that they seek to represent.

Mr. David Stewart: Does my right hon. Friend agree that it is important to have the widest possible pool of talented candidates for the Scottish Parliament? Does he further agree that it is important to allow local government staff—who number more than 25,000 and are currently restricted from standing—the opportunity to stand for the Scottish Parliament?

Mr. Dewar: Of course I understand the point that my hon. Friend is making and we are keeping the matter under review. However, very recently the Nolan committee stressed how important it is that councils and the public can rely on a politically impartial service from senior local government officials. That also has to be weighed in the balance. The number who are currently excluded under the rules is around 2 per cent. of those who work in local government in Scotland, but I recognise that there are strong feelings on the issue and we try to keep it under review.

Mr. Salmond: But one substantial difference between the two elections is that the elections to the Scottish Parliament will be carried out by proportional representation, while the local elections are still planned to be decided by the first-past-the-post system. Does the Secretary of State not agree that it would be a splendid opportunity to introduce proportional representation in local government elections in Scotland? Would not such action be the strongest single step towards ending one-party domination and the various problems that beset the Labour party in councils in central Scotland?

Mr. Dewar: I take that remark as a rather touching tribute to the speed with which we have addressed problems of constitutional change in Scotland. However, the hon. Gentleman will recognise that his suggestion is somewhat impractical. He will know, however, that an independent commission will be set up shortly on which his party is likely to be represented to look at the relationship between the Scottish Parliament and local government and the ways in which we can strengthen local democracy in Scotland. Obviously, the matter has to be considered carefully, but there may well be people who will try to argue that case, if not in the commission, more generally.

Mrs. Fyfe: Does my righ hon. Friend agree that it is somewhat unfortunate that some Opposition Members show such total ignorance of the workings of the Scottish Constitutional Convention which for many years now has been committed to equal representation of men and women in the Scottish Parliament and which represents Scottish views somewhat more successfully than the hon. Member for Epping Forest (Mrs. Laing)?

Mr. Dewar: I would not want to pass judgment on the capacity of the hon. Member for Epping Forest (Mrs. Laing) as a representative. That is a matter for her electorate and I congratulate her on having survived and being here, which may be some sort of tribute. So far as I am concerned, the Government and many hon. Members across the range of parties in the House are committed to positive ways of encouraging women into public life.

Mr. Ancram: Given that so few of the Secretary of State's hon. Friends are prepared to give up the comforts of Westminster to stand for the Scottish Parliament and that, consequently, if Millbank tower and the Minister without Portfolio permit, most of the Labour candidates will be drawn from the tired old ranks of Scottish Labour councillors, would it not be fairer if the elections were held on separate days so that they could at least remember which they were standing for?

Mr. Dewar: The right hon. Gentleman should not be proud of that question as an example of his intellectual rigour. He may be consumed with envy. The Conservative party in Scotland does not have ranks of any sort—tired, old, young or innovative—to draw on.

National Health Service Beds

8. **Mr. Laurence Robertson:** What is the number of NHS beds per head of population in Scotland; and what assessment he has made of the per capita provision of NHS beds in Scotland relative to the United Kingdom average. [21719]

Mr. Galbraith: There were 3.3 national health service beds available in the acute sector in Scotland per 1,000 population in 1996–97. The equivalent number for the United Kingdom was 2.5 beds.

Mr. Robertson: I am grateful to the Minister for that answer. Does he accept that that favourable percentage is due to the financial arrangements that Scotland has had in the United Kingdom? Will those arrangements be sustainable when Scotland has its own Parliament?

Mr. Galbraith: As the hon. Gentleman well knows, the financial arrangements are supported by those on the Conservative Front Bench. The figures reflect the

differences between Scotland and the rest of the United Kingdom, including the greater prevalence of disease and the geographical differences. It is proper that such matters should be taken into account anywhere in the country.

Mr. David Marshall: Does the Minister agree that, far from trying to claim credit for the figures, the Opposition should be blamed for the fact that they are necessary? After 18 years of Tory government, the health of the people of Scotland is in a much worse state than before because of the Tories' harsh economic policies and their failure to deal with the damp housing conditions that have resulted in Glasgow having the poorest health statistics in the United Kingdom. If anything, there is a need for more NHS beds, not fewer.

Mr. Galbraith: The problem of the past 18 years was that the previous Government failed to recognise the link between deprivation and ill health, because they found it politically difficult to do so. We recognise that link, we shall tackle it and we shall significantly improve the health of the nation.

Mr. Charles Kennedy: In his reply to the hon. Member for Tewkesbury (Mr. Robertson), the Minister underscored his understanding of the fact that the per capita provision of hospital beds has to take account of geographical factors as well as other social and economic factors. Will he bear in mind the assurance that he gave me by letter about the continuing provision of full-time surgical services at Broadford hospital on the Isle of Skye? Only this morning, the Highland health board announced its intention to withdraw full-time surgical provision for the Isle of Skye and to replace it with a locum service operating out of, I think, Fort William and Inverness. Given the climate and—as the Minister knows better than most—the number of people who visit the Isle of Skye for climbing and other outdoor pursuits, does the hon. Gentleman agree that the issue needs to be considered very carefully before any precipitate decisions are taken?

Mr. Galbraith: I certainly do. I know the hospital very well, not just from climbing on Skye, but because I was one of the locum surgeons there for some time. As the hon. Gentleman knows, the review is all about having the highest-quality services for patients. That is what I demand from any changes and that will be the only motivating factor in our decisions.

Water Services

9. **Mr. Canavan:** If he will return Scotland's water services to local authority control. [21720]

Mr. Macdonald: My right hon. Friend the Secretary of State made a statement to the House on Tuesday 16 December 1997 on the future of the Scottish water industry. It dealt with the issue of local authority control and provided for stronger and better links between local authorities and water boards under the overall democratic supervision of the Scottish Parliament.

Mr. Canavan: When will the Government deliver the Labour party manifesto commitment to return Scotland's water services to local democratic control, instead of playing musical chairs with the quangos left to us by the Tory Government? In the Falkirk area, for example, when water services were in the ownership and management of local government, we had good, forward-looking investment programmes, combined with the lowest water charges in western Europe. Will the Government intervene to prevent the East of Scotland water quango from imposing a 58 per cent. increase in domestic water charges, which would mean an even more exorbitant increase of 144 per cent. over two years?

Mr. Macdonald: As my hon. Friend will appreciate, the existence of 32 local authorities after the previous Government's reorganisation means that it is simply not possible or practical to have the kind of direct local authority control that he would like. However, we have increased accountability to local authorities through better links between them and water boards. As for possible price increases, they are a matter for negotiation between the water boards and the customer councils. If there is no agreement, the matter will go to the Secretary of State for arbitration, so I cannot comment further.

Ms Roseanna Cunningham: Consumers in Tayside face a 38 per cent. increase in water charges in the near future. That is a swingeing increase—the highest in the whole of the North of Scotland area. In view of the Government's pre-election promises, can the Minister not understand the disenchantment of people in my constituency and neighbouring constituencies with both the North of Scotland Water Authority and the Government on that matter?

Mr. Macdonald: For the reason that I have just explained, I cannot comment on particular price rises. However, speaking generally, we have always said that water services will cost more. There are many years of underfunding and under-investment to make up for; that will have to be done through a combination of public and private investment, but also through price increases.

Ferry Services

10. **Mr. Godman:** What recent representations he has received concerning the ferry services operated by Caledonian MacBrayne. [21721]

Mr. McLeish: My right hon. Friend has received a number of recent representations concerning ferry services operated by Caledonian MacBrayne. The main subject of representations received recently from my hon. Friend's constituents has been the future of Caledonian MacBrayne's ferry service between Gourock and Dunoon.

Mr. Godman: May I tell the Minister that it is hugely important that Caledonian MacBrayne run an efficient and reliable service, an integral part of which is a well-motivated work force? I do not believe that there would be any problems hanging over the Ballycastle to Campbeltown service had not that odd-job lot on the Opposition Benches, when they were in office, given it to Caledonian MacBrayne to run.

Mr. McLeish: I am grateful to my hon. Friend for his involvement in the issue, and for the discussions that we have already had on those matters. As he is probably aware, the Scottish Office, together with CalMac and Western Ferries, commissioned the consultants Deloitte and Touche to examine future options for the provision of ferry services between Gourock and Dunoon. The consultants are finalising their work in discussion with CalMac and Western Ferries, and the study is expected to be completed in February. As my hon. Friend will appreciate, a meeting was set up recently, but we had to postpone it. I look forward to an early meeting with him and his trade union colleagues to discuss the matter, and others relating to the ferry services in that area.

Mrs. Ray Michie: I thank the Minister for his swift response to my queries about the Portavadie to Tarbert ferry, which was much appreciated by all the bodies involved. I congratulate him on managing to understand the Caledonian brief fairly quickly, considering that he was dropped in at the deep end. Can he say today whether a decision has been made about the connection between Mull, Coll and Tiree—a subject that we discussed recently at St. Andrew's house?

Mr. McLeish: I certainly welcomed the meeting with the hon. Lady; it was part of my fast learning curve on the brief. As I promised her at that time, we are finalising a response to that issue, and I shall have an early meeting with her before any decision is finally arrived at.

School Standards

11. **Miss Begg:** What plans he has for raising standards in Scottish schools. [21722]

Mr. Dewar: All our policies on school education are designed to raise standards. I attach particular importance to the action group on standards in Scottish schools which I established last July and which is developing a framework of targets for improvement in schools.

Miss Begg: I welcome that reply. Does the Secretary of State agree that one of the keys to improving standards in schools is encouraging young people to learn to read, write and count at an early age? If they can crack the codes of numeracy and literacy at an early age, they can take advantage of the rest of their school careers. Are there any plans to encourage, develop, improve or extend early intervention schemes of the kind piloted in Lothian?

Mr. Dewar: I am grateful to my hon. Friend; we are extremely interested in the idea. There is a consensus in the House and in the education world to the effect that early intervention is extremely valuable, and that action taken in the early stages of a school career can bring great rewards later. That is why we have provided more than £20 million for early intervention in respect of numeracy and literacy, and why we have launched a number of other initiatives, such as alternatives to school exclusion. I hope that they will help and support children who might otherwise fail at school and thus find themselves ill equipped to compete later in life.

HOUSE OF COMMONS

The Leader of the House was asked—

Modernisation Plans

30. **Dr. Tony Wright:** What plans she has to implement the recommendations of the Select Committee on the Modernisation of the House of Commons on legislative procedures in respect of Bills in the current session. [21742]

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): The House has agreed the first programme motions on Government Bills in relation to the Scotland Bill and the Government of Wales Bill. These reflect the recommendations of the Modernisation Committee. A number of Bills are also to be published in draft form, and I hope that some of them will be examined by Select Committees.

Dr. Wright: I am grateful to my right hon. Friend, and I congratulate her on the leadership that she is showing in modernising our procedures. Until we get some serious Bills exposed to the sort of scrutiny that the Modernisation Committee has recommended, however, we shall not be sure that the process is working. I know that my right hon. Friend wants that to happen, but I suspect that there may be Ministers, civil servants and possibly even party managers who do not look kindly on the idea of better scrutiny. But the country wants it and the House wants it, and I urge the Leader of the House to make sure that we get it.

Mrs. Taylor: I am grateful for my hon. Friend's comments. The Scotland Bill and the Government of Wales Bill are important. Significantly, we managed to get agreement on dealing with them in this way. Everyone who serves on the Modernisation Committee is aware that there are differing opinions in the House on how best to go about the scrutiny of other legislation, but we are making progress. I hope that, by publishing several Bills in draft form and allowing Select Committees or some new Committee to examine them, we shall improve the quality of legislation.

Mr. Ian Bruce: When it comes to publishing Bills, the right hon. Lady will know that the Government receive a lot of correspondence to which Departments are supposed to respond within, at most, 20 working days. On 23 October, a constituent of mine wrote to the Government about nursery education; I opened the very simple answer from the Minister today, 20 January. What can the Leader of the House do to ensure that Departments respond to hon. Members' letters in good time—in other words, while the legislation in question is still going through the House?

Mrs. Taylor: I admire the hon. Gentleman's ingenuity in getting in that question as a supplementary at this point.

I acknowledge that there has been a problem with some Departments—it has been raised with me during business questions. I have invited hon. Members to give me precise details, and on a few occasions I have been given them and have been able to try to get things moving. I am

embarking on a survey in respect of the time taken to answer parliamentary questions and to answer correspondence.

PRESIDENT OF THE COUNCIL

The President of the Council was asked—

Illegal Drug Use

31. **Mr. Bayley:** If she will make a statement about the Government's strategy against illegal drug use. [21743]

33. **Mr. Nicholas Winterton:** What are her priorities in the co-ordination of strategies to deal with drug misuse. [21745]

Mrs. Ann Taylor: Keith Hellawell, the United Kingdom's anti-drugs co-ordinator, took up his post full time on 5 January. He will be submitting proposals for a new anti-drugs strategy to me by March, following an extensive consultation process and in the light of a comprehensive spending review. The priorities are likely to be to help young people realise their own potential, protect communities from drug-related crime, provide effective services for drug addicts and restrict the availability of illegal drugs. Once agreed by Ministers, a report on the new strategy will be published as soon as possible.

Mr. Bayley: May I tell my right hon. Friend how much I support the decision taken by the Government to appoint 300 extra customs officers to prevent illegal drug shipments from entering this country? How sharply that decision contrasts with the policy of the previous Government, who cut the number of customs officers at just the time they were accepting a £1 million donation from a foreign secret source closely connected to the drugs trade. Will my right hon. Friend join me in urging the Leader of the Opposition to give that dirty money back?

Mrs. Taylor: The fact that we reversed the proposed cut in the posts of 300 customs officers shows how seriously we take the drugs problem and how alarmed we are about the amount of drugs coming into the country, which is one reason why hon. Members on both sides of the House will welcome the recent seizures and the disruption of drug supplies into this country by the enforcement agencies. All of us have been somewhat concerned, to put it mildly, about the reports that have just emerged about the sources of some of the Conservative party's funding.

Mr. Winterton: I thank the right hon. Lady for her full response. I wish the new drugs tsar every success in the vital and critical work that he is undertaking. Will the right hon. Lady accept that my right hon. and now ennobled Friend, Tony Newton—as we knew him in the House—did a superb job in co-ordinating the response of all Government Departments to the problems of drugs and drug abuse? He brought the Department of Health, the Home Office, the Department for Education and Employment, as well as the Treasury—because of its responsibility for Customs and Excise—together to co-ordinate their policy on drugs. Will the co-ordination that Tony Newton introduced continue?

Mrs. Taylor: When the previous Government introduced their new approach and the document "Tackling Drugs Together", I was the first on the Opposition Benches to welcome the moves taken by Tony Newton and outlined by the hon. Gentleman. We are trying to build on that strategy and take it several stages further, which is why we are auditing what is spent on drug work in every Department, undertaking proper evaluations and trying to co-ordinate. The big difference is that we are trying to ensure that the causes of drug taking, in particular the early signs of difficulty such as truancy, exclusion from school and joblessness, are tackled as part of the problem.

Mr. Skinner: Does my right hon. Friend agree that her job of controlling drug abuse and educating young people has been made 10 times more difficult due to the fact that—as we now know and as I forecast three months ago—Ma Ching-kwan handed over £1 million to the Tory party? He comes from a family who are recognised drug and heroin dealers in Hong Kong. The family did that because they wanted the father, who had escaped to Taiwan, to be brought back to Hong Kong. They used the offices of David Mellor and of Chris Patten, and they handed over the money in the presence of the former Prime Minister. The Tory party has now got the money, although people say it should hand it back. I am not so sure that that is the brightest of ideas because it would be going back to a known drug dealer. It ought to go to charity.

Mrs. Taylor: I should first congratulate my hon. Friend on raising that point several months ago. Having that information confirmed today proves that the House is right to listen to him on many occasions. He is right to say that it does not make it any easier to get the message across about the dangers of drugs. Although I have heard people saying, even this afternoon, that the money should be given back, I believe that it would not be appropriate to give it back to the donor in this instance. The money should be given to a drug-related charity.

Mr. Loughton: I applaud the President of the Council's firm words on the campaign that we need against drug misuse, but will she acknowledge that the budget of only £300,000 that has been allocated to the drugs tsar, of which his salary and that of his deputy will take up more than half, smacks of tokenism at its worst? What will she promise the House in terms of real resources and policies to tackle this very real menace?

Mr. Bayley: Give us £1 million.

Mrs. Taylor: My hon. Friend's point is well made.

The hon. Gentleman seems to be operating under a misapprehension: it is not the job of the so-called drugs tsar to spend money fighting drugs; his job is to advise Government on the proper co-ordination of policy, so that we can make sure that the money spent by the Department of Health, the Department for Education and Employment and the Home Office is spent in the most productive way.

The current auditing and evaluation process will be extremely important in helping us to tackle drugs more effectively.

HOUSE OF COMMONS

The Leader of the House was asked—

Government Announcements

32. **Mrs. Virginia Bottomley:** What steps she is taking to uphold the rights and privileges of the House in respect of Government announcements. [21744]

Mrs. Ann Taylor: The Government seek to make all announcements about major changes of policy to the House.

Mrs. Bottomley: There has scarcely been a major Government announcement that has not first been widely leaked and trailed in the press. Is that part of a deliberate policy to erode the rights and privileges of the House and to diminish Parliament? Now that the Budget date has been announced, what specific action has the President of the Council taken to remind Ministers that they are accountable to Parliament and not to the media?

Mrs. Taylor: I often think that Conservative Members, and especially former Cabinet Ministers, have short memories about what they did in government. The situation regarding the number of statements to the House is similar to that which existed under the previous Administration; indeed, I remember that we made complaints from the Opposition Benches about the Department of Health, and I am sure that, if the right hon. Lady casts her mind back, she will also recall that. I doubt whether Ministers need to be reminded of their responsibilities regarding Budget day.

Mr. Winnick: Will my right hon. Friend promise the House that, when the Government make a firm decision to take legislative action to oblige all political parties represented in the House to identify the source of donations—certainly those above £5,000—an early announcement will be made in the House first of all? Is it not absolutely essential that such action should be taken, and that we should deal with all the latest Tory sleaze, including, one should not forget, the stolen money that was received from Asil Nadir and never returned to anybody?

Mrs. Taylor: Again, I congratulate my hon. Friend on his ingenuity in getting in that point as a supplementary question. When we are ready to act on the public funding of political parties, announcements will, of course, be made in the normal way, but we have to await the outcome of the Neill inquiry.

Mr. Beith: There is a serious point at the heart of the question. Ought not the Government, in their own interests, to make a more serious distinction between their official statements and the comments of press officers, people who use mobile telephones in pubs in Whitehall and friends of various parties in the Cabinet? Is it not becoming increasingly difficult for the public to distinguish the Government's voice from the unauthorised comments that expose their divisions?

Mrs. Taylor: I suspect that even Liberal Democrats have mobile phones, even if they do not have that many friends. There is great press interest in what is or is not said in various pubs around Westminster, and I would caution everyone to be extremely careful in what they say.

Sir Patrick Cormack: May I—

Mr. Campbell-Savours: Where is your tie?

Sir Patrick Cormack: I am not wearing a tie because, unlike the hon. Gentleman, I do not have a brass neck.

Madam Speaker: Order. The hon. Gentleman has just come out of hospital after an operation and has apologised to me because it was not possible for him to wear a tie today. I had hoped that it would not be necessary for me to make that announcement.

Sir Patrick Cormack: Thank you, Madam Speaker.

Although I exempt the Leader of the House from criticism, it is not good enough for her to fob off my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) as she did. I have been in the House for almost 28 years and I have never before known a time in which more announcements have been leaked to the "Today" programme and other media sources. That is not good enough. Will the Leader of the House, based on her excellent example, circulate all her ministerial colleagues and ask them to ensure that every ministerial announcement is made to the House first?

Mrs. Taylor: I welcome the hon. Gentleman back to his place and I am glad that he exempts me from the charges that he makes. However, I take issue with him because I do not think that the situation now is very different from previous times. People are always anxious to try to find out what is going on in the Government. People speculate and sometimes obtain leaks, but there is no systematic leaking in the way that the hon. Gentleman suggests. I remind him that the last time a significant complaint about a leak was made, we found out that the Minister had given a written answer to the question at 3.30 pm, although someone from his party complained when the information was available at 4 pm. We should not always believe all we are told in allegations about leaks.

Points of Order

3.31 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Is not there an understanding in the House—although it is not enshrined in "Erskine May"—that before there is any prospect of British service men being committed to military action, the House of Commons has a chance to discuss the merits or otherwise of such action? Against that background—and the carriers going through the Suez canal—I ask whether any Minister has suggested that a statement might be made today on the critical talks between Mr. Richard Butler, who has described them as "the defining moment", and the Iraqi authorities. I know that you have given my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) an Adjournment debate tomorrow on the position of the children of Iraq, but the situation warrants an early statement from a senior Minister.

Mr. David Winnick (Walsall, North): Further to that point of order, Madam Speaker. I take a different point of view from that of my hon. Friend the Member for Linlithgow (Mr. Dalyell), but the point that he made should be carefully considered.

A statement should be made to the House as soon as possible, because then we could have an exchange of opinions, as we have had on previous occasions—including my private notice question on the situation in Iraq. Many of us believe that it is necessary to ensure that we do not give in to the blackmail of the Iraqi dictator and notorious mass murderer. In those circumstances, I would welcome an early statement.

Madam Speaker: I have not been informed, as the House knows, that the Government have sought to make a statement on that matter today. The House will notice that the Leader of the House is present on the Front Bench, and has no doubt heard the points of order that have been put to me on the matter.

Dr. Liam Fox (Woodspring): On a point of order, Madam Speaker. It is the normal expectation in the House that Members who expect to make a financial gain from legislation make a declaration during the passage of that legislation. In the Scotland Bill and the Government of Wales Bill, no limits are set on the income of those who may seek to have a dual mandate by sitting in this House and one of the other bodies, or in one of the other bodies alone. I wonder whether you could give us guidance, before Committee stage, that those who seek such a dual mandate should declare their interest before making a speech in the House.

Madam Speaker: The hon. Gentleman is trying to tease the House. When we reach an appropriate stage in the Committee proceedings, he might care to raise the matter so that it can be considered.

Parliamentary Boundary Commissions (Amendment)

3.33 pm

Mr. Richard Page (South-West Hertfordshire): I beg to move,

That leave be given to bring in a Bill to amend the Parliamentary Constituencies Act 1986.

The Bill stems from my natural care, concern and compassion for my fellow Members of Parliament. The House will remember that, on 1 May, despite the Government of the day having given the country the best set of economic circumstances for decades, the public decided to give a large number of Conservative Members the opportunity to spend more time with their families. That did not happen to me, but from me were taken my red boxes, which I do not much regret, and my ministerial car, which I miss greatly.

When I settled into the spacious green Benches on this side of the Chamber, I looked across and saw an horrific sight: Labour Members—new Labour, old Labour, new Members, old Members—crammed together, cheek by jowl, hip to hip, thigh to thigh, in a most unsatisfactory sardine-like condition. My concern grew when I learned—not many people know this—that 50 Labour Members are sent home every week to spend more time with their families and constituencies because they are not needed in Parliament.

That made me think even more. The conditions on the Labour Benches are sometimes such that, if this was an industry and we had a visit from a health and safety officer, he would not hesitate to close the whole lot down on the ground of unsanitary or unsafe conditions. It is time to start considering reducing the number of Members of Parliament, because the situation has changed.

So much European Union legislation is now done by the Commission or the Council of Ministers that the House just does some rubber-stamping. There is an argument for reconsidering how we handle European legislation. The Scottish Parliament is working its way down the track; it will take time and powers away from the House. The same is true of the Welsh assembly; our next business will remove powers from this House and give them to the Welsh assembly. The various regional bodies that are to be set up will again take power from the House. The amount of legislative work is not as great as it used to be.

Under schedule 2 to the 1986 Act, we cannot have fewer than 613 Members of Parliament. The way that it is set up, with minimum numbers of Members for Scotland and Wales, predicates to the boundary commissioners that every review must mean that the number of seats goes up. We are now at the large number of 659. Over the next four or five Parliaments, it should be reduced to about 400 to 450, with 100,000 people per Member of Parliament.

People will argue that turkeys will not vote for Christmas, but I believe that my Bill would make the job of an MP easier. How many hon. Members have come to the Chamber to demand statements or ask questions and not been called? How many have prepared speeches that have gone undelivered? With fewer colleagues, individual Members would be more satisfied and much more effective. Commensurate efforts would have to be made to ensure that secretarial allowances and Members' salaries were increased because of the extra work.

The overall savings to the House would be about £100,000 per MP, if we consider salary, secretarial allowance and the allowance for living away from the constituency, leading to a total saving of some £23 million. The big saving would be that 200 MPs' offices would no longer be necessary. The strain on the Palace's infrastructure would be reduced. That would lead to much more efficient operation. If we add the reduction in the number of questions that flow through the Table Office to Government Departments, further tens of millions of pounds would be saved.

With changing circumstances, we do not need as many MPs as we have now. There should be about 200 fewer. The Bill would enable the House of Commons to operate much more effectively. I have much pleasure in introducing the Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Richard Page, Mrs. Cheryl Gillan, Mr. Nigel Evans, Mr. Peter Atkinson, Mr. Quentin Davies and Mr. Richard Shepherd.

PARLIAMENTARY BOUNDARY COMMISSIONS (AMENDMENT)

Mr. Richard Page accordingly presented a Bill to amend the Parliamentary Constituencies Act 1986: And the same was read the First time; and ordered to be read a Second time on Friday 6 February, and to be printed [Bill 111].

GOVERNMENT OF WALES BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Standing Order No. 82 (Business Committee),

That the Report [19 January] from the Business Committee be now considered.—[*Mr. McFall.*]

Question agreed to.

Resolved,

That this House doth agree with the Committee in its Resolution.—[*Mr. McFall.*]

Following is the report of the Business Committee [19th January]:

That the seven days allotted under the Order [15th January] to proceedings in Committee shall be allotted in the manner shown in the following Table and each part of the proceedings shall, if not previously brought to a conclusion, be brought to a conclusion (in accordance with the Order) at the time specified in relation to that part of the proceedings in the third column of the Table.

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	Clauses 1 and 2, Schedule 1 and Clauses 3 to 20	—
Second day	Clauses 1 and 2, Schedule 1 and Clauses 3 to 20, so far as not disposed of	7.00 p.m.
	Clauses 21 and 22, Schedule 2, Clauses 23 to 29, Schedule 3 and Clauses 30 to 44	—
Third day	Clauses 21 and 22, Schedule 2, Clauses 23 to 29, Schedule 3 and Clauses 30 to 44, so far as not disposed of	10.00 p.m.
Fourth day	Clauses 45 to 73, Schedule 4 and Clauses 74 to 79	10.00 p.m.
Fifth day	Clauses 80 to 104 and Schedule 5	7.00 p.m.
	Clauses 105 to 108, Schedule 6, Clauses 109 and 110, Schedule 7, Clauses 111 to 117 and Schedule 8	10.00 p.m.
Sixth day	Clauses 118 and 119, Schedule 9, Clause 120, Schedule 10, Clause 121, Schedule 11, Clauses 122 to 132, Schedule 12, Clauses 133 to 136, Schedule 13 and Clauses 137 to 140	10.00 p.m.
Seventh day	Remaining proceedings	10.00 p.m.

Orders of the Day

Government of Wales Bill

[[1st Allotted Day]

Considered in Committee.

[Sir Alan Haselhurst *in the Chair*]

Clause 1

The Assembly

3.41 pm

Mr. Dafydd Wigley (Caernarfon): I beg to move amendment No. 52,in page 1, line 8, leave out 'an' and insert 'a legislative'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 10, in page 1, line 8, leave out 'National Assembly for Wales' and insert 'Welsh Assembly'.

No. 2, in page 1, line 9, leave out 'Assembly' and insert 'Senedd'.

No. 142, in page 1, line 9, leave out 'for' and insert 'of'.

No. 19, in page 1, line 9, leave out 'Cynulliad Cenedlaethol' and insert 'Senedd Genedlaethol'.

New clause 3—*Power of Assembly to make primary legislation*—

'.—(1) Where a function has been transferred to the Assembly under section 22, Her Majesty may by Order in Council provide that the power to make laws in respect of that function shall be exercisable by the Assembly.

(2) Laws made under subsection (1) shall be known as Acts of the Assembly.

(3) An Act of the Assembly is not law so far as any provision of the Act is outside the legislative competence of the Assembly.

(4) A provision is outside that competence so far as any of the following paragraphs apply—

(a) it would form part of the law of a country or territory other than Wales.

(b) its effect would be to modify any provision of this Act,

(c) it relates to a function in respect of which Her Majesty has not made an Order in Council under subsection (1), or

(d) it is incompatible with any of the Convention rights or with Community law.

(5) An Act of the Assembly may modify a provision made by or under an Act of Parliament, whenever passed or made, if the modification is otherwise within its legislative competence.

(6) Any provision of an Act of the Assembly is to be read, so far as possible, so as to be within the legislative competence of the Assembly and is to have effect accordingly.

(7) Proposed Acts of the Assembly shall be known as Bills; and a Bill shall become an Act of the Assembly when it has been passed by the Assembly and has received Royal Assent.

(8) The Assembly shall make standing orders setting out the procedures to which a Bill shall be subject.

(9) The validity of any proceedings leading to the enactment of an Act of the Assembly shall not be called into question in any legal proceedings.

(10) Every Act of the Assembly shall be judicially noticed.

(11) This section does not affect the power of the Parliament of the United Kingdom to make laws for Wales.

(12) An Order in Council under this section may contain any appropriate consequential, incidental, supplementary or transitional provisions or savings (including provisions in the form of amendments or repeals or enactments).

(13) No recommendation shall be made to Her Majesty in Council to make an Order in Council under this section—

(a) unless a draft of the statutory instrument containing the Order in Council has been laid before, and approved by a resolution of, each House of Parliament, and

(b) in the case of an Order in Council varying or revoking a previous Order in Council, unless such a draft has also been laid before, and approved by a resolution of, the Assembly.'.

New clause 4—*Secretary of State to bring forward tax varying proposals*—

'(1) Subject to section (*Power of Assembly to make primary legislation*), the Secretary of State shall, before making an order under section 148(1) of this Act, lay before Parliament proposals to put in place an income tax varying power for the Assembly.

(2) The tax varying power under subsection (1) shall be limited to a maximum variation of three per cent above or below the prevailing basic rate of income tax for the United Kingdom.'.

Mr. Wigley: It is a great pleasure to move the first bank of amendments in the Committee stage of this very important Bill. The Government of Wales Bill will, I hope, provide a new structure of government in Wales, which will enhance democracy and enable the people of Wales to take decisions for themselves in those areas that are committed to the National Assembly Wales; they hope that those decision-taking powers will be adequate to make a difference in their everyday lives.

The amendment in my name and those of my hon. Friends, amendment No. 52, refers to our feeling that the assembly should be known as a legislative assembly. Legislative power is a very important power indeed in giving the national assembly the ability to make the difference to which I referred in areas within its competence.

Several other amendments linked with amendment No. 52 deal with the name of the assembly and associated matters, but I shall refer in these opening remarks to the need for legislative powers. In creating a National Assembly for Wales, we are creating a body which I hope will be able to get to grips with issues in Wales on which we need a different policy from that which exists for the United Kingdom as a whole or for England and Wales, within the context of this Chamber.

The logic of creating a national assembly is that, where circumstances are different in Wales, there is a need to be able to follow policies that are different. Under the Bill, the extent of the powers of the assembly will be tied in one direction by financial constraints, in that it will work within a block grant and will have no tax-varying powers. It will be tied in another direction by the legislative framework that has been laid down by Westminster. If it is impossible to move in either direction, the assembly's freedom of action will be very limited indeed.

The areas of competence of the assembly are matters of great importance, such as education, health, local government, language and culture, and many matters in which we in Wales have our own needs and our own characteristics and priorities.

Those differences were recognised by the establishment of the Welsh Office in 1964 and by subsequent policy developments of successive Governments. Since then, legislation has been passed by the House that has been deliberately tabled to deal with the needs of Wales alone. I should like the assembly to have legislative powers of that sort, so I hope that the Bill will be interpreted along those lines. I hope that Ministers will be able to tell us about the extent of the assembly's powers to deal with legislative questions.

The White Paper and the earlier debates on the referendum acknowledged that the assembly will have some legislative functions, for example, to deal with orders—secondary legislation, as it is generally called. It is possible that the Bill's functions relating to, for example, the Welsh Development Agency will, in effect, be equivalent to amending primary legislation. To say the least, such a function requires clarification, so that we know the extent to which that power can be developed. In order to discover exactly what the assembly can do, we need to know the precise role of that legislative capacity. Provision for that exists in the Bill, but we need to know how far that goes.

Four years ago, a Bill was put through the House that dealt exclusively with the local government needs of Wales. The assembly should have the power to deal with such legislation in the future. There may be several ways of doing so, which we can explore. Perhaps my hon. Friend the Member for Ynys Môn (Mr. Jones) will deal with that, should he catch your eye, Sir Alan.

We should consider how the assembly could be linked with the existing legislative process of Westminster, so that policy changes required to legislation on local government, education or the Welsh Development Agency could include an input from our own assembly. Wales should not be totally dependent on this Chamber and this Parliament for any modifications to existing law.

We are aware that Scotland is to have a Parliament with full legislative functions. It will be possible for that Parliament to make full-scale legislative changes in those areas over which it will have competence. If there was a subsequent change in education policy as a result of legislation passed in the House, that would not apply to Scotland, because the Scottish Parliament will pass its own education Acts. The people of Scotland will therefore be safeguarded against a right-wing Government who sought to impose policies contrary to their democratic wishes. They will be able to withstand that.

My understanding is that the Bill does not offer a similar power to Wales. During the referendum campaign, however, I heard Ministers say that it might be possible to stop the enactment of legislation that would otherwise be imposed on Wales by a Government of perhaps a different colour from the current one. The possibility of that power should be explored in Committee, so that those in the assembly know exactly what they could do in terms of promoting legislation and withstanding that which is not wanted by the majority of people in Wales, as reflected by membership of that national assembly.

I want to clarify the legislative role of the assembly, and it is important to bear it in mind that such legislative powers are not draconian. We should remember that, apart from the proposed Scottish Parliament, the Stormont Parliament of Northern Ireland, when it was up and running, had similar legislative powers, as do the Isle of Man and the Channel Islands, which can make their own laws.

Mr. Donald Anderson (Swansea, East): Stormont was not called the legislative assembly of Stormont. Surely the essential point is that, when one defines, one limits. To call the assembly a legislative one would in part be a deception, because it will be capable of more than that, while having limited legislative powers. Why deceive people?

Mr. Wigley: That is a very interesting interpretation, and if that is the interpretation of Ministers, we shall listen to their comments with considerable interest. However, the hon. Gentleman will be aware, as I am, that there are Parliaments in other countries that are known as legislative assemblies, for the reason that that term clarifies the fact that the body is the prime body for making legislation as far as the people are concerned. Of course those bodies have other powers—financial, executive and administrative—but the term "legislative assembly" is used in other parts of the world.

My point is that, even if the assembly is not a fully self-governing Parliament—although we on this Bench would like it to be—there is nothing unusual in having a significant legislative role in a Parliament or assembly that is subordinate to another. We see that in the states of the United States of America, in the Länder of Germany, in Australia and in the provinces of Canada. It is important that the National Assembly for Wales should have those powers.

If we have those powers, it will be possible to develop, for example, our education system in Wales in line with the aspirations, values and wishes of the people of Wales. Over the past 100 years, we have seen education as something of intrinsic importance in Wales. Even 100 years ago, Acts of Parliament were passed that had special relevance to Wales, whose legislative provisions gave Wales a different structure in respect of education. Our education in Wales needs that sort of framework to enable it to develop now.

We hope that the assembly will be set up in spring 1999. Suppose we reach a position where the assembly, despite taking a considerable interest in the administration of education and in applying the secondary legislation and orders that are within the framework of laws passed here, cannot pass primary legislation; but we need changes to primary legislation in order to meet the needs of policy in Wales.

Then the assembly will come, by some mechanism—perhaps cap in hand—to Westminster to find the means of getting the legislative change it needs to implement the sort of policy wished for in Wales. I cannot see how that situation is provided for in the Bill, and, without giving fuller legislative power to the assembly, I am not sure whether it can be resolved.

It may be possible to develop some fast tracks, and, if so, all the better; but there needs to be some mechanism. We Back-Bench Members of Parliament know how long we have to wait to get legislative changes made. If the assembly wants and needs change but has to wait year after year to get them, or if it cannot get changes made

[Mr. Wigley]

that it clearly and manifestly needs and desires, that will build up frustration. There must be a mechanism provided to deal with such situations.

The Secretary of State for Wales (Mr. Ron Davies): I am listening carefully to the right hon. Gentleman, but, so that we can respond more fully to the case he is developing, will he give the Committee one or two examples of the sort of legislative change he believes might be required in future, which would be frustrated by the absence of primary legislative powers in the Bill as it stands?

Mr. Wigley: One can easily give examples relating to local government in Wales. We have had two rounds of changes to local government powers in Wales within my political lifetime—in 1974 and 1994. Legislation passed through this Chamber and was dealt with in Standing Committees. In the most recent instance, the Committee had a majority of Conservative Members, who were not even Welsh Members of Parliament, deciding what sort of local government system we should have in Wales, when they did not have to live with the consequences.

Changes may need to be made in the context of local government—goodness knows, there are weaknesses in the Local Government (Wales) Act 1994, as the Secretary of State well knows, judging by Labour's criticisms when the Act was being passed. However, if the assembly feels that changes need to be made to the arrangements enshrined in the primary legislation passed in Westminster, as far as I can tell, it will not be possible for the assembly to make those changes.

If the Government have a mechanism whereby draft Bills introduced by the assembly can be fed into the Westminster system, and can guarantee at least that there will be a fair opportunity to debate them in Westminster, it goes part of the way towards achieving what we want. It does not go the full way, because, if a Conservative Government come to power in Westminster, and if the objectives of the legislation introduced by the National Assembly for Wales are not in line with those of the Conservative Government, we may have to wait five, 10 or, in line with our experience in recent years, even 18 years before getting those changes through. That is unacceptable.

Another example that may or may not need full law-making powers is education. I know that Ministers have been considering matters such as the international baccalaureate and have found certain difficulties with it. Such changes have a broad cross-section of support in Wales, albeit one must find the finances to carry them out.

Only a few months ago, we were discussing changes to pre-school education. The last Government introduced a system that could have led to the privatisation of pre-school education, and they would no doubt have gone on to do the same to primary education. If a law is passed by a Conservative Government in Westminster to privatise primary education or bring in a system of dockets to pay for education, we would be unable, without law-making powers, to introduce an alternative system. We might be able to stop the orders, and we would be locked into the Westminster system.

Mr. Ron Davies: We must establish at the outset of the Committee stage that the sort of fast-track system to which the right hon. Gentleman refers is not provided for in the Bill. It is as well to acknowledge that openly. It is also important to establish at the outset that there will be a developing relationship between the assembly and the Westminster Government. The assembly's success will be judged, by and large, by whether it develops a good working relationship with the Westminster Parliament, because it will continue to rely on the Westminster Parliament for its primary legislation.

The right hon. Gentleman has not yet convinced me, because the two arguments that he has used in respect of education did not require primary legislation. The changes to the examination system and the nursery voucher system would have been carried through by the powers that will be vested in the Welsh assembly, as proposed in the Bill.

Mr. Wigley: I listened carefully to the Secretary of State's words. He said that the changes would have been carried out by the assembly through its secondary legislative powers. The assembly may be able to block secondary legislative powers and orders, but could not create an alternative, because it would have to work within the framework of the existing primary legislation. To that extent, it stymies the assembly's powers to develop the education system in line with Welsh values. Nursery or primary school vouchers, or any such system, would certainly be out of line with our needs.

I should be even more concerned, if a Conservative Government carrying out that agenda saw that their agenda for Wales could be blocked through the Welsh assembly's order-making powers, and then created primary legislation to avoid those orders. Our freedom to withstand the legislation would therefore be withheld.

Mr. Davies: Yes, but let us face the brutal reality: if, by some mischance, such an horrific situation should arise and a Conservative Government were re-elected, it would always be open to them to ensure that their writ would run in Wales, just as it can run in Scotland once there is a Scottish Parliament. This Parliament is sovereign and can do whatever it wants, regardless of legislation passed by this Government.

Mr. Wigley: We shall doubtless discuss the sovereignty of Parliament on a future group of amendments. The Secretary of State mentions the Scottish example, and says that the Westminster Parliament could overrule Scotland. This House could take away any devolved regime; it could abolish the Scottish Parliament and the Welsh assembly, just as it abolished Stormont and the Greater London council.

Although that is conceivable, in the context of the Scotland Bill, the primary legislative powers being transferred to Scotland will not, once transferred, be interfered with by Westminster on a day-to-day basis. Notwithstanding an acknowledgement that sovereignty still lies in Westminster, there is an acknowledgement that, when those powers are given to the Scottish Parliament, the Scottish Parliament is expected to use them. There would be no point setting up the system if it was to be double-guessed from Westminster. The Welsh assembly will not have that facility, and that will create frustration.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I am following as closely as I can the exchanges between

the right hon. Gentleman and the Secretary of State. The right hon. Gentleman is arguing that the Bill allows the Welsh assembly to block provisions, such as the nursery voucher scheme, by refusing to exercise its order-making power. Is he certain of that, because, from my reading of the Bill, I am not so sure that that is the position?

4 pm

Mr. Wigley: If the hon. Gentleman has doubts about what the assembly will be able to do, I shall listen carefully to his arguments when we explore its order-making powers. At present, order-making powers rest with the Secretary of State and will be transferred to the assembly. A decision by the assembly not to move the commencement orders would prevent orders from being used. Other orders also fall into that category.

I accept that the National Assembly for Wales will be able to prevent provisions from being implemented, but that is a negative role, and I want it to have a creative role, so that ideas that have been bubbling away in Wales in local government, education, health and housing will be able to flourish. If that is true for those areas, how much more true it would be for the Welsh language.

The Welsh Language Act 1993 was dealt with by a Standing Committee which had a majority of Tories who did not represent Welsh constituencies, and who did not know about the prospects and hopes for the language and the need to ensure that we were carrying the whole community with us. Members of the National Assembly for Wales will have that background, because they will be from communities in which that is a material policy. It would be nonsense to have to come to Westminster for the smallest legislative change in the Welsh Language Act 1993 when we have our own national assembly.

The national assembly must have full legislative powers if we are to have a coherent policy. The interface between executive and legislative powers must be clarified. If the national assembly has executive powers but no primary legislative powers, there will be a partial vacuum between the left hand and the right hand, and there is a danger that one will go in one direction and the other in the other direction, especially if there is a difference between the political balance in the assembly in Cardiff, or wherever it may be, and the political balance in the House.

There is also the question of the credibility of the National Assembly for Wales in the context of the European Union. The Secretaries—if that is to be the term—will go to Brussels as part of a United Kingdom delegation dealing with agriculture, the environment, employment and regional policies, which are matters of essential importance to the National Assembly for Wales. If they are regarded as second-class citizens compared with the Secretaries or Ministers of the Scottish Parliament, who will have full, law-making powers under their belt, that will be a retrograde step. The needs of Wales will not have the same credibility as those of Scotland.

Mr. Tam Dalyell (Linlithgow): Ought not the right hon. Gentleman to be a little more careful when saying that the Scottish Ministers will have full law-making powers, because it is clear that no one other than a representative of this House can represent the United Kingdom as a whole?

Mr. Wigley: That is open to argument. Some people take a different view from that taken by the hon. Member for Linlithgow (Mr. Dalyell). I know what stance he takes on the Scottish Parliament, and although I fundamentally disagree with his view, I cannot but respect it, having heard it over the years from the 1970s to the late 1990s.

It is up to Ministers to clarify the position, but I think I know what the Government intend. The agricultural needs of the Scottish and Welsh communities are different, in terms of balance, from those in England, which are dominated by the requirements of barley and grain farmers in East Anglia. When a Welsh national assembly and a Scottish Parliament are dealing with specific needs of that kind, it will be crazy if those who are in charge of the executive functions in Wales and Scotland are not out in Brussels as part of the team and able to argue the case, and I hope very much that that will happen.

I am merely saying that the credibility of those people will be that much greater if they are accompanied by Ministers, with the full implication of that term—or Secretaries, as they will be called in Wales—rather than just going as people in charge of an administrative and executive function.

Mr. Michael Ancram (Devizes): The issue is important, and the hon. Member for Linlithgow (Mr. Dalyell) was right to raise it.

The right hon. Member for Caernarfon (Mr. Wigley) says that he understands that the Government will invite Members of the Assembly who have interests in agriculture and fishing to go to the Council of Ministers, and we have heard from the Secretary of State for Scotland that he intends to establish concordats or agreements to allow that to happen. Does the right hon. Gentleman believe that, in such an important context—in which the voice of Wales and, indeed, that of Scotland will be either heard or not heard in the Council of Ministers—the matter should be left, in the long term, to concordats or agreements? Should not the legislation make the position clear?

Mr. Wigley: I am not sure that it is for me to answer that question; it might be better for a Minister to answer it. I certainly think that we need to understand what the assembly's powers will be—and the Secretaries of the assembly, who will be responsible for the functions concerned, will also need to know the extent of its powers. That stands to reason. The position must be clarified, whether that is done by means of primary legislation—our amendment, along with others, is an attempt to move the agenda forward—by order or through guidelines.

Let me put another point to the right hon. Member for Devizes (Mr. Ancram), and to the hon. Member for Linlithgow. I have the impression that it has been acknowledged in regard to the Scotland Bill that, in some circumstances—one thinks of fishing, in the context of Scotland—a Scottish Minister will be able to deliver the United Kingdom vote in the Council of Ministers. If that is so, we shall be looking for similar powers in relation to Wales.

Mr. Donald Anderson: Surely, in such circumstances, the Scottish Minister would be speaking on behalf of the United Kingdom by agreement, because of the special interest in Scotland. The same applies to forestry. There is only one member of the European Union—the United

[Mr. Donald Anderson]

Kingdom—and the fact that the United Kingdom chooses to delegate to one or other person responsibility for speaking on a particular subject does not detract from that.

Mr. Wigley: I accept, of course, that the Scottish Minister—or, I hope, the Welsh Secretary—will be speaking on behalf of the United Kingdom. I believe that the Welsh Minister would probably have a higher profile in the context of, for instance, minority languages than any other Minister from the United Kingdom. My point is that, in the context of not only the Council of Ministers itself but the negotiations that lead to decisions in the Council, if we have something that is seen to be less than a legislative assembly, a certain amount of the profile and credibility of our Secretaries who go out there will be diluted.

The National Assembly of Wales—or for Wales; we will come to that in a moment—needs to be capable of developing full legislative powers in regard to certain areas in which Wales clearly has special needs. The Secretary of State referred in an intervention to a programme developing over a period. As the Welsh Office has itself developed over the past 30 years—it was established in 1964—it has been able to bring about functions and responsibilities that may not exist in the assembly during the initial period. If, however, the Secretary of State sees the Bill as it stands as part of the programme to which he refers, that is obviously interesting. We accept that everything cannot come to Wales overnight, and that we have to walk before we can run; but I want some clarification in relation to the legislative function referred to in the amendment.

Finally, let me deal with a subject that, although it is covered in the Bill, seems to be covered in a unique way. I refer to the legislative changes with regard to the Welsh Development Agency Bill. I believe that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and I are the only remaining Members who sat on the Committee that considered the Welsh Development Agency Act 1975.

Mr. Rowlands *indicated dissent.*

Mr. Wigley: Of course. The hon. Gentleman was a Minister at that time. I may be the only remaining Member who sat on that Committee. *[Interruption.]* The hon. Member for Swansea, East (Mr. Anderson) was also there.

The Act was important, and it has developed a body that has undertaken an important function for Wales, but the agency needs changing, and changes need to be made to that primary legislation. Those changes are included in the Government of Wales Bill. If people find that similar changes are needed to primary legislation with regard to other bodies in Wales or to other areas of Government policy in Wales, will it be possible to use powers similar to those defined in the Bill for the WDA with regard to those other matters? That is a facility to change primary legislation.

I want to understand whether it will be possible for the assembly to say that other primary legislation needs to be dealt with in this way in order to create the structures—as in the case of the agency—or the policies within which bodies operate in other contexts to meet the requirements of Wales.

Mr. Ron Davies: As the right hon. Gentleman is asking a specific question, perhaps I can resolve the matter. There will be a dynamic relationship between the assembly and whichever Government are in Westminster. If the Welsh assembly wishes to make such a submission, I would hope that there would be a reasonable relationship between the assembly and the British Government—the Westminster Parliament—to allow those arguments to be voiced. Ultimately, however, it would be a matter for the British Government and then this British House of Commons to decide whether they wished to give those powers to the assembly. It would be for this Parliament to give it those powers.

It is not possible at this stage to give a blank cheque to the right hon. Gentleman or to say that that is what would happen, but, if he were to want that to happen, it would be for the assembly or the Welsh Secretary to ensure that the British Government adopted that as their policy, and to introduce appropriate legislation before this Parliament.

Mr. Wigley: I have listened carefully to what the Secretary of State said and I will want to read *Hansard* to ensure that I have understood his words and that what is on the record is clear and undisputed. If I understand him correctly, he is saying that, if, to meet other aspirations, there is a need to change this legislation after it goes on to the statute book, another Act will need to go through Westminster—through the House of Commons and the House of Lords—to give the National Assembly of Wales the powers it may seek.

A Government may be in power here who are willing to give time for such an amendment to the Act, or a Government may be in power who have been in office for 18 years and who are not willing to give the time. If the latter is the case, we have a serious problem.

There should be some mechanism whereby, if the National Assembly of Wales expresses in clear-cut terms the desire for legislation to be passed here, that desire has some precedence and can make some progress. It should have some status, despite the fact that it may not represent the view of the then majority party in the House of Commons. If we do not have that, clearly we are totally at the mercy of the majority party in the House of Commons in relation to any such legislative change.

Mr. Allan Rogers (Rhondda): Bearing in mind the narrow majority—some people might say the minority—of people in Wales who voted for the very limited powers of the present assembly, does the right hon. Gentleman—being the great and wonderful democrat that he is, and believing in the people of Wales—think it appropriate that any extension of powers should not be fought for on the Floor of the House, but should go back to the people of Wales in a referendum?

Mr. Wigley: Conservative Members seem to agree with that intervention by the hon. Member for Rhondda (Mr. Rogers), who I am glad to see has entered the Chamber and joined our debate. Very soon after the referendum, I heard him say that he believed that the

referendum had been held, that a decision had been made, and that the important matter now was to build the best possible National Assembly for Wales. I whole-heartedly agree with him in that aspiration—which, in tabling our amendment, we are attempting to realise. I have heard him criticise the assembly, which was proposed by the Labour party, because it was not strong enough or a real Parliament. Our amendment provides an opportunity for him to join us in the Lobby—to show that he is committed to gaining that real Parliament that will do the real job that is needed for the people of Rhondda and elsewhere. I welcome his intervention.

4.15 pm

Mr. Nick Hawkins (Surrey Heath): Given what the right hon. Gentleman has just said about the referendum result, does he not feel that, for the reassurance of the people of Wales, there really should be a judicial inquiry into polling irregularities? Given the narrowness of the referendum majority as recorded, would not he and Plaid Cymru feel much more confident if we could all see that those results were thoroughly checked?

Mr. Wigley: That is a complete red herring, and a completely unnecessary detraction from the debate. If Conservative Members felt that strongly about the matter, where were they in the two months after the referendum? They had to be goaded into taking any action on the matter by an article in *The Scotsman*; goodness only knows why it appeared in that newspaper initially, but so be it.

A decision has been taken, and, as hon. Members on both sides of the House—even Conservative spokesmen—have said: it is now time to establish the best possible National Assembly for Wales. We must now establish an assembly that works effectively and efficiently and that meets all the needs of Wales, although everyone will not agree with all the details in establishing it.

Our amendment states that, if we are to be clear about the assembly's role, there will have to be a clearer statement of the meaning of the legislative powers provided in the Bill. We believe that, in establishing the National Assembly for Wales, we will get to grips with the needs of the people of Wales only by including in the Bill primary legislative powers for at least some subjects. I therefore recommend our amendment, and I shall listen with considerable interest to the comments by hon. Members from both sides of the Committee, and to the Minister's reply.

Mr. Rowlands: The interesting speech made by the right hon. Member for Caernarfon (Mr. Wigley) prompts me to speak. Like him, I should like to clarify the situation. We did not propose in the White Paper—or to the Welsh people—that the Welsh assembly should be a law-making body and make primary legislation. I think that he will accept that that was not the basis on which we sought the people's assent and consent. His case is that amendment No. 52 is a paving amendment that would extend the Welsh assembly's scope to include making primary legislation.

In the White Paper and in the Bill, we proposed a legislative character for the assembly in the form of order-making powers. I was interested in the right hon. Gentleman's interpretation of those powers. He said that the Bill provides at least the power to block implementation of legislation from the Westminster Parliament and that it would be possible for an assembly to refuse to move or authorise a commencement order for a Bill—which would be one of the most effective ways to negate legislation from the Westminster Parliament.

If that interpretation of the proposed legislative power is correct, it will be a considerable negative legislative power and it does not require the adjective "legislative" proposed by amendment No. 52. The right hon. Gentleman gave the example of education and said that if an assembly had existed it would have been possible to prevent any nursery voucher scheme. I should be very grateful if my right hon. Friend the Secretary of State will confirm that the Bill contains such a power.

Sadly, we must not stray from the subject of the amendment, but I have a horrible feeling that clause 41, one of the most important and confusing in the Bill, may not receive the scrutiny that it deserves. It deals with a complicated matter. I realise that I cannot bring the debate forward, but as the right hon. Member for Caernarfon raised the issue of what functions were or should be in the Bill, I feel that we should have some clarifying statement from my right hon. Friend the Secretary of State as to the legislative nature of the Welsh assembly and its order-making powers.

Do the powers go as far as the right hon. Member for Caernarfon suggests? Will it be possible for the Welsh assembly to negate the effective implementation of any form of legislation from Westminster by refusing to move the relevant orders?

Mr. Wigley: It would be able to block only legislation that required orders. It would be in the hands of the Westminster Parliament to create primary legislation that did not require such orders.

Mr. Rowlands: I appreciate that explanation, but if the United Kingdom Parliament wanted to get around the powers of the Welsh assembly, it would have to reverse the development of shorter primary legislation with considerable order-making powers that has been the pattern of legislative change in the past 50 years.

Many Acts require commencement or implementation orders. Is the power to negate any legislation from the United Kingdom Parliament in the Bill and, therefore, within the legislative capacity of the assembly?

Mr. Ron Davies: In a sense, my hon. Friend has answered his own question as he has said that legislation takes many different forms. Those different forms of legislation can confer different powers on the assembly. That is the essence of secondary legislation. It will be for primary legislation to identify the powers of the assembly to deal with secondary legislation. It is a matter not just of blocking, although that may arise, but of the powers that will be available to the assembly to create distinctive secondary legislation, which might be quite different from the parallel secondary legislation that applies to England, to meet Welsh needs.

Mr. Rowlands: I followed closely what my right hon. Friend said. I can see how a Welsh assembly might exercise order-making powers within the framework of

[Mr. Rowlands]

the primary legislation to create secondary legislation that is different from that which applies to England. Does the term "different from" go as far as making it possible to for the assembly to negate any part of the primary legislation or to prevent it from being implemented, for example by refusing to move a commencement order, or will the United Kingdom Parliament reserve the exclusive right to move commencement orders? Will primary legislation list a series of orders that the United Kingdom Parliament will implement, rather than leave the decision to the Welsh assembly, even in respect of areas and functions that have been transferred to the assembly?

Mr. Davies: The areas and functions being devolved to the assembly are not relevant to the argument. If we do not reach clause 41, I shall be happy to write to my hon. Friend to ensure that by the time the Bill is enacted any outstanding questions that he might have are properly addressed.

I must refer back to my hon. Friend's original question. The answer will depend on the primary legislation enacted by the United Kingdom Parliament. It is quite possible, in one Session of Parliament, to pass half a dozen Acts that give the assembly different powers that might or might not require commencement orders. It will depend on the nature of the legislation and the decision of the House as to which powers are given to the assembly and how they can be exercised.

Mr. Rowlands: I understand that. I shall read carefully what my right hon. Friend has said, but I should like a simple answer to a simple question arising from what the right hon. Member for Caernarfon said. Let us consider primary legislation passed in the House of Commons with a series of orders, including commencement orders, the drafting and enactment of which fall to the Welsh assembly. Will the assembly have the power not to implement the relevant parts of that legislation by not moving the commencement orders or seeking to amend them in such a way that they become not just different from but contradictory to the original legislation?

Mr. Davies: I shall take advice and let my hon. Friend know if my answer is not correct, but I think that it depends on whether the primary legislation says "may" or "shall". If the primary legislation offers the assembly discretion, it can exercise that discretion. If the House of Commons says that it shall make a commencement order, no such discretion will be available to the assembly.

Mr. Rowlands: That is a useful clarification. I am interested in that phrase, "different from". How limited is the order-making power? The right hon. Member for Caernarfon suggested that it would be more than possible for the assembly to block measures. That is the phrase that has prompted me to respond. Is it possible for the assembly to block orders for which it has been given responsibility, resulting in aspects of primary legislation never being implemented?

Mr. Ancram: The hon. Gentleman is making an important point. I should also like to know the answer to the question that he has just asked. He is dealing with possible future legislation. The Secretary of State said that it is up to the House what it passes and what form the order-making power takes. What happens with existing legislation that has a commencement order that has not yet been exercised or operated by order? Will the Welsh assembly be able to block that without the House being able to do anything about it?

Mr. Rowlands: I have no answer to that. I am seeking clarification of what the right hon. Member for Caernarfon said. It would be useful if Ministers could say how far the legislative powers in the Bill go. Having said that, I cannot possibly support the amendment.

Mr. Nigel Evans (Ribble Valley): I am relieved that the Committee stage of the Bill is being taken on the Floor of the House. The Government, in the guise of their earthly presence, the Secretary of State for Wales, have finally come off their high horse and conceded the importance of discussing this major constitutional issue on the Floor of the House. That is important because it is also an acceptance that this is not simply a Welsh issue, but a United Kingdom issue. All United Kingdom Members of Parliament will have an opportunity to have their say on the Bill.

A source close to the Secretary of State, no less, has been reported in the newspapers as saying that the Conservative party has rolled over and died on the issue. That is wrong. We shall give the Bill careful scrutiny and make constructive suggestions, as our amendments show. We shall speak out on areas in which we feel that the Bill can be improved to serve the Welsh people better. Taking a constructive role in proceedings on the Bill does not detract one jot from our desire for democracy in Wales to be properly served.

A sour smell will hang over the Bill, the Act and the assembly, once established, because of the Secretary of State's refusal to hold a proper, independent inquiry into the conduct of the count of the Welsh referendum vote. The Secretary of State says that with some of our amendments, including amendment No. 10, to which I shall speak, we are looking to wreck the Bill. We do not want to do that, or to tarnish the name of the assembly, wherever it is to be sited, but we say that the Secretary of State's stubbornness in not agreeing to an independent judicial inquiry will tarnish the good name of the assembly—

4.30 pm

The Chairman: Order. We are looking forward rather than looking back.

Mr. Evans: Thank you, Sir Alan. What we are looking forward to, surely, is not only the establishment of the assembly, or whatever it may be called—that is the concern of the amendment to which I am speaking—but its good name, irrespective of what its actual name is when the Bill becomes an Act.

I shall now speak to amendment No. 10, if I may. In terms of the good name of the assembly, most of the amendments before us could be described as "scratch it and see" amendments. We scratch them and see what really lies behind the raison d'etre of the assembly. The nationalists have taken off the kid gloves and the pretence; all they want is there for us to see.

If any one factor has been established from the beginning, it is the muddle in which the Bill finds itself. More questions will be asked than answers given. I hope that we shall hear some proper clarification from the Secretary of State. I am sure that the nationalists would love it to be a legislative assembly with primary law-making powers. They are pushing at the edges of the Bill.

Mr. Cynog Dafis (Ceredigion) *rose—*

Mr. Evans: We can forget the White Paper—[HON. MEMBERS: "Give way."] I shall give way in a second.

We can forget the White Paper; we can forget what was put before the Welsh people and what was said about legislative powers in the version of it that went into every Welsh home during the referendum campaign. The nationalists would like matters to be pushed even further.

Mr. Dafis: I was wondering whether the hon. Gentleman would clarify whether he is talking about the Welsh nationalists or the British nationalists who sit on the Conservative Benches.

Mr. Evans: That is an interesting point. If the hon. Gentleman thinks that he can start to meddle with the constitution without there being an impact on the constitution of the United Kingdom as a whole, he is mistaken. Not only Conservatives have been raising questions about various aspects of the United Kingdom constitution since we have gone down the route of devolution; Labour Members, too, will ask those questions. They are legitimate questions that need to be asked.

The nationalists would like us to go further. They are pushing for primary legislative powers and for the Welsh assembly to be turned into a full Parliament—but that is not what the Welsh people voted for, nor what they were offered in the White Paper. Half of those who were asked did not vote at all, and half of those who voted, voted no. Only one in four of the Welsh people wishes to go down that route. That is not a clear endorsement for jumping out of the pan into the fire.

Mr. Ron Davies: On a point of order, Mr. Martin. I am sorry to interrupt, but the hon. Member for Ribble Valley (Mr. Evans) has already been on his feet for five minutes and we have a fairly tight timetable in which to debate all the clauses in the Bill. We are now dealing with particular amendments and, as the hon. Gentleman has been making a Second Reading speech for five minutes, he should now address himself to the amendments before us.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. That should be the case for the whole Committee. The amendments before us are the matters to which we should pay attention.

Mr. Ancram: Who is running the show?

The First Deputy Chairman: I am; do not worry about that. We should confine ourselves to the amendments before us.

Mr. Evans: I am indeed referring to amendment No. 10—we are talking about the name of the assembly. The problem is that the Secretary of State for Wales likes to close down debate whenever he can. He may be good at bullying members of his own party, but he will not be so successful at bullying members of other parties—or the Chairman of the Committee.

Mr. Rogers: It is no good going over old arguments again: the referendum result is known. What is critical remains: the relationship between this Parliament and the Welsh assembly when it comes to legislative issues. My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) has dramatically asked whether the assembly will have just a blocking power or whether it will be able to initiate secondary legislation. We desperately need to tackle that problem, because it is fundamental to the working of the assembly. My view is that the assembly should have more powers, but for goodness' sake let us return to the argument.

Mr. Evans: We are seeking clarification of the issue—indeed, the Secretary of State said that he himself was seeking clarification at one stage.

Mr. Davies *indicated dissent.*

Mr. Evans: That is how I remember what he said at any rate. What the assembly will be and what its name will be are important matters. That is why the nationalists want to call it a legislative assembly; it is also why we have tabled our amendment, which maintains that that is the wrong way to go. The Welsh people do not want it either.

Mr. Paul Flynn (Newport, West): The hon. Gentleman has thanked the Government for acceding to the Opposition's request to deal with the Bill on the Floor of the House. Does he find it disappointing that, of the 600 Members of Parliament who do not represent constituencies in Wales, only five are present in the Chamber, two of them on my side of it?

The First Deputy Chairman: Order. That has nothing to do with the amendment.

Mr. Evans: What disappoints me is the fact that the hon. Member for Newport, West (Mr. Flynn) is here to participate in the debate—

Mr. Wigley: He is a Welsh Member.

Mr. Evans: Funnily enough I am too, although I do not represent a Welsh constituency.

Mr. Gareth Thomas (Clwyd, West): Since the hon. Gentleman seems incapable of making his point, I shall make it for him. His amendment would delete the word "National" in relation to Wales. Does not that reflect the fact that the Conservative party is incapable of recognising that Wales is a nation and should be

[Mr. Gareth Thomas]

recognised as such? The Tories fail to recognise the fact that various nations make up the United Kingdom, which is a unitary state.

Mr. Evans: I shall come in a moment to what the White Paper called the assembly, but I want first to deal with the Liberal Democrats' amendments—

Mr. Donald Anderson: Is the hon. Gentleman saying that Wales is not a nation?

Mr. Evans: That is not what is behind our amendment. I want later to refer to the White Paper the Government published and sent out to people's homes during the referendum campaign.

The Liberal Democrats' amendments are more subtle than their new clauses, the contents of which border on self-delusion. The Liberal Democrats want to call the assembly a senedd—*[Interruption.]* I hope that the Secretary of State will listen, because I am discussing the name of the assembly, which the Government have changed since the time of the referendum. They now want to call it the National Assembly for Wales. I hope that the Secretary of State does not mind our discussing the final name of the assembly in Committee. I understand that he is grappling with the problems of where to site the assembly. Meanwhile, we are talking about what to call it. The Liberal Democrats want to call it a senedd, which is the Welsh word for Parliament.

Mr. Davies: I must explain the cause of my mirth to the hon. Gentleman. Does he not feel that it is presumptuous for him to be dealing with the points that the Liberal Democrats will presumably argue when they have not yet had the opportunity to do so?

Mr. Evans: No, I know no shame. I have learnt that from watching how the Secretary of State behaves both inside and outside the Chamber; I have had a good master.

It would be a mistake to call the Welsh assembly a senedd because that is the Welsh word for Parliament and it will be anything other than a Parliament. It is premature and naive to go down that road because that would only be playing the names game. We do not believe in deluding the Welsh people or anyone else and it would be an insult to call it a senedd.

Mr. Dafis: The hon. Gentleman should understand that Welsh words were not coined to translate English words—or, indeed, French words, which is what Parliament is. The Welsh word senedd is derived from the Latin word senate and has its own meaning. There is no reason why it should be seen as a translation of an English word.

Mr. Evans: I am glad of that clarification. That is lesson in Welsh number one. I am sure that we will have many more during the passage of the Bill. I understand that senedd does not mean a talking shop or an assembly. The senedd was always deemed to be the body that would be there if Wales went down the independence route and thus had its own Parliament. When my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) came to Wales in the 1970s, he was welcomed by some Welsh nationalist demonstrators calling for "Senedd i Gymru", or "A Parliament for Wales". I am sure that the meaning has not changed that much in the intervening period.

Mr. John Smith (Vale of Glamorgan): On a point of order, Mr. Martin. We have been sitting here for some time waiting for the hon. Member for Ribble Valley (Mr. Evans) to refer to the amendments tabled by the Conservative party. We have not yet heard one reason why "Welsh Assembly" should replace the name in the Bill. Can we please hear why it should?

The First Deputy Chairman: The hon. Gentleman has been speaking to amendments in the group. It makes no difference to me whether he is speaking to his own amendment, as long as the audit is one of the group before the Committee.

Mr. Evans: Thank you for your welcome protection, Mr. Martin. It is nice to see the hon. Member for Vale of Glamorgan (Mr. Smith) revisiting the House to make his contribution. He should refer to the Government's White Paper—*[Interruption.]* It is important because, first, it talks about

"A Voice for Wales: The Government's proposals for a Welsh Assembly",

to which amendment No. 10 refers. Then, referring to remarks made in the House it states:

"The referendum offers the people of Wales a new beginning, alongside other successful economic regions"—

not economic nations, but regions. We must look at the way in which the Secretary of State refers to Wales, because he signed that foreword.

What is important is how the Welsh people refer to the assembly once it is set up. Will they call it the National Assembly for Wales, or the National Assembly of Wales? Will they call it the senedd or the Welsh assembly? I shall try to introduce a little common sense into what at times is a desert of national thinking. The Welsh people will, I suggest, call it the Welsh assembly. It is a little like Cardiff Arms park. It is all very well taking it down, turning it round and rebuilding it and then trying to call it the millennium stadium, or something bordering on that, but what will the people of Wales call that rugby stadium? Will they call it Cardiff Arms park? I suspect that that is exactly what they will do—or, perhaps, new Cardiff Arms park, rather like calling the Labour party new Labour.

4.45 pm

Mr. Donald Anderson: The hon. Gentleman is becoming increasingly out of touch with Wales. He seems to be unaware of our great Welsh gift for abbreviation. Hence, the crematorium is the crem and my leisure centre is the lesh. It will certainly not be called the Welsh assembly. It will be the assembly.

Mr. Evans: I am delighted that the hon. Member finished off his comparison. After crematorium became crem, I thought that assembly might become something completely different *[Laughter.]* Thank you, I am here all week folks.

I hope that we will get some common sense. There is no reason why it should not be called the Welsh assembly. I understand that there may well be a legal problem with

translating "Welsh assembly" into Welsh as someone may have the copyright to the Welsh version—one cannot have a copyright to the English version of the Welsh assembly. Perhaps the Secretary of State has more information about that and can enlighten us if that is why it is not being called the Welsh assembly. At least the people of Wales and the people of Cardiff, although they voted no, will refer to it as the Welsh assembly, irrespective of whether it is sited in Cardiff, Swansea, north Wales or somewhere else.

Another amendment in the group refers to tax-raising or tax-varying powers for the assembly. That brings us back to the subject of whether we are to have an assembly or a Parliament. The people of Wales did not vote for tax-varying powers. They saw what they were offered in the White Paper. They were not offered the parliamentary version, but they certainly would not have gone down that route. I do not believe that they would have gone down the route of tax-varying powers either.

Today, I was speaking with some of the farmers who are lobbying Parliament about farm incomes, which have dropped 50 per cent. in a short time. They face one of the bleakest crises ever. Some of them may be listening to our debate and others will no doubt read about it avidly tomorrow in the newspapers. It is appalling for us to be talking about burdening them with extra taxes when their incomes have fallen. This is one reason why the Government never suggested tax-raising powers for Wales—because the assembly will not be the same as the Scottish Parliament. Judging from some of the amendments, however, that Parliament is what some hon. Members want to mimic. It has primary legislative and tax-varying powers, but the Welsh assembly has none of that. We are witnessing moves to give the assembly something that the Welsh people did not vote for, by stealth and without the endorsement of the Welsh people.

I fear for the Severn bridge if we go down that route and if a 3 per cent. tax-varying power is given to a Welsh assembly. Taxes would go only one way—up. I cannot envisage that they would go down if the Welsh assembly were given that power, particularly given the Barnett formula. Many taxpayers in England would have something to say if they thought that their money was subsidising one part of the United Kingdom where people's taxes were going down.

Mr. Richard Livsey (Brecon and Radnorshire): May I draw the hon. Gentleman's attention to the fact that the former Member for Conwy said at the time of the referendum vote and the win for the yes campaign that he thought that the Government's proposals did not have enough teeth and that tax-varying powers would be a great advantage? Indeed, the attraction of a reduction in tax is that it would make Wales a tax haven.

Mr. Evans: I am not sure which is the greater delusion, calling the assembly a senedd—a Parliament—or thinking that if it had tax-varying powers one of its first measures would be to reduce taxation on the Welsh people. I suspect that it would not be, particularly given the demands that would be made on public expenditure in Wales. Irrespective of what the Liberal Democrats say, there is only one way that taxation would go. It is bizarre for a party that thought that putting a penny on the basic rate of income tax was the answer to all evils at the general election to talk in such a way.

Mr. Lembit Öpik (Montgomeryshire): Why is the hon. Gentleman so frightened of trusting a Welsh senedd or assembly with the authority to make decisions that would surely be supported by the majority in Wales—otherwise the individuals would be voted out of office?

Mr. Evans: When 73.4 per cent. of people in Scotland voted yes to the Parliament, only 63.5 per cent. voted yes to tax-varying powers. We can see the gulf. We must remember that only one in four of the Welsh people voted for the assembly. I shudder to think how many would vote for that assembly to have tax-varying powers. I cannot imagine it happening.

If we were to go down that route, the number of holiday homes in Wales would grow dramatically as people vacated Wales and moved just east of the border to take advantage of the tax haven in England. Let us have some common sense and ditch any idea of calling the Welsh assembly anything other than what it is: a Welsh assembly.

Mr. Denzil Davies (Llanelli): Amendment No. 142 would delete the word "for" and insert the word "of". There is no deep philosophical or metaphysical reasoning behind it. I simply thought that the draftsman had made a mistake. The right hon. Member for Caernarfon (Mr. Wigley) also made a mistake, referring to the National Assembly for Wales four times as the National Assembly "of" Wales. Perhaps he does not like the fact that it is "for" and not "of" Wales.

Draftsmen do not usually make mistakes, but even Homer sometimes nods, as somebody or other told us in a poem years ago. Perhaps it is a mistake or perhaps it is a subtle piece of drafting. I do not know what instructions were conveyed. I see that my right hon. Friend the Secretary of State is getting restive.

Mr. Ron Davies: I was getting comfortable.

Mr. Denzil Davies: My right hon. Friend is smiling, but he does not look comfortable. I do not intend to give way to him yet, but I am sure that he would like to come to the Dispatch Box immediately. I do not understand the words, "National Assembly for Wales". I understand "Cynulliad Cenedlaethol Cymru", which I would translate as "National Assembly of Wales". In French no doubt we would have the National Assembly "of" France. I cannot imagine the French saying "for".

Mr. Wigley: Or the Germans.

Mr. Davies: Or the Germans. It would be one long word in German, with a verb at the end, as in Latin.

If there is a national assembly that is for Wales, there must be another national assembly somewhere. "National" cannot refer to Wales in that context, whereas "National Assembly of Wales" would refer to Wales's own assembly. What is this national assembly that is "for" Wales? Perhaps my right hon. Friend could explain.

Did the Lord Chancellor, with his acute brain, honed at the Bar—for vast fees, we are told, but I do not know about that—say that we could not have the National

[Mr. Davies]

Assembly "of" Wales because of the question of sovereignty? Perhaps the Welsh National party should have tabled amendment No. 142.

My right hon. and learned Friend the Attorney-General is on the Front Bench. Perhaps he would like to intervene. He may have had something to do with the decision. I do not remember whether this subtle bit of drafting was contained in the legislation for the putative—very putative—assembly in 1978.

I suspect that there has been no mistake, and that it is a deep point. Clearly, "National Assembly for Wales" sends a signal, especially to the nationalists, that sovereignty resides in the House. Otherwise, the draftsman would have put "of". What does "National" refer to in "National Assembly for Wales"? It is pretty meaningless. Is it a British national assembly? There is no such thing as a British nation, as Mr. Gwynfor Evans used to remind us a long time ago.

Why the convoluted formulation? It does not trip easily off the tongue, as the right hon. Member for Caernarfon said. Why cannot we simply say, "National Assembly of Wales"? It is much better English, and much clearer. Why should it be "for"?

Mr. Livsey: I will now give what I believe to be the correct version of the Liberal Democrat amendments and their meaning. Amendments Nos. 2 and 19 refer to the name of the assembly, suggesting the use of the word "Senedd"; new clause 3 would give the assembly legislative powers; and new clause 4 refers to income tax and the ability to vary taxation.

"Senedd" refers to a senate, and if it was good enough for Owain Glyndwr in Machynlleth, it is good enough for us. It is an accepted bilingual word in Wales that has been known for many centuries and has a meaning for both English and Welsh speakers. It is a simple description. Obviously, it implies that the body has rather more powers than are given in the Bill, but it is our view that the assembly, or senedd, should aspire to a status that is meaningful for a national legislature. The description is dependent on new clause 3 and amendment No. 52.

We believe that amendments Nos. 2 and 19 would provide a far better distinction, avoiding confusion both with a Scottish Parliament and with regional assemblies in England. The changes would make it absolutely clear that it was a Welsh body and the word "senedd" is easy for everybody to pronounce. We all know about the Senate in America and the part that Welsh people played in constructing the constitution of the United States more than 200 years ago. That means a great deal to people in Wales.

Mr. Ancram: Is the hon. Gentleman's idea closer to the model of the Senate in the United States or the one in the Republic of Ireland?

Mr. Livsey: I do not want to go into such deep territory. There are certainly similarities with the Senate in the United States, but the Government of southern Ireland have been reasonably successful with their constitution.

Mr. Flynn: Does the hon. Gentleman agree that the names of most national assemblies and Parliaments of various countries are known to the rest of the world by the name for a Parliament in their own languages? There is only one Knesset, one Duma, one Riigikogu and one Seimas. Is it not inevitable that the press will refer to the Welsh assembly as the senedd, because the press find irresistible the use of two syllables instead of six? While of course I will always loyally support Ministers, it is inevitable that whatever we decide today, the press and the world will know the Welsh assembly as the senedd.

5 pm

Mr. Livsey: I agree with the hon. Gentleman that that will inevitably occur and, knowing the ways of the press, might occur rather more quickly than some hon. Members think.

New clause 3 mirrors amendment No. 52 and would give the assembly the power to legislate. It would bring to the fore the ability of the assembly to introduce Bills and to create Acts. Those may be voted on at the end of the Committee stage. The new clause would also give the assembly the power to make primary legislation. I shall not rehash the debate that we have already had about amendment No. 52, but the Welsh assembly will have powers over many areas that have distinctive features in Wales and may require special attention. For example, hon. Members have mentioned education, and we have a long and honourable track record in Wales of pioneering in education. It is sad that education in Wales does not currently reflect its past glories, but a recent turnaround has displayed signs of hope. We have an honourable tradition in education in Wales and many excellent people have been involved.

Another example is agriculture. Welsh farmers, some of whom came here today, are distinctive: their holdings are roughly half the size of those in England and they depend heavily on family labour. A Welsh assembly might need to address the problems of Welsh agriculture, including legislation from Europe. Housing, too, is an area that could be covered, as the housing stock in Wales is the worst in the United Kingdom. Much work has been done, but we still have poor housing that affects the health of the people. The health service needs of Wales are also distinctive. The health of people in Wales, especially in the south Wales valleys, is poor, as we heard yesterday at the meeting in Cardiff of the Welsh Affairs Committee. We have a great natural resource in water, which was privatised in the 1980s. Long-term agreements were made and leases of 999 years granted, so the Welsh assembly might like to legislate on water. Similarly, we have an abysmal transport system, especially the public transport infrastructure. Understandably, this Parliament has not been minded to take a great interest in the transport infrastructure in Wales because hon. Members who represent other parts of Britain do not use that system. If they did, they would be back here quickly to do something about it.

Economic development is also important. We have tabled new clause 3 because we want the Welsh assembly to have a status worthy of Wales and to earn the respect of the Welsh people. Such an assembly is more likely to be successful. The assembly, in its present form, might not be able to achieve all that it would want and might be just a talking shop. In new clause 3, we are trying to push forward the boundaries and we shall seek to put it to a vote.

New clause 4 has already been mentioned, and I will not go into it in more detail. The new clause refers to tax-raising powers, which we feel are important for a legislature of the type that we support. Liberal Democrats are federalists and we believe in the devolution of power to the regions and countries of Britain.

Mr. Evans: The hon. Gentleman has spoken twice of tax-raising powers. I know that the Liberal Democrats believe in tax raising, but the new clause refers to tax-varying powers.

Mr. Livsey: For once, I accept the accuracy of the hon. Gentleman's comments. As I said earlier, we could have reductions in tax.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): It is ironic that Conservative Front Benchers should make that pedantic semantic point given that, although the right hon. Member for Devizes (Mr. Ancram) campaigned vigorously throughout the length and breadth of Scotland for a no vote, I did not hear him once use the phrase "tax-varying powers"; he always referred to tax-raising powers.

Mr. Livsey: The right hon. Member for Devizes (Mr. Ancram) also visited Wales and argued that the Welsh assembly was not powerful enough because it would not have tax-varying powers. He said one thing in Scotland and the opposite in Wales.

Mr. Andrew Rowe (Faversham and Mid-Kent): The argument about devolution and federalism is complicated. Most federations are composed of regions that have given up part of their powers to the centre for purposes of common use. Devolution is more a matter of a central authority giving some of its power to lower levels. Devolution and federalism are different concepts and the ease with which they are blurred, especially in Liberal thinking, is a mistake.

Mr. Livsey: There is nothing blurred about Liberal thinking. It is clear that what was achieved in the last century through federalism in Australia, Canada and the United States owes much to Liberal philosophy, because it involves constructing powers that can best be exercised at the appropriate level of government. Devolution, in this centralised country in which we live, is about giving powers back to the people so that they can exercise them in the detailed knowledge of what is happening locally. To be fair to the Secretary of State, he has said that he wants to give away powers to the Welsh assembly and he is right to do so.

Mr. Llew Smith (Blaenau Gwent): Does the hon. Gentleman see any contradiction between the wish to give additional, devolved powers to a Welsh assembly and another aspect of Liberal philosophy—the wish to centralise decision making in the hands of an unelected and unaccountable European central bank?

The First Deputy Chairman: Order. Hon. Members must keep to the subject of the amendments.

Mr. Livsey: Thank you for your assistance, Mr. Martin. I shall say only that our amendments are important in respect of the description of the assembly, its legislative powers and its ability to vary taxes. They would create a senedd with real powers worthy of the aspirations of the people of Wales.

Mr. Rogers: I shall briefly deal with the title "legislative" proposed in amendment No. 52. As my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said earlier, the matter is tied up with clauses 41 and 42. There is a real dilemma, beyond talking about silly name changes, about exactly what the assembly will do. There is confusion about whether it will have the power to vary legislation only if such a power is given in every Act that goes through this Parliament or whether it will have a general catch-all power to vary what happens in Wales in respect of all legislation.

Having read clauses 41 and 42, which I hope we will eventually reach, I am more confused than I was when I started. I support the proposal that the assembly should be a legislative assembly because I do not want an assembly that has no more than the power to vary nursery vouchers, for example, or an assembly that is falsely said to have powers that it does not in fact have. One Minister has said that we would not have had the miners' strike if we had had a Welsh assembly; he needed reminding that the strike started in Nottingham. It has been said that we would not have had the effects of Thatcherism with a Welsh assembly, as though the Severn bridge would have cut off the disease of Toryism and Thatcherism at that line. The proposed assembly will not do that for Wales, unfortunately. It will not have the necessary legislative or tax-varying powers. It will not be able to do anything for the economic development of Wales because it will not have the power.

I should like the assembly to have legislative power, but I think that the Welsh nationalists—I must be careful to use parliamentary language—are being a little devious. They have their agenda: a separate Wales with its own Parliament and legislative powers. That is an honest position but it has nothing to do with this debate. What was put before the people of Wales was the proposal that there should be an assembly with the powers contained in the Bill. After all the cuddling that the leader of Plaid Cymru has done over the past few months, he ought to cwch up a little closer now and vote with us.

Mr. Dafis: In responding to my right hon. Friend the Member for Caernarfon (Mr. Wigley), the Secretary of State asked for examples of how primary legislative powers would be useful and of how their absence would be a disadvantage. I thought that I would give some examples involving education.

It is clear that the key task for the assembly, in the context of the priorities that the Government have set, will be to create a first-rate school system in Wales. I shall stick to schools for the moment, and not consider higher education. Our purpose must be to raise standards so that we have the best in the world. That is part of the Government's rhetoric, and I strongly identify with that. The question is whether the assembly will have the necessary powers to achieve such aims.

The previous Government decided that the means to drive up standards in schools was the creation of a competitive market. That was the logic that they applied to the education system, believing that it would achieve

[Mr. Dafis]

the purpose. Parents choosing schools, schools selecting pupils and league tables are all part of the same mechanism. In many ways, the present Government are still pursuing that agenda. The School Standards and Framework Bill has many similar provisions. Without going into the rights and wrongs of that approach in principle, I believe that it is not likely to yield results in Wales. The geography and demography of Wales mean that parents cannot be provided with the significant choice between schools that they need to make decisions on the basis of the standards that schools can offer. It is not a useful mechanism for Wales. We need another approach, but one that nevertheless emphasises excellent standards.

We inherited from the previous Government's reforms a structure that is not conducive to promoting high standards. Key functions, at an all-Wales level, are provided by an unsatisfactory organisational structure. First, there is the Curriculum and Assessment Authority for Wales, which was established by the Education Act 1993. It is responsible for curriculum development, the provision of materials and testing, and it is now also responsible for vocational qualifications. The previous Government decided not to give those functions to the body that existed at the time, the Welsh Joint Education Committee, because they did not want to do anything to strengthen local government. The WJEC was a local government body. It lobbied for the functions to be given to it and that was debated in Committee, but the Government did not want it.

We now have two bodies in Wales: one responsible for curriculum and assessment and the WJEC, which is the examining body. The WJEC is now a limited company owned by local authorities. I cannot see how it makes good sense to separate curriculum development and assessment from examination. Assessment and examination are part of the same process and there is a good argument for merging the two.

5.15 pm

Mr. Ancram: Which amendment is the hon. Gentleman addressing?

Mr. Dafis: I am addressing amendment No. 52 and establishing the case for legislative or equivalent powers. I remember that you, Mr. Martin, were one of the Chairmen of the Committee that considered the matter, so you understand my point. I am considering whether it makes good sense to merge the two bodies. As a matter of interest, the establishment of an all-Wales body, which we might call the education council for Wales, is Plaid Cymru policy. Such a body would have strong local government representation.

Mr. Rogers: Like the WJEC.

Mr. Dafis: Indeed, it would be a body not unlike the WJEC, but it would have the functions of the Curriculum and Assessment Authority for Wales, and would have to be established by statute in primary legislation. It would also have representations from those in higher and further education.

The assembly will have powers in relation to the Curriculum and Assessment Authority for Wales, which is a body from which powers can be taken or to which powers may be added. Under schedule 2, the authority could be abolished. However, I do not think that the assembly could transfer such powers to the WJEC—I would like to be enlightened on this—or, better, revamp it to create an int grated body responsible for curriculum, examination and testing. A further possibility would be to bring in the inspectorate, which is ensconced inside the Welsh Office. We would then have an integrated body for quality control. It seems to me that that would be a very useful instrument in raising education standards in Wales.

It is worth considering local government and its responsibilities in relation to schools. The previous Government exercised a pincer movement on local government which weakened its position and its ability to deliver services to schools. First, they introduced local management of schools. I had no objection in principle to LMS, but the way in which it was done had an effect on local government. Following LMS, the Conservative Government reorganised local government and created small counties and small local education authorities in Wales. The evidence suggests that those small bodies lack the ability to deliver the support services that schools and teachers need to respond to the demands and pressures on them to raise standards.

Small local education authorities do not have the benefit of economies of scale. Some of them are setting up ad hoc co-operation with each other to provide support services. There is a strong case for delivering support services through a national organisation. When I say national, I mean an all-Wales organisation. I think that the word "national" will increasingly be used in Wales to apply to Wales rather than to the whole of the United Kingdom. Some people might disagree with the idea of creating an all-Wales body to be responsible for delivering services, such as in-service training, to schools. Some people might see it as a centralising process, but I do not see it that way.

The important issue for us tonight is whether, if it wished to do so, the National Assembly for Wales would have the power to bring about changes and create structures and systems that are appropriate, suitable and acceptable to Wales in order to raise standards. Most of the reforms of the past 18 years were not ideologically acceptable in Wales. I believe that the answer to my question is no because I do not believe that the assembly would be empowered in that way. It would find itself constrained. It would have to work, manoeuvre and manipulate the situation within severe constraints. It would find itself hobbled like a gipsy's horse in an area crucial for the advancement of Wales as a successful country, which is the enterprise that we are all about.

I applied to sit on the Standing Committee which is considering the School Standards and Framework Bill, but I was not accepted. As a result, there is no Member of Parliament from Wales on that Committee, apart from the Under–Secretary of State for Wales, the hon. Member for Neath (Mr. Hain). There ought to be a Back-Bench Member from Wales on the Committee, but that is by the way. Clause 93 of the School Standards and Framework Bill contains provisions to encourage selection on the basis of ability or, as it calls it, aptitude in a number of subjects. It is not clear to me that Wales would not be subject to the provisions of that Bill. I believe that the selection process would apply to Wales.

It is true that the School Standards and Framework Bill contains a disclaimer in clause 118(6), where it says:

"Any order or regulations under this Act may make different provision in relation to England and Wales respectively."

I am not sure what the word "respectively" is doing there. As I understand it, that clause does not make provision for Wales not to be subject to the provisions of the School Standards and Framework Bill. I should like an answer to my question. How will the Welsh assembly be empowered to do what, for practical reasons, it might feel it necessary to do?

The assembly's lack of legislative power will certainly be a cause of frustration and dissatisfaction to Members of the Assembly. Conservative Members would be delighted at that; it is what they hope for. They hope to see dissatisfaction and frustration in the assembly. If we want to prevent that and, if as I presume is inevitable, the Government do not give the assembly primary legislative powers, some other mechanism must be created. Plaid Cymru Members have suggested this fast-track mechanism. The Secretary of State spoke cautiously and promisingly on this important issue.

The amendment should be acceptable to hon. Members on both sides of the Chamber because it accepts that primary legislative powers should remain at Westminster. That is not where I come from, and the Secretary of State understands that; I do not have to explain the point. The amendment respects the conviction of people in this place that this is where primary legislation ought to be made. It does not seem to me unreasonable that the National Assembly for Wales should have the serious power to tell the House of Commons that it wishes primary legislation to be enacted in a particular way, and that the House of Commons should respond positively. That is a practical way ahead which would enable the assembly to do its work effectively and set in place the type of measures that we all want in order to make it a success.

Mr. Rowlands: I am following the hon. Gentleman's remarks closely. He has used as an illustration a Bill that is before the House and that will spawn orders even after the assembly has been established. What is his reading of the provisions in the Government of Wales Bill with regard to orders? How does he see it working with the orders that might come out of the School Standards and Framework Bill?

Mr. Dafis: I shall not hold a seminar on the contents of that Bill except to say that, in some clauses, the Secretary of State is given power to bring orders before the House. In those circumstances, the assembly could pursue its own priorities and not implement them as they are likely to be implemented in England. On Second Reading, the Secretary of State for Education and Employment told me clearly that any discretion that the Welsh assembly would have—he said that it would have considerable discretion—would be subject to the principles set out in the Bill.

The principles in the School Standards and Framework Bill are not all that different from the principles of the previous Government. The Bill is about selection and competition. However, in some clauses it is clear that the provisions of the Bill would not have to apply to Wales. The clauses on education action zones are one example. I do not believe that the Secretary of State for Wales would have the ability to opt out of selection, and schools in Wales would be empowered to set about the process—

The First Deputy Chairman: Order. The hon. Gentleman is dwelling on selection in education for far too long. We are talking about amendments on legislative powers. Education could be one of those powers, but to dwell on education is to stray away from the amendment before us.

Mr. Dafis: I am grateful to you, Mr. Martin. You were one of my early instructors in the niceties of this place, and I certainly bend to your judgment. I have almost finished. I think that the point has been made.

5.30 pm

Mr. Rhodri Morgan (Cardiff, West): The amendments cover a variety of subjects, and I should first like to consider whether the introduction of tax-varying powers would make sense or not. In the light of the referendum result, there is no question of supporting their introduction, because that referendum was fought on Government proposals that excluded such powers. Their subsequent introduction would be such a departure in principle from what was put before the people of Wales at that referendum that it would invalidate the legislation, because it would invalidate that very referendum. There is no question about that.

I should also like to refer briefly to the amendment tabled by my right hon. Friend the Member for Llanelli (Mr. Davies) and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). My right hon. Friend was quite right to say that there is a dissonance between the Welsh and English versions of the title of the assembly, which is unacceptable. Either the Welsh should read "Cynulliad Cenedlaethol dros Gymru" or the English should read, "National Assembly of Wales". Perhaps it does not matter which version is used, but there should not be a difference between the Welsh and English versions. Someone has got something wrong, and we need to change either the Welsh or the English. That difference must be overcome.

I must admit that my instinct is to support the amendment proposed by my two distinguished Back-Bench colleagues. I do not believe that it makes a huge amount of difference, but I hope that the Government will show some flexibility on the matter.

Mr. Ron Davies: I am rather amused to hear my hon. Friend's reference to a dissonance between the English and Welsh language versions. I understand that the proposition that the assembly should be called the National Assembly for Wales was first put forward in the other place by the chairman of the Welsh Language Board, and that that suggestion commanded all-party support. There is a pretty strong body of support for that option.

Mr. Morgan: Pretty strong is as pretty strong does, but that is not a sufficient reason for a distinction between the Welsh and English versions. That needs to be sorted out. It is not a sufficient reason to deny the House the right to differ from someone even as distinguished as the former hon. Member for Meirionnydd Nant Conwy, Dafydd

[Mr. Morgan]

Elis-Thomas. We should make our own minds up about it, and if we differ from a distinguished Member of the House of Lords and the chairman of the Welsh Language Board, so be it.

I hope that my right hon. Friend the Secretary of State is not suggesting that that individual, as chairman of the Welsh Language Board, approved the translation into the Welsh, which is incorrect—it is more likely that an error has been made in the English version.

Mr. Davies: I am not suggesting that. I am listening carefully to my hon. Friend's argument. I suggest that the other place will want to reflect on its original debate and on the debate in the House about the dissonance between the English and Welsh language versions and whether that is acceptable.

Mr. Morgan: Let me put it more frankly, so that the other place can reflect upon it more honestly—the chairman of the Welsh Language Board was talking rubbish.

It is clear that the introduction of tax-varying powers is a no-no following the referendum. That would defraud the people of Wales, and render the entire referendum campaign nonsense. Those of us who slogged our guts out during that campaign would not like to think that we would have to do it all again to seek approval for the assembly to have tax-varying powers. That option is absolutely out for all of us.

The question of law-making powers is slightly different, because of the possibility that the Bill offers a law-making element in a Henry VIII clause which is equivalent to primary legislative powers. That possibility has accounted for the bulk of our discussions since 3.40 pm. I believe that the Secretary of State has referred to that possibility in some of his interventions. We are referring to the power either to block or to initiate legislation.

A lengthy discussion has been held between my hon. Friend the Member for Merthyr Tydfil and Rhymney and Liberal Democrat and Plaid Cymru Members about whether the power to block legislation is contained in the Bill. That power could be construed as equivalent to being able to block primary legislation from the House. The Secretary of State placed more emphasis on the ability to be creative and the power of the assembly to initiate the equivalent of primary legislative powers through a Henry VIII clause.

I am not a parliamentary draftsman, so it is difficult for me to define exactly where that power appears in the Bill. Somewhere between clauses 29 and 41 there appears to be an opening provided by such a Henry VIII clause. My right hon. Friend the Secretary of State appears to have made it clear in his interventions that such a possibility exists. Although that power would be under a secondary legislative one, in certain minor areas it would be equivalent to primary legislative powers. In the end, it does not matter whether that power is described as primary or secondary: it is the power itself that is of interest to people.

It seems that it is my right hon. Friend's intention that the assembly should have the power to initiate legislation. Whether the assembly would have the power to block adverse legislation which is passed by a Government of a political party of a different colour from that representing the majority in the Welsh assembly needs to be clarified, either when a Minister responds to the debate or at a later stage in our deliberations. It would be preferable if one of my right hon. Friend's colleagues sought to answer that question in the response to the debate.

We are satisfied that it is my right hon. Friend's intention that the assembly should have the power to initiate. That important power to an extent answers some of the objections and whinges expressed by the president of Plaid Cymru, the right hon. Member for Caernarfon (Mr. Wigley), who moved amendment No. 52. We would be grateful for some further elucidation of the possible powers to block legislation and where that authority rests in the Bill. There has been a great deal of talk about that this afternoon.

I differ from my hon. Friend the Member for Newport, West (Mr. Flynn) about the name of the proposed Parliament. What does one call a legislature, debating chamber or body? There is a case for allowing the assembly to make its own choice. I disagree with the hon. Member for Ribble Valley (Mr. Evans), who said that it will be known as the Welsh assembly. He is trying to predict the future, which is difficult, but the principle behind his remarks is right.

We should try to fit in with what the people of Wales call that Parliament. We should not be too prescriptive. If we offered the Welsh assembly the freedom to decide its name, would it be terribly pompous and try to inflate its importance, or it would follow what the man or woman in the street called it anyway?

The problem with the name "Welsh assembly" and the objection to it which arose during the referendum campaign is that the word "Welsh" has two meanings. One means the Welsh language, and the other that it is of Wales. It is one of those things that we cannot get away from.

One of the main purposes of changing from the name Welsh assembly to National Assembly either of or for Wales is to clear up the confusion that exists in some people's minds. They ask whether, if one calls it the Welsh assembly, that means that one must be able to speak Welsh to take part in its proceedings. It is a big problem, which we met during the referendum. I believe that the alternative title of National Assembly gets around it, although I prefer National Assembly of Wales to National Assembly for Wales.

Is there a further advantage in trying to give the assembly a bit of local colour by encouraging the use of the word senedd? The hon. Member for Ribble Valley is incorrect to say that that word is used only as a direct translation of the Anglo-French word Parliament. I must tell him that, until the first world war, the word senedd was not used very much, and the Welsh word for Parliament was Parlmant, with an "a" not an "e" and without anything between the "l" and "m". It was the Welsh version of the Norman French instead of the English version of Norman French. The use of the word senedd started to gain a grip only after the first world war.

The hon. Member for Ribble Valley has already been told, quite correctly, by the hon. Member for Ceredigion (Mr. Dafis) that "senedd" is a translation of senatus. It may have a bit of the word "synod" in it as well. It is confusing for us all, but if it was a direct translation from

senatus I am told that it should be spelt senawd, not senedd. I do not know whether the hon. Member for Ceredigion can confirm that, but perhaps it comes from the Greek word "synod", which has an entirely different meaning, but which, fortunately, tends to mean the same kind of thing—a debating body.

It is all very confusing, but the names of Parliaments are always confusing. I am afraid that my hon. Friend the Member for Newport, West is wrong. The BBC always refers to the Japanese Diet, but that word is unknown in Japan. The Japanese word for its Parliament is Kokkai. The BBC refers to it as the Diet perhaps because it thinks that the Japanese word is open to misinterpretation. What does Diet mean? It means a body that meets for one day.

The lesson we must learn is that there is never an accurate translation of the names for assemblies, Parliaments, councils, diets, folketings, sejms, majlises, or any word for Parliament. Any name must develop in a way that is natural and meets with the approval of the people whom that body is trying to serve. That is the important point—the name should evolve naturally, but we are trying to predict what will evolve naturally in Wales.

Will the people of Wales prefer to use a Welsh-language but easy-to-pronounce term like "senedd", or will they prefer a word like "assembly"? Do they like the Welsh word "cynulliad"? I do not think they do: the word cynulliad is rather complicated, as if one had chewed a dictionary for breakfast. Many people do not like it, and will probably never use it, so we need a simpler Welsh version.

That is the main reason for looking for something else. "Cymanfa" has associations with singing in chapel, but it is probably a better translation of assembly than cynulliad. I admit that I have never liked the word cynulliad; I do not think the word trips happily off the tongue even of Welsh speakers, let alone those who are learning Welsh or who have no Welsh at all. We must try to evolve words—possibly leaving the matter to the assembly itself—which trip naturally off the tongue of the people of Wales and which indicate the affection and respect in which the body is held by the people of Wales.

The question whether we should aim at a full primary legislative body is ruled out by the terms of the referendum, but—provided the Secretary of State confirms that there is a clear intent to have a Henry VIII power in the legislation—there is nothing to stop the assembly reforming public bodies in Wales and dealing with other matters. The House is always bored when dealing with such matters—we remember the farcical proceedings over the reform of Welsh local government and the Welsh Language Act 1993—and, in future, Parliament will generally expect the Welsh assembly to deal with them.

In future, if legislation of a primary, secondary or hybrid nature is required, hon. Members here would prefer not to slog away until 10 pm on matters that should be dealt with by the Welsh assembly. That is the way the two bodies will come to work together naturally. I do not see any problem with allowing a matter that was in the White Paper and therefore was there when the people of Wales voted in the referendum to be expanded, but we cannot introduce something completely new, such as tax-varying powers, which were clearly excluded when the proposition was put to the people of Wales.

We must also be aware that, if the Welsh assembly is to participate in certain supranational bodies, such as the council of the isles mooted by the Government—depending on whether that idea comes off as part of the Northern Ireland peace process, what the council can do and the right to participate being granted—it may be that we will need to consider whether any adaptation of the legislative powers referred to in the Bill is necessary in order to permit the Welsh assembly to play the part intended for it in that council.

Mr. Ieuan Wyn Jones (Ynys Môn): I have been listening carefully to the debate on this group of amendments, especially the amendment moved by my right hon. Friend the Member for Caernarfon (Mr. Wigley) on the issue of legislative powers. Despite his eloquence and the powerful case he put forward, I suspect from his interventions that the Secretary of State is unlikely to concede the amendment. However, another possibility is open to the Secretary of State, which has been put to him on more than one occasion.

In the absence of legislative powers being transferred to the national assembly, how will Westminster deal with a legislative framework to develop its powers in respect of secondary legislation? The Secretary of State has said that the assembly will need to find a dynamic relationship with Westminster. There will always be such a dynamic relationship, but I suspect that it will work best when the Welsh assembly is governed by a party that is largely in sympathy with the party governing in Westminster. The right hon. Gentleman has to accept that his case tends to fall down when the Government in Westminster want to introduce legislation that is diametrically opposed to what the settled will of the Welsh people, through the Welsh assembly, wants to achieve.

We have to look at circumstances in which that might happen. The Secretary of State has said that, in future, the Conservatives might have a majority in Britain that would enable them to govern in Westminster. I am not interested in the likelihood that, in the first term of a Welsh assembly, there will be a Labour Government and an assembly in Cardiff that is sympathetic to that Government; but I ask the right hon. Gentleman to address the situation in which there is a Conservative Administration here in Westminster and a non-Conservative Administration in Wales.

5.45 pm

Mr. Ron Davies: The principle has to be the same, regardless of the nature and political colour of the Government here in Westminster. The hon. Gentleman should not strain too much against the prospect of improvements in the Conservative party. It is a serious point that the Conservative party is currently going through an ideological debate and will eventually emerge as a party that recognises that power is best devolved. It was interesting to hear the Conservative spokesman arguing strongly that the assembly would provide a powerful voice in Europe and that we should put on the face of the Bill the assembly's representative powers in respect of Europe. If that sort of progressive thinking develops, who knows what sort of Conservative Government we might have in 10 or 15 years' time?

Mr. Jones: That is an interesting point and it has merit, because the logical outcome of the Conservatives' attacks

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on the Bill is that they would either abolish the Welsh assembly and the Scottish Parliament, or opt for the federalist solution. Nevertheless, the great danger facing the Welsh assembly is that it might find that it wants to put something right in a way that requires legislation, but is unable to act quickly because of the Westminster logjam.

Let me give the Secretary of State two brief examples. He will know that, occasionally, Bills come to the House simply to raise the borrowing powers of the Welsh Development Agency, because that requires primary legislation. We can assume that that will be necessary in future, and, although such legislation passes through the House quite quickly, a time and a slot have to be found in the Westminster timetable. Let me give the right hon. Gentleman another example.

Mr. Davies: Before he does, the hon. Gentleman should reflect on the fact that the previous Conservative Government allowed for those increases to be dealt with in future through secondary legislation.

Mr. Jones: That was a change.

Let me put another point to the Secretary of State. He will know that we have had some interesting discussions in the Select Committee on Welsh Affairs on the issue of conterminosity. The Welsh assembly will be given powers to change the boundaries of quangos, but not of local authorities. There is a powerful argument in favour of conterminosity—in other words, that services should be developed within boundaries shared by quangos and local authorities. Major legislation might not be needed for that to happen—a small Bill might suffice.

If we had a fast-track procedure—which might not require amendments to the Bill, but only changes in the Orders of the House—and the Welsh assembly made it clear to Westminster that it wanted a small legislative change to be made, all that would be needed would be for the Bill making that change to go through a revamped Welsh Grand Committee. It would not tie up the House in a lengthy procedure. It could adopt an easy procedure—the Welsh Grand Committee. I see no reason why that could not be considered.

Mr. Dalyell: Before we leave the subject of conterminosity, will the hon. Gentleman forgive me for asking whether he will be a conterminous Member of Parliament?

Mr. Jones: I shall not enter that debate; I simply wish to put a serious point to the hon. Gentleman.

In north Wales, many local authorities deliver social services, and a trust delivers community care. When Gwynedd health authority and county council were in existence, community services could be developed on the basis of geographical area. That possibility has been lost as a result of the changes in local government and how the health service has developed.

There may be other ways of proceeding, but the Welsh assembly will be unable to follow that course, because, while it can change the boundaries of the quangos, it cannot change the boundaries of local authorities. Therefore, although the Government could consider using other procedures, a fast-track procedure would assist the Welsh assembly in implementing its policies, provided that a major piece of legislation is not involved.

It is generally accepted that one of the dangers for the Welsh assembly in its early years is that it might be frustrated from making simple changes—those that call not for major legislation but simply for minor amendments of the kind that I described. It would be frustrating for the Welsh assembly, in its first term, to find that the Westminster Parliament could not find time to implement Welsh legislation. A fast-track procedure would remove the intense frustration which Assembly Members may feel.

Mr. Ron Davies: The hon. Gentleman has argued that case before, and I have always listened carefully when he has done so. First, it is important to establish the assembly, and the assembly will have a heavy responsibility to prove itself. Secondly, what the hon. Gentleman argues for cannot be legislated for in the Bill, because it is for the Westminster Parliament to adopt its own procedures.

I have long argued that constitutional change is a process of evolution. The assembly must establish itself, and if circumstances arise in which relatively minor changes are needed, it will be a case of waiting for the relationship between the Welsh assembly and the Westminster Parliament to mature. The assembly must establish itself in such a way that the House feels comfortable about adopting new procedures to facilitate the assembly's wishes.

Mr. Jones: That was an extremely helpful intervention. The Secretary of State acknowledges the fact that circumstances could arise in which that procedure could be used. I am grateful to him for acknowledging that there is a strong case for that. I suggest that the Committee considers that that option will be available to the House. Now that we have it on the record that it is a matter for discussion, we should pursue it when the opportunity arises.

Mr. Donald Anderson: Clause 1 is the foundation clause for the Swansea assembly. I draw three conclusions from the debate so far. First, the Conservative party in Parliament has not come to terms with the result of the referendum. Its spokesman, the hon. Member for Ribble Valley (Mr. Evans), used expressions such as out of the frying pan and into the fire. His speech was negative and carping—and some distance away from what I hear from Conservative party members in Wales.

Secondly, all the interesting wordplays that we have heard, adding to or subtracting from the definitions in the Bill, tell us something about those who suggest them. They are trying to reconstruct the assembly as they would like it—with more legislative powers, with tax-raising powers or diminished powers—not as it was broadly endorsed by the people of Wales and in the White Paper.

Thirdly, the right hon. Member for Caernarfon (Mr. Wigley), my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) and the hon. Member for Ynys Môn (Mr. Jones) put their fingers on a key point relating to the interface between this Parliament and the proposed assembly. Of course there are likely to be frustrations, because politicians in the assembly will

have a vested interest in pushing the boundaries further, while some hon. Members in this Parliament will take a minimalist view.

However, the Secretary of State should answer this simple question: are there circumstances in which the assembly can refuse to implement an order that applies to the rest of the United Kingdom? If so, in which circumstances will that be possible? I hope that he will answer not just in a letter to my hon. Friend the Member for Merthyr Tydfil and Rhymney but will tell all hon. Members. How do we deal with the serious problem described by the hon. Member for Ynys Môn and others: how to implement speedily relatively minor matters relating to the assembly on which everyone agrees and which do not detract from the sovereignty of this Parliament? I invite interested hon. Members to make a submission, perhaps in the light of experience of the workings of the assembly, to the Modernisation Committee. If it is a problem, I hope that it can be dealt with reasonably by people of good will on both sides.

Perhaps I may outline a few of the principles that the House should adopt. This is an evolutionary situation because we have no constitution and the Bill is not set in stone. No institution is static; institutions are dynamic and will progress. A big step has been taken: we are to have an assembly for, or of, Wales. It is therefore a matter of adapting. I believe that the European Parliament was first called the European Assembly. I have used the analogy of the Welsh Office before in the House. The Welsh Office was a pretty puny creature when it was first created; the fact that it now has much greater powers simply reflects the fact that all institutions are dynamic and evolve with the passage of time.

The second principle is that constraints are imposed on us by the referendum. As my hon. Friend the Member for Cardiff, West (Mr. Morgan) ably said, although the referendum showed an acceptance of the Government's proposals, it only just showed acceptance. The slim majority imposes certain constraints. For example, no one who wanted the assembly to have much greater powers would have voted against it. Hence one can conclude that, had the Government proposed greater powers—in terms of primary legislation or taxation for example—the people of Wales would not have accepted the assembly. That should impose a certain humility on us as we frame the legislation to establish the assembly.

The third principle concerns the constraints imposed by the nature of Wales. I shall not go into the divisions in Wales between the north and the south, and between those who use the Welsh language and those who do not. Happily, through wisdom, we have developed a consensus and we should do nothing to upset it.

The final principle is clear. Wherever possible we should trust the assembly people. We should not be too prescriptive. We should give them as much discretion as possible so that they can work out their own rules and procedures. We should not put a straitjacket on them, but trust them to make up their own rules.

6 pm

I shall briefly apply those broad principles to the amendments. The ability to make primary legislation would be against the spirit of the referendum and should not be adopted. I understand the argument about the word senedd, but language can be an explosive issue in Wales. Happily, we now have a consensus. I pay tribute to the previous Government for the Welsh Language Act 1993, which drew the sting out of what might, in other circumstances, have been a highly divisive matter. The use of senedd may have sent out the wrong signal, whereas the term Welsh assembly gives the right consensual signal.

On whether it should be the National Assembly of Wales or for Wales, I do not understand the semantics. Although for Wales may sound a little patronising, it assumes a unitary government for the United Kingdom. The danger is that an assembly of Wales may imply that Wales is a single entity separate from the United Kingdom. That may or may not be the reason. My hon. Friend the Member for Cardiff, West mentioned the German precedent. I knew a German called Mr. von und zu Guttenburg; we used to say that he did not know whether he was coming or going. I hope that we do not have a messy compromise: I am happy with the present formulation.

I promised to be brief. I have explained the spirit in which I believe we should approach the amendments, given the constraints. We should proceed on a consensual basis and, above all, trust in the assembly so far as is possible. We should be ready to smooth the way if necessary by sensible amendments to our procedures in the House.

Mr. Dalyell: As the first, and possibly only, non-Welsh contributor from the Labour Benches, I feel like a guest who is expected to behave himself at the party. I want to ask the Secretary of State two questions. First, when he intervened during the speech of the right hon. Member for Caernarfon (Mr. Wigley), he referred to a developing relationship; later, in another intervention, he referred to a dynamic relationship. Other hon. Members from all parts of the United Kingdom are deeply affected by the Bill. I am curious to know at what point there will be a stop to this developing relationship. The Secretary of State's remarks were very interesting and revealing and we are entitled to know what is in his mind.

Secondly, the Secretary of State referred to *The Scotsman*. As a Scot, I believe what *The Scotsman* says about births, marriages and deaths. I also believe *The Scotsman* when it comes to football scores. Beyond that, I tend to be sceptical. I am not jumping to the conclusion that *The Scotsman* has got it right. Day after day, we are regaled by the so-called iniquities of the Welsh referendum. Will the Secretary of State put on record his view of what *The Scotsman* has been up to, because it has written a heck of a lot about that? I am a simple seeker after truth.

Sir Raymond Powell (Ogmore): I shall be brief, unlike some people who say that they will be brief and then take 25 minutes when everyone is waiting to finish the debate at 6 o'clock.

I want to refer to amendment No. 52, because I would be appalled by the creation of a legislative assembly in Wales. I have made myself abundantly clear on that topic and my view accords with Labour party policy. As a supporter of Labour party policy on most issues, I resist Plaid Cymru's advocacy of a legislative assembly. There is no doubt in my mind that the nationalists want a legislative assembly in Wales: they have wanted to

[Sir Raymond Powell]

achieve that in all the 35 years that I have been active in politics. I am sure that my hon. Friend the Member for Linlithgow (Mr. Dalyell) would say the same with regard to Scotland.

We will not have a legislative assembly in Wales: that was made abundantly clear in the White Paper. That is also what the people who voted in the referendum decided. Will the Secretary of State tell us whether any of proposals in the first set of amendments were included in any way, shape or form in the White Paper?

Dr. John Marek (Wrexham): I agree that the Bill should be as close as we can get it to what the people of Wales voted for in the referendum. It may not be exactly what we want: all of us wanted something different. I should have liked parts of the Bill to be different, but I accept that any large measure of legislative powers for the Welsh assembly would be inappropriate. It is easy to say that, but it is not so easy to define the word "legislative". The Bill uses the word "legislation" but it is always preceded by the word "subordinate". The legislative powers of the Welsh assembly will be subordinate.

We can explore that a little further and try to define subordinate legislative powers. It is conceivable that, when the Welsh assembly is established, the House could pass an enabling Bill that left everything to be decided by order or by regulation. Technically, that would be subordinate legislation. However, it is easy to envisage a different Administration introducing not an enabling Bill but legislation in which everything is prescribed, thus making any subsequent orders or regulations completely unnecessary. In that case, the Welsh assembly would have no powers, because it could not even block an order or regulation. What is primary legislation in one scenario is subordinate legislation in another.

I would not say that there is confusion, but a wide interpretation is available of what constitutes legislation—whether it is subordinate or primary. I hope that we will set up a Welsh assembly and that the Bill will complete its Committee stage successfully, but, if that is to happen, we must adopt the suggestion of my hon. Friend the Member for Swansea, East (Mr. Anderson): we must not put the assembly in a straitjacket.

One of the amendments says that there should be a National Assembly of Wales rather than a National Assembly for Wales. Let us suppose that, having come into existence, the assembly wanted to call itself the National Assembly of Wales, perhaps after consultation in Wales. I understand that, simply because the name would be in the primary legislation that we would be passing here, it could not be changed. That cannot, or should not, be the House's intention. The House cannot think it right for decisions that it would probably wish to devolve to the Welsh body not to be devolved because of what was in primary legislation—the Government of Wales Bill.

Let us not put the Welsh assembly in a straitjacket. Let us be a little generous. It must be possible to design a way of retaining the safeguards for the House: the Scotland Bill may show us how that can be done. Let us, however, allow the Welsh assembly some latitude in regard to matters that, according to any sensible person, it ought to be able to debate and decide on. Let us not have laws and rules that remind us of the well-known phrase about the guidance of wise people and the obedience of fools, preventing the Welsh assembly from carrying out its proposals as it would wish to do.

How are we to arrange that? I hope that my right hon. Friend the Secretary of State will be able to consider the matter. I do not expect instant answers, but my right hon. Friend has heard pleas from my hon. Friend the Member for Swansea, East, from my hon. Friend the Member for Cardiff, West (Mr. Morgan) and, probably, from a number of other hon. Members, including me. There must be safeguards preventing the Welsh assembly from assuming legislative powers beyond those that the Welsh people expected when they voted in the referendum on 18 September, but there are other legislative powers that I think it would be sensible to allow. We should at least allow the possibility.

Let me give an example that is, or was, dear to the Secretary of State's heart. I refer to the Cardiff bay barrage. Any reasonable argument would suggest that the matter should have been decided by people in Wales, preferably people in south Wales. It certainly should not have been decided by the House of Commons. The Secretary of State will remember very well our debate at 3 am, or 4 am, when, by the force of sheer argument, we defeated the proposals that had been submitted to the House—only for English Members representing constituencies well away from Cardiff to force through legislation that most Welsh Members did not want.

I hope that legislation such as that would be considered appropriate for the Welsh assembly to pass. Cannot a form of words be incorporated in the Bill to allow such sensible measures to be debated and decided on in the assembly?

Mr. Wigley: The hon. Gentleman has drawn together many of the strands that have arisen in the debate. Surely what we need is an order-making facility in Westminster, allowing the National Assembly of—or for—Wales to take on a legislative role for a specific purpose. If that were provided, there would be a longstop here with regard to the functions that could be transferred, but the assembly would be able to get on with the job rather than having to wait for an inordinate time in the queue for legislation here.

Dr. Marek: I do not dissent from a word of that. The right hon. Gentleman puts it very well.

Mr. Ron Davies: I must put one point on the record, because I do not want the impression to be gained that the right hon. Member for Caernarfon (Mr. Wigley) will gain the success for which he is arguing. I refer him to our earlier debate with the hon. Member for Ynys Môn (Mr. Jones). What we must do now is get the assembly established.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) asked me to explain what I meant about a developing relationship. The assembly will have to establish itself. There will be concordats between it and this place; there will be working relationships between it and the Westminster Government. It is in the light of the way in which the assembly operates, and in the light of needs that will be demonstrated in the future, that this place will have to look to its own procedures—but that is a matter for Parliament, not a matter for the assembly. It is for the assembly to make recommendations, but not to decide.

6.15 pm

Dr. Marek: Clearly the position will develop, so I will not go into it now; but the argument stands that we should not let the precise wording of the primary legislation that we are passing here now prevent any future relationship from developing.

I will not say too much, because I know that hon. Members want to proceed to the next debate. Let me say, however, that the Scottish way of doing things was easier, and more all-embracing, simply because a different referendum was held in Scotland. As a result of the proposals for us in Wales, rather than being given permissive powers, we have been given virtually all the Bill's proposals in a straitjacket. There is a churlish acceptance that certain functions must be devolved, and it has been promised that certain powers will be handed over by the Secretary of State for Wales; but the powers are circumscribed as much as possible, wherever possible. The problem lies with the principle that guided the drafting of the Bill. I ask the Secretary of State to consider this proposition. If the assembly is to be constrained by a tight corset preventing it from exercising certain powers, there will be precious little room for beneficial development of its role.

Mr. Öpik: Is it the hon. Gentleman's understanding that a consensus seems to be developing—that we are not closing the door on the evolution of a devolved assembly with law-making and tax-varying powers?

Dr. Marek: The hon. Gentleman must not take me too far along that road. It is a road that I would be prepared to travel, but I am bound by a self-denying ordinance. The Welsh people voted for a particular model of assembly, and I think that, by and large, we should deliver what they voted for. I do not think that we need any development of law-making powers.

Is this to be an assembly for Wales, or an assembly of Wales? That ought to be something for the Welsh assembly to decide, but under the present rules it will not be able to do so. We shall have to do it here, which shows something of the problem involved in drafting devolution legislation as it has been drafted in the Bill.

Let me suggest to the Secretary of State that, on this minor matter, he should consult the other parties. He will probably resist the amendment tabled by my right hon. Friend the Member for Llanelli (Mr. Davies). If it were pressed to a vote, I would be tempted to vote for it, but I would fear for my safety from the Government if I voted against them again too soon after 10 December—or 11 December, or whenever it was. I think that we can get together and see whether there is general agreement in favour of a change. If the Liberal Democrats, the Welsh nationalists and the Conservatives—if they have any interest in these matters; I do not know whether they do—think that it would be better for us to have a National Assembly of Wales, why do we not have such an assembly? It does not matter. It is a trivial point.

The important point is that the assembly will not be able to decide its name. The Government need to think about whether they can loosen the tight straitjacket, as my hon. Friend the Member for Swansea, East said, so that the Welsh assembly has a little legislative freedom.

Ms Julie Morgan (Cardiff, North): I am pleased to be called to speak. I will be brief because I am aware that we have been at this debate for three hours, but it is important that a woman from Wales should speak to the proposals.

When we were knocking on doors during the referendum campaign, two main points came over from people in Cardiff. One was that they were concerned that Welsh speakers would dominate the assembly. We addressed that issue a little when we discussed the name. The other point was that the assembly was about jobs for the boys. We have heard much from all the boys tonight, but I hope that, when we discuss the clauses on election methods, we will be able to talk more about that aspect.

Most of the points that I wanted to make have been covered. Most of the amendments have to be resisted because, in the referendum, we campaigned on the fact that there were to be no tax-raising powers and no primary legislative powers. I said in many places that that was what we were campaigning for and we are bound to keep to the spirit of that policy.

We should not play down the powers that are in the White Paper, the Bill and the secondary legislation. There is tremendous scope there for building Wales and for making a truly representative and strong assembly. The Bill presents us with a tremendous opportunity.

Ms Jackie Lawrence (Preseli Pembrokeshire): I have sat for around three hours listening with great interest to the debate, which covers primary legislative powers, tax-varying powers and dissatisfaction with the intended name of the assembly. However, we are dealing not with details but with fundamental and basic principles here. The basic principle outlined in paragraph 1.7 of the White Paper is:

"The Assembly will take over the responsibilities that the Secretary of State exercises in Wales."

Our view on that should be coloured by the referendum. In that referendum, the people of Wales did not vote for further legislative powers, tax-varying powers or an assembly by another name.

There were genuine fears in Wales at the time that tax-varying powers could lead to increases in taxation. Those of us who campaigned in Wales—at least Labour and some Opposition Members—recognised that countering those fears effectively led to a 30 per cent. increase in the yes vote over that in 1979, culminating in the decision to go ahead with the assembly. People have therefore already voted to establish that principle. We are governed by the widest possible democratic remit within Wales—to consult and to give every person in Wales an opportunity to take part in that democratic process.

Those are the promises that we have made as a Government to the Welsh people. It is vital that we keep our promises. Our colleagues on both the Liberal Democrat and Plaid Cymru Benches joined us in supporting the principles in the White Paper proposals for a Welsh assembly and for a more democratic legislative framework in Wales that would restore faith in democracy there. The referendum turnout reflects the feeling of the people of Wales that their voices are not being heard any more. Any diversion from the basic principles outlined in the White Paper would be a total denial of the democratic process.

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): We have had a wide-ranging

[Mr. Win Griffiths]

and interesting debate on the first group of amendments. To some extent, some of the amendments concern what might be regarded by the Welsh public as a minor issue—the specific name of the assembly—but they have given us an opportunity to have a thorough canter over all the ground that we argued over during the referendum campaign and while the Referendums (Scotland and Wales) Bill was going through the House.

As nearly every Labour Member has said, there is the issue of honouring the White Paper as set out during the referendum campaign. The majority was not huge, but it was clear. The count was undertaken by counting officers throughout Wales, who did their jobs effectively within the law. For five months, no one made an observation just to create trouble.

Let us be clear about the matter. We cannot accept amendment No. 52. The word "legislative" introduced at this point would be misleading because, in the broad range of things, the assembly will not have primary legislative powers. It will have some specific powers arising from clause 29 in particular and there will be an opportunity to debate the extent of that clause later. The Scottish Parliament is called a Parliament because it does have those legislative powers. In Wales, we have an assembly because it does not have primary powers, except in specific areas.

That has given rise to a debate about how some of the subordinate powers—the secondary powers—might be dealt with by an assembly in Wales. My right hon. Friend the Secretary of State for Wales made the position clear in his usual straightforward and forthright way—in some ways, it is a straightforward point, but it is not a simple point because the way in which the secondary powers work will depend on the way in which they are framed in any Act of Parliament.

I throw in one example going back to the heady days of 1988, when I first came into the House and sat on the first of many Committees that considered education Bills—on that occasion, the Bill that became the Education Reform Act 1988. That provides for the Secretary of State for Education and Employment and the Secretary of State for Wales to create city technology colleges. For whatever reason, that power was never exercised in Wales; the power lay with the Secretary of State for Wales. If the assembly had been in charge, it probably would not have exercised that power either, so we must examine existing legislation and even Bills that are going through the House to determine how the assembly will be able to use its secondary powers.

The hon. Member for Ceredigion (Mr. Dafis) mentioned the School Standards and Framework Bill, which is going through the House, and some of its ramifications. We must consider exactly what powers are conferred on the Secretary of State. For example, I understand from my hon. Friend the Under-Secretary of State for Wales that the Secretary of State will have powers in relation to admissions, which will deal with the problems to which the hon. Gentleman referred.

Mr. Rogers: Is my hon. Friend saying—or shall we leave discussion of the issue until we debate clauses 41 and 42—that the assembly will have powers to introduce secondary legislation only if such powers are included in the primary legislation passed in Westminster, and that the assembly will not otherwise have the power to initiate secondary legislation?

6.30 pm

Mr. Griffiths: The assembly will have all the powers vested in it by the draft transfer order that was published yesterday. My hon. Friend will undoubtedly have seen just how extensive those powers will be. The assembly will be able to initiate secondary legislation only when it has been given the power to do so. It will not be able to conjure legislation from the air and call it secondary legislation. The power will be specific.

As I said, clause 29 will provide the assembly with some primary powers, but they will apply only in very specific circumstances, which we can tease out when we debate the relevant clauses.

The right hon. Member for Caernarfon (Mr. Wigley), the hon. Member for Ynys Môn (Mr. Jones) and my hon. Friends the Members for Merthyr Tydfil and Rhymney (Mr. Rowlands), for Rhondda (Mr. Rogers), for Cardiff, West (Mr. Morgan), for Swansea, East (Mr. Anderson) and for Wrexham (Dr. Marek) have all raised procedural points on the legislative powers. I hope that they will examine the draft transfer order in some detail, and join the debate on the relevant clauses with all the knowledge that will be at their disposal.

Sir Raymond Powell: The Minister mentioned the powers that the House will give to the Welsh assembly. Will he explain what will be left for Members of Parliament to deal with after all those issues have been assigned to the Welsh assembly?

Mr. Griffiths: There is a straight and easy answer to that question: all primary legislation will still be considered by the House. My hon. Friend will have every opportunity to sit on Committees considering health, education and industry Bills, all of which will have an impact on Wales. The job of hon. Members at Westminster will be to ensure that Wales's interests are best served.

Mr. Rogers: The right hon. Member for Caernarfon (Mr. Wigley) implied that the assembly would have the power to block legislation in Wales. Will that be possible?

Mr. Griffiths: It depends on how one uses the word "block". Some people might regard as blocking, for example, situations in which the Secretary of State has power to initiate action under secondary legislation and decides not to do so. The ability to block will depend on the nature of the orders and on whether they have to be introduced by a certain date. For example, some people might say that, in the past nine years, the Welsh Office has blocked the creation of city technology colleges.

Mr. Dafis: Is the Minister saying that the assembly of Wales will be able to block measures only if the Westminster Parliament is willing for it to do so?

Mr. Griffiths: If in legislation the Westminster Parliament provides a discretion for the Secretary of State

of Wales and for the assembly in Wales, they will be able to decide whether to use that power, as Secretaries of State for Wales have done in the example that I cited.

Dr. Marek: Based on my time in the House debating Bills that provide for orders and regulations, one aspect of this Bill worries me, and I wonder whether the Minister will be able to help me. Many regulations and orders use the phrase "the Minister may". What is to stop a succeeding, unfriendly Administration saying that "the Minister shall"—removing all the permissive powers that Welsh Office Ministers currently exercise?

Mr. Griffiths: My hon. Friend is making the point that legislation sometimes states "may" and sometimes states "shall", but gives some leeway about when that "shall" will be used. We shall have to consider exactly how the House deals with legislation, and the assembly will have power to operate under the secondary powers.

Mr. Donald Anderson: Does my hon. Friend accept that it might be worth while stating in each statute the implications for the Scottish Parliament and the Welsh assembly—just as we currently state the public expenditure implications of Bills?

Mr. Griffiths: That will be a matter for the House to decide at the appropriate time.

The House will have to decide on establishing a fast-track procedure or something like it, either within this legislation, if the House were minded to act so quickly, or at a later date—such as, as my hon. Friend the Member for Cardiff, West said, with the establishment of a council of the isles, as part of a solution to the Northern Ireland problem.

Mr. Bernard Jenkin (North Essex): I apologise to the hon. Gentleman for missing the beginning of his speech. He is telling the Committee that the Bill is not a settlement, but an unholy mess in which the assembly will have no idea, from one Act of Parliament to another, how much power will be devolved to it. Is that not so?

Mr. Griffiths: I am sure that the hon. Gentleman has already had an opportunity to study yesterday's draft transfer order. The very long list of powers that will be held by the assembly in Wales shows that there is absolutely no uncertainty over many powers. In future—through the Secretary of State, through hon. Members at Westminster and through representations in response to White Papers and Green Papers—the assembly will have an opportunity to participate from Wales in the Westminster legislative process. There is no question of there being an uncertain muddle. A dynamic and developing relationship is a positive part of the process and growth of government of the United Kingdom.

Mr. Öpik: Is not future strength based on the fact that the assembly's powers and authority can evolve according to the will of the people of Wales and according to what works in the relationship between Westminster and Cardiff or Swansea?

Mr. Griffiths: Although it is not formally written, one of the great strengths of the British constitution is that, as the issue of sovereignty has grown over the years, it has responded to the demands of certain groups of people. Those in power who have responded to change have saved themselves, whereas those who have not—like poor old Charles I—have lost their head. It was the Conservatives' failure to respond to change that resulted in their severe truncation at the general election.

Mr. Rogers: I am still a little confused about the blocking power—it was the right hon. Member for Caernarfon, not the hon. Member for Ceredigion (Mr. Dafis), who threw that cat among the pigeons. It has been said that certain Conservative diseases, which were desired by some odd people, might not have been inflicted on Wales if we had had a Labour assembly.

The poll tax is a graphic illustration. During the referendum campaign, we heard about a range of things that would not have happened to Wales had there been an assembly; we certainly would not have had the poll tax. The right hon. Member for Caernarfon said that an enlightened, Labour-controlled Welsh assembly would not have implemented that disease. I want to know whether a Labour assembly will have the power to stop such measures, as has been claimed.

Mr. Griffiths: My hon. Friend has raised an extremely helpful point. The legislation allowed the Secretary of State to implement orders to introduce a scheme for the poll tax. Although the poll tax itself would have been introduced, had there been a Welsh assembly, there could have been differences in banding, there could have been more bands in Wales and there could have been different discretions. The poll tax could and would have been an entirely different animal.

The name of the assembly, which is addressed by amendments Nos. 10 and 142, should not detain us. As my hon. Friends the Members for Cardiff, West and for Newport, West (Mr. Flynn)—and to a certain extent the hon. Member for Ribble Valley (Mr. Evans)—have intimated, usage will determine what the assembly will be called in common parlance. For the purposes of the Bill, a great deal of discussion arose out of a proposition in another place by the chairman of the Welsh Language Board that received support from both sides of the House. We debated the matter at some length before deciding on the form included in the Bill.

Mr. Oliver Letwin (West Dorset): The Minister unintentionally misled the Committee a moment or two ago when he referred to banding in respect of the poll tax. There was no such banding. What did he have in mind?

Mr. Griffiths: I believe that the orders—and we can check them—included powers to introduce different ways in which to implement the poll tax. However, we shall return to the matter at another point in the debate.

As to whether the title should include "of" or "for", there is a national orchestra of Wales and a national museum of Wales, but there is a Sports Council for Wales. We felt that an assembly for Wales would produce a better feeling of inclusiveness, rather than giving the impression that it related to a particular group in Wales or only to people who had been born in Wales—I would be in a bit of trouble in that respect. Although we are not absolutely wedded to that title and we are prepared to discuss it later, I hope that the amendments will not be pressed so that we do not have to resist them altogether.

[Mr. Griffiths]

Although the word "senedd" may enter popular usage, we do not want to put it in the Bill as it may raise fears among some people. An interesting debate developed about whether the word originated from the Latin for senate or from the Greek for synod, as my hon. Friend the Member for Cardiff, West pointed out. However, in modern English parlance, the word "senedd" is the equivalent of parliament, which is derived from the French word "parlement", but the French "parlement" was nothing like the modern National Assembly, which is the French equivalent of our Parliament.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I did not intend to intervene in the debate, but I am driven to do so by what the Minister has just said. Is he honestly saying that the word "senedd" would imply that everyone in the assembly spoke Welsh? Why should people worry about that name? Is not Tai Cymru doing roaring business? Is CADW not rather well known in Wales?

Mr. Griffiths: I was not saying that. Clearly, the assembly will be a bilingual institution. As it will be the National Assembly for Wales, if we put the word "senedd" in the Bill some people may think that we are being partial. We do not want to give that impression because we want to bring everyone with us.

I should add that we reject new clauses 3 and 4 as they go against the wishes of the people of Wales as expressed in the referendum.

6.45 pm

Mr. Wigley: I thank hon. Members for taking part in this afternoon's extremely interesting debate. I shall address the nomenclature first as I can do so fairly rapidly. We do not support the Conservative amendment proposing the name "Welsh Assembly", although I readily agree that the term will be used colloquially. However, I accept the arguments of the right hon. Member for Llanelli (Mr. Davies) that a body "of Wales" belongs to Wales, that a body "for Wales" sounds as though it belongs to someone else and that "of" would, therefore, be better than "for". I understand that Ministers will look again at the matter, so we shall not push it to a vote at this stage.

Obviously, we support the use of the word "senedd" as it reflects the nature of the institution in that it has law-making powers. We should like the assembly ultimately to have full law-making powers. I readily accept that the Bill does not provide full law-making powers. It was, however, interesting to hear the Minister's reply to the debate and the comment made by other hon. Members that the division between secondary legislation and primary legislation was not as clear cut as some people might think.

As the Minister said, the White Paper contained provisions for the assembly to have certain primary law-making powers. The Bill provides mechanisms in respect of those powers. The White Paper on which the people of Wales voted included changes of a primary legislative nature within the capability of the assembly.

The hon. Member for Wrexham (Dr. Marek) made the interesting point that the extent of the powers of the assembly dealing with secondary legislation would be determined largely by the nature of the primary legislation passed here. Therefore, there may be times when the assembly will require primary law-making powers to achieve what might otherwise have been achieved by secondary law-making powers had the primary laws been drawn up differently. There is a substantial overlap.

The main thrust of the debate came from the hon. Members for Cardiff, West (Mr. Morgan), for Swansea, East (Mr. Anderson), for Brecon and Radnorshire (Mr. Livsey) and for Wrexham and from some of my hon. Friends who said that the issue was not set in stone for all time and that, in drawing up the provisions for the assembly in the Bill, we were providing for certain legislative functions—most of them secondary legislative functions and some of them specific primary legislative functions. They also said that the provisions need not necessarily be the formula for ever and a day, and that if the democratic wishes of the people of Wales, as expressed to the assembly, sought a change in that balance, it might be possible to facilitate that.

I accept that idea as a reasonable way forward, but it would be silly for the Bill not to include mechanisms to allow for at least some of those functions to be achieved without the House having to resort to primary legislation every time we needed a facility to change the name of the assembly, for example, or every time Members of the Assembly wanted a change in respect of other relatively small provisions.

We have heard that discretion is being provided by the House—it could be called a discretion of the House—in terms of blocking secondary legislation. The assembly will be able to say that it does not want to use orders that are allowed because they are not appropriate for Wales—in other words, that it does not want to adopt the secondary legislation applied to England. That is the nature of the assembly and of the powers of the Secretary of State. However, we do not have the positive discretion to allow the assembly to do things. The Bill may need a mechanism to enable an order to be passed in Westminster allowing primary changes on relatively small matters of the sort mentioned by several hon. Members, without the whole primary mechanism in Westminster having to be gone through again. Building such an order into the Bill would be of tremendous benefit, saving the House a lot of time, but leaving the ultimate decision to the House, because the order would have to be passed by Parliament before the powers could be transferred.

Given that that is where the argument lies and having heard the Secretary of State's acknowledgement that we are talking about an evolving assembly, we could well look at the issue again on Report or in another place. I hope that it will be possible to find a mechanism that avoids unnecessary work for this Chamber and avoids the confrontation that there might otherwise be between the assembly and this Chamber purely because of lack of time.

We have had a constructive debate on these powers. On the basis of that debate and the evolving nature that the Secretary of State has described, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Ancram: I beg to move amendment No. 4, in page 1, line 10, at end insert—

'(1A) Notwithstanding the establishment of the Assembly, or anything contained in this Act, the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things in Wales.'.

Having listened to the previous debate, I am even more confirmed in my view that the amendment is necessary. The leader of Plaid Cymru asserted his determination to ensure that the Bill is part of a slippery slope towards achieving an independent Wales. Many of the comments made during the previous debate raised serious doubts in my mind—and, I suspect in the mind of many of my hon. Friends—about the effective sovereignty of this House.

On Second Reading, the Secretary of State asked why such an amendment would be necessary, saying that this House was sovereign anyway. We have heard suggestions tonight that the sovereignty of this House could be thwarted. I did not intervene on the Minister a few minutes ago because I felt that it was proper to raise the issue on this amendment. If the assembly could thwart the sovereignty of Parliament by refusing to implement a commencement order on legislation that the House had deliberately and consciously voted to apply to Wales—I am uncertain about that after what has been said—serious questions would be raised.

Mr. Ron Davies *rose—*

Mr. Ancram: I shall give way to the right hon. Gentleman, but if he is going to say that the House could revert to primary legislation in such a case and retrieve the commencement order to apply it from this House, he will raise serious questions about the whole project.

Mr. Davies: I am not going to say that. The answer to the right hon. Gentleman's question is clear. The assembly can exercise only the discretion that the House gives it. A future Government may want to give the assembly discretion to implement, or not to implement, a measure through secondary legislation or to vary provision in Wales according to Welsh circumstances. The assembly will not be able to exercise any judgment outwith that given to it by the House.

I should like to make two other points briefly. There is no need to make it explicitly clear that sovereignty rests with the House, because it clearly does. Nothing that the assembly or any future Government do can undermine the sovereignty of Parliament.

There was an interesting debate on the previous amendment. The important point is that there is a body of opinion that wants to make the assembly work. The discussions that are taking place and the concept of developing relationships derive from the broad consensus that the assembly must be made to work. I hope that the Conservative party accepts that the project is on course. We are going to have an assembly and it is in the best interests of the House and of the people of Wales to have one that is soundly based and has a good working relationship with Parliament. That means that there will be developing changes.

Mr. Ancram: One other developing change is a galloping response to an amendment as it goes along. The Secretary of State has responded to my points during my remarks rather than at the end. I do not know whether he will be responding to the debate—

Mr. Davies: No, it will be the Under-Secretary, my hon. Friend the Member for Bridgend (Mr. Griffiths).

Mr. Ancram: I am sorry that the right hon. Gentleman will not because, with great respect, he has greater authority than his hon. Friend. However, I look forward to hearing the response.

Mr. Davies: I shall not allow the right hon. Gentleman to get away with that unwarranted slur on my hon. Friend, who speaks with the full authority of the Government. There is no question of his statements carrying any less weight than mine. There is no reason why I should have chosen to reply to the debate. I had no knowledge that the right hon. Gentleman was going to move the amendment. Had he had the courtesy to notify me that he wanted me to reply to the debate, I should have considered it, but he cannot assume that this is the most important debate just because it is on a Conservative amendment. I think that the amendment is the least worthy of all those that we are due to debate.

Mr. Ancram: The right hon. Gentleman is indulging in his usual tactics. He will find that, after four years in Northern Ireland, I am not as easy to bully as some of his Back-Bench colleagues. I shall certainly not be bullied by him. I know what he is up to. When he decided to sneak the Bill away into Committee upstairs, he was not prepared to come to the Dispatch Box to announce it himself. He was sitting in the Chamber at the end of the Second Reading debate and he got the Under-Secretary, the hon. Member for Bridgend (Mr. Griffiths), to do it, perhaps because he foresaw that he might have to back down and did not want his own words thrown back in his face.

Let me return to the amendment. We have heard some doubts about what an assembly will be able to do to legislation passed by the House. I asked a question during the previous debate to which the Secretary of State has not responded—perhaps his hon. Friend will do so in due course. Parliament can decide whether a commencement order will be in new primary legislation to keep it out of the hands of the assembly or whether discretion will be given to the assembly. However, there is a lot of existing legislation with orders passed by the House on the understanding that, if the Secretary of State did not use the discretion given to him, he would have to answer to this sovereign House for not doing so. That is how the sovereignty of the House is exercised on that discretion. If an assembly is able to decide not to exercise such discretion, even though it was Parliament's intention that it should do so, there will be no come-back because there is no accountable relationship between the assembly and the House on that.

Mr. Davies *rose—*

Mr. Ancram: I shall give way to the right hon. Gentleman, but I hope that he will leave something for his hon. Friend to say at the end. He appears to be responding as we go along.

Mr. Davies: The right hon. Gentleman has not put a lot on the table yet, so there will not be a lot for me to

[Mr. Davies]

leave to my hon. Friend. The right hon. Gentleman does not understand the scheme that we are proposing. The issue is not the assembly taking powers to itself. The assembly will have only those powers given to it by Parliament. During the passage of the Bill, Parliament will have the opportunity to delete clause 29 if it wants to withhold those powers from the assembly. We shall have a further opportunity when the transfer order, which I published yesterday, is put before us. The right hon. Gentleman has the opportunity to look at all the Acts that will be affected. There will be no question of hiding that information from the public domain. There will be a full process of discussion, we shall publish the final draft order in the autumn and Parliament will have a final opportunity some time next year to approve it.

The powers will have been described, debated and approved by this House of Commons, and this Parliament will decide that those powers can be exercised by the assembly. If that is not the exercise of Parliament's sovereignty, I do not know what is.

7 pm

Mr. Ancram: I am grateful to the Secretary of State for one thing; he may save me from having to table a question, because I had intended to ask him which of the Acts of Parliament referred to in the draft order still had commencement orders outstanding on them. Once we have the answer to that, we should then be aware of what discretion we should be passing to an assembly that will not have the accountability back to Parliament that is at present exercised by the Secretary of State. If the right hon. Gentleman can tell me that he will do that during the Committee stage, I shall not table the question—but if he cannot I shall, because I feel that that would force him to make the position clear.

The right hon. Gentleman said that he thought my amendment one of the least important. However, its real purpose is simple. Essentially, it is to establish the veracity of the claim made during the referendum campaign, that the measure is Unionist in intent, and is intended to strengthen the United Kingdom—I believe that the right hon. Gentleman will recollect those words having been used in relation both to Scotland and to Wales—not to detract from the sovereignty of this Parliament here at Westminster.

Mr. Rhodri Morgan: Is the right hon. Gentleman seeking to persuade the Committee that the purpose of his amendment is declaratory rather than practical?

Mr. Ancram: It has to be declaratory because such an amendment, or such an assertion, describes an existing situation. As the Secretary of State rightly said on Second Reading, this Parliament can change that situation if it wants to. It would not be unusual or unprecedented to include such assertions. They are made where there is a question mark over whether what is being done is intended to diminish the strength and unity of the United Kingdom or intended, as was said during the referendum campaign, to strengthen it.

I said on Second Reading that there was within the body of United Kingdom statute a clear precedent—that of the Government of Ireland Act 1920, as amended in 1922. Section 75 of that Act is still outstanding and, with suitable changes, forms my amendment. Obviously, I have changed the words "Northern Ireland" to the word "Wales".

That provision is there, and is still on the statute book, because it served to give a reassurance that what was being done in the Government of Ireland Act, especially as it related to Northern Ireland, was not part of a slippery slope leading to a united Ireland but would retain the sovereignty of the Westminster Parliament over all matters in Northern Ireland, and retain Northern Ireland within the United Kingdom.

Mr. Morgan: I promise that this will be my last intervention. Surely the right hon. Gentleman does not seek to compare the Government of Ireland Act with the Bill that we are debating, when the degree of devolution in that Act is 100 times greater. There is no comparison. There was a need to provide reassurance in respect of the Government of Ireland Act because that was similar in nature to the Act that set up the Dominion of Canada, which contained a colossal amount of devolution and reserved few matters to the United Kingdom Parliament. The purpose of such an Act might have created a clear political necessity, which is hardly justified by a measure such as that before us, in which there is only one hundredth as much devolution.

Mr. Ancram: The difficulty that I have with such an intervention is that it suggests that the amendment is unnecessary.

Mr. Morgan *indicated assent.*

Mr. Ancram: If the sovereignty of this Parliament is complete, what is there to prevent the amendment from being accepted? If it is an assertion, as I have said it is, and if it is in line with what the hon. Gentleman and the Secretary of State believe to be the case anyway, what have they got against inserting it into the Bill? *[Interruption.]* They say that it is unnecessary.

However, if we turn to the Scotland Bill, concerning devolution north of the border, although we do not find that assertion—I should like to see it there, too, and will table an amendment accordingly—we do find another assertion, equally drawn from Northern Ireland legislation. In that case, the legislation is the Northern Ireland Constitution Act 1973, which asserts in another way, but extremely clearly, the supremacy of this Parliament over Scotland.

In clause 27 of the Scotland Bill, we read:

"This section does not affect the power of the Parliament of the United Kingdom to make laws for Scotland."

That provision is in the Northern Ireland legislation as well. One could equally well argue that it is unnecessary there too, because as it is clearly the case that this is a sovereign Parliament, obviously it can do that. So why is that assertion in the Scotland Bill?

It is there for the same reason that it is in the Northern Ireland Constitution Act 1973—because the assertion was needed to reassure. If there is no concern in the mind of the hon. Member for Cardiff, West (Mr. Morgan) that what is proposed for Wales might lead further down the road to the independence of Wales and the separation and

break-up of the United Kingdom, what has he against the amendment, which would provide belt and braces for the intended position?

The only possible reason for leaving such an assertion out is that one knows that, ultimately, it is likely to be disproved, or may have to be reduced in some way.

Mr. Ron Davies: How can it be disproved?

Mr. Ancram: The Secretary of State has himself said that the Bill is not stable, because devolution is not an event but a process. He himself envisages things moving on, and if he puts his hand on his heart he cannot say that he is certain that we shall end up with the sovereignty of this Parliament still intact. That is why he will not put the assertion in the legislation.

Mr. Llwyd: I am curious to find out how many times the right hon. Gentleman, as a Minister, has used the word "otiose" in such proceedings. It is the proper legal definition, and it is parliamentary language, too. If something is unnecessary, it should not appear on the face of a Bill. That is pretty obvious.

Mr. Ancram: I do not believe that the assertion is unnecessary, but to those who say that it is, I say that I should prefer to see it on the face of the Bill. If there are those of us who think that it is required, and if it would not affect the position either way, I do not see the objection.

It is interesting that new clause 3, proposed by the Liberal Democrats, replicates the clause that I mentioned in the Northern Ireland Constitution Act 1973, because they, too, believe that there is a need for such an assertion. We are asking not for a statement that would change anything, but for the Government to give those of us who have always been nervous about the effect of devolution on the United Kingdom a reassurance that the United Kingdom will remain intact, as will the sovereignty of this Parliament.

Mr. Edward Garnier (Harborough): I do not want to take my right hon. Friend's arguments out of order, but will he project forward to clause 30, which deals with the power to implement Community law—a delegated power that the Bill gives to the assembly? At present, he is arguing about the effect on this Parliament of internal devolution within the United Kingdom, but clause 30 provides an example of extra-territorial law being handed straight to the Welsh assembly, bypassing this Parliament. Does not that underline all the more emphatically the argument in favour of my right hon. Friend's amendment?

Mr. Ancram: I am grateful to my hon. and learned Friend for making that point. He has found an example of a potential erosion of sovereignty on the face of the Bill. Again, it is important in that respect to have the assertion on the face of the Bill. We must start from the position that this Parliament is sovereign and will remain so, and that is all that the amendment says, so I find it surprising that we meet such resistance from the Government side.

I shall ask the Secretary of State one question. I am not a suspicious character, but at the back of his mind there may be some element of what I am about to suggest. I do not know whether, in three years' time, the right hon. Gentleman will be a Member of the Welsh assembly or a Member of this Parliament, retaining his office of Secretary of State. I do believe, however, that those who see the assembly as their natural home will always argue for fewer restrictions on its potential for growth and for the maximum ability to undermine the sovereignty of the UK Parliament. By contrast, those who remain here will want this Parliament's sovereignty to be maintained.

Mr. Öpik: Would the right hon. Gentleman accept that there is a big difference of tone between our new clause and what he is proposing? His amendment has a rather belligerent turn of phrase suggesting a fear of any kind of delegated authority being granted to the Welsh assembly.

Mr. Ancram: I do not accept that; and I do accept that authority will be delegated to the Welsh assembly. This Parliament has the right to tell the Welsh assembly that, although it has delegated authority, the authority of this House and the sovereignty of Parliament will not be diminished.

It is clear to me from the previous debate that there is something of a muddle on the question of sovereignty. The Secretary of State and his ministerial colleagues have not answered the important points made by the hon. Members for Merthyr Tydfil and Rhymney (Mr. Rowlands), for Linlithgow (Mr. Dalyell) and others. I believe that they still harbour doubts about the extent of the powers of the assembly and the effect of those powers on the sovereignty of this Parliament.

The Government's approach this evening has been ambivalent. There seems to be an element of schizophrenia: will the assembly be strong and powerful with sovereignty of its own, or will it always be subject to the sovereignty of the UK Parliament? It is because of that schizophrenia, ambivalence and muddle that the amendment is necessary. I commend it to the Committee.

Mr. Öpik: Judging by its tone, this is something of a wrecking amendment. That is not to detract from what the right hon. Member for Devizes (Mr. Ancram) has been saying, but words like "undiminished" give one the feeling that the Conservatives are worried about giving the assembly delegated powers that will enable it not to look over its shoulder to Westminster all the time.

Hence, we would be minded to oppose the amendment. It is also rather provocative; it implies that the Welsh assembly cannot be allowed to function without close scrutiny by Westminster. That goes dead against the idea of devolution.

It is all very well to talk about belt and braces; it is surely even safer not to put on trousers at all but to stay in the constitutional bed and not try to move decision making out from the centre to Scotland and Wales.

Mr. Dalyell: May I, out of curiosity, ask the hon. Gentleman whether he hopes to be a member of the Welsh assembly or to remain here as a Member of the Westminster Parliament?

Mr. Öpik: I do not see the relevance of that question to the points that I have been making. I can assure the hon. Gentleman that an Estonian in Parliament has far more to contribute than an Estonian in Swansea or

[Mr. Öpik]

Cardiff. I can foresee no circumstances in which I would stand for the Welsh assembly. I hope that that unequivocal statement reassures the hon. Gentleman.

The Liberal Democrats feel that the amendment is not in the spirit of devolution or of what was voted for on 18 September. Perhaps it is all a matter of judgment; perhaps the words would not undermine the effectiveness of the assembly, but they send out the wrong message. Having accepted the principle of devolution, we must now trust the Welsh people to elect individuals who are capable of operating effectively and wisely on their behalf. We do not see the need for endless insurance policies just in case the assembly gets it wrong. Responsible people act responsibly. I like to think that the Welsh assembly will behave responsibly and constructively in relation to Westminster; and that, if there are problems, they can be resolved by discussion and negotiation—and then possibly by legislation. We must not tie the hands of the assembly before it has even been elected.

7.15 pm

Mr. Gareth Thomas: A remarkable concession by the right hon. Member for Devizes (Mr. Ancram) rather suggested that the amendment has more to do with mischief making and raking over the coals of an argument that the Conservative party has long since lost than with anything constructive. It is, in the right hon. Gentleman's words, purely declaratory: it has no practical purpose. Why then introduce it? As a lawyer, he ought to know the definition of otiose. There can be no better example of an otiose amendment than this one, because it is unnecessary. It is a propaganda exercise designed to create fear about the assembly. We should be concerned to engender precisely the opposite emotion.

The purpose of the package of reforms leading to this measure is to strengthen the unity of the United Kingdom and to reform the relationship between its constituent parts. That is eminently sensible and reasonable. It is not an attack on the sovereignty of the UK; it is a way of strengthening that sovereignty and improving our parliamentary processes.

Mr. Peter Luff (Mid-Worcestershire): Unlike Labour Members, I see this issue as important. If the amendment is purely declaratory—I do not believe it is; it also has a utilitarian purpose—then there are many precedents for that in law. My right hon. Friend the Member for Devizes (Mr. Ancram) gave examples from similar constitutional legislation of the past. As I recall, the Family Law Act 1997 includes a similar provision at the beginning, declaring that the purpose of the Act is to reinforce family life. So the fact that an amendment is declaratory does not diminish its importance or invalidate its consideration by the Committee.

I found the Secretary of State's interventions in my right hon. Friend's opening remarks extremely difficult to follow. He says that he wants the assembly to work. I am reconciled to the idea that there will be an assembly, although I am not glad about it, and I share the Secretary of State's view. I am a former member of the Welsh Affairs Select Committee, and I am concerned for the Principality. It is only just over the border from my county, and I want the people of Wales, if they are to have one at all, to have an assembly that works.

But if the assembly is to work as a secure part of the constitution of this kingdom, it must have not just the whole-hearted support of the Welsh people but more than the grudging acceptance of the English people. The latter need to be reassured that the assembly will work in their interests, too.

That is why I think the Secretary of State was profoundly misguided to describe the amendment as unworthy. It is a matter for incredulity that the amendment was not accepted on the nod. It does no harm, and it would provide a real reassurance to the people of England that their concerns will be taken into account in the process of devolving power to Wales.

I declare an interest—I shall soon get bored with hearing myself say this; I have said it in three debates in the House in the past week—in that Worcestershire stands to be disadvantaged by the Bill and by the Government's regional development agencies for England. We shall be caught between the Welsh powerhouse set up by part VI of the Bill, and the Birmingham-based RDA. That is why I know that my constituents are worried about the Bill's implications for them. Thus, a reassurance in the Bill to the effect that it will work for the benefit of the whole kingdom, and that the supremacy of this place will remain intact, would be of benefit to my constituency.

As an English Member, I would appreciate it if Welsh Members could see that perspective as they consider this matter. The amendment goes beyond being purely declaratory, and provides some practical safeguard for my constituents' interests and those of other hon. Members in England.

The Welsh people have not declared themselves that enthusiastically for this Bill and the assembly. There has been a grudging, half-hearted acceptance, and three quarters of them seem to be saying that they also value the United Kingdom. They want some reassurance that the supremacy of this Parliament will still be very real. I accept that "supremacy" is not the most attractive of words. Perhaps its connotations are not entirely happy, but it was right for my right hon. Friend the Member for Devizes to draw on precedent in other legislation in drafting the amendment.

Why should the Government resist the amendment? Frankly, I do not understand it. They say—indeed, the Welsh nationalists have been saying this too—that the amendment is superfluous and unnecessary. I am deeply suspicious about the direction from which I am hearing that claim. Some people who are telling me that have clear agendas—which, to their credit, they do not conceal. Why are they saying that an amendment to the Bill that would reassert the primacy of this place in the consideration of United Kingdom matters is superfluous? That concerns me.

I see the amendment as an insurance policy for the people of England and, indeed, of Scotland in the relationship between the Welsh assembly and this Parliament. A devolved Parliament in Scotland will inevitably lead to pressure for independence for Scotland. I am as yet unclear whether the National Assembly for Wales will have a similar impact. I suspect that it will become an ineffectual talking shop, and that the

enthusiasm of the people of Wales will diminish. However, the amendment is a useful safeguard should the Welsh assembly take off in the direction I fear.

Mr. Öpik: What evils and catastrophes does the hon. Gentleman foresee, if the amendment is not accepted?

Mr. Luff: I do not want to detain the House long, and I am trying to draw my remarks to a conclusion, but I would point the hon. Gentleman to clause 23(6) on page 14, which states:

"Any function exercisable by a Minister of the Crown in relation to . . . a cross-border area, or . . . a committee, board or undertaker which carries on activities in, or with respect to, a cross-border area".

From my reading of the Bill, it seems to me that the assembly will be given powers over any cross-border area "which includes a part (but not the whole) of England"—

I am relieved to say—simply on the say-so of a Minister of the Crown, with no assurance that this place will have any say over the giving of those powers over important chunks of England.

The hon. Gentleman will understand that, as I come from Worcestershire, where we historically fought the Welsh for many years, we are a little more sensitive on that point, perhaps, than those in other parts of the United Kingdom. The amendment will provide a useful and practical safeguard against that sort of frank abuse of its power by the assembly.

I genuinely believe that this is a useful amendment, which will safeguard the supremacy of this place. People are becoming more aware of the dangers of the Bill for the rest of the United Kingdom, and I honestly hope that, if the amendment is only superfluous, as the Government seem to suggest, they will accept it and give me great peace of mind.

Mr. Win Griffiths: This has been a brief, but nevertheless interesting, debate, even if it only showed us the shortcomings of the Opposition's thinking and that of the right hon. Member for Devizes (Mr. Ancram).

From the outset, I must make it clear that there is nothing in the Bill to imply that the establishment of a National Assembly for Wales would undermine the sovereignty of the United Kingdom Parliament. The powers are clear. We discussed the background to the amendments at some length on Second Reading. No doubt the right hon. Gentleman can remember that discussion well. We set down in detail our reasons why the official Opposition's concerns were, frankly, misplaced. That remains our position. Nothing has happened since that debate to change our minds about this amendment, which is unnecessary.

Mr. Ancram: Can the hon. Gentleman answer this question? If he thinks the amendment unnecessary in this Bill, why did the Secretary of State for Scotland decide that an assertion-of-supremacy clause was necessary in the Scotland Bill?

Mr. Griffiths: That is a good point, and I can assure the right hon. Gentleman that I will deal with it as I develop my argument. It is important—in fact, it is crucial to the whole of our consideration of the Bill.

First, we believe that the views of the official Opposition on this point are based on a faulty grasp of the British constitution and of the powers of the assembly as contained in the rest of the Bill. I should have thought that it was obvious that it is this Parliament that is debating the passage of the Bill and that will be able to amend or repeal it after it is enacted. I should have thought that proof enough of this Parliament's sovereignty.

Any guarantees that the House attempts to add to the Bill could simply be overturned by a future Parliament. That is the basis of our parliamentary democracy. Each Parliament has the right to determine what should remain as part of our legislative structure.

So the Bill has no bearing on Parliament's sovereign power to legislate for Wales. This Parliament will still be able to legislate for Wales once the National Assembly for Wales has been created. That assembly will carry out its functions under legislation enacted by this Parliament. This Bill does not confer powers to make primary legislation on the National Assembly for Wales.

Mr. Ancram: But it does.

Mr. Griffiths: I shall move on to the specific circumstances.

The Bill does not allow general primary legislative powers, but it would pass on to the National Assembly for Wales those powers that are vested in the Secretary of State and certain order-making powers, which are precisely described. Therefore, primary legislative powers can be discussed when we debate clause 29, where the powers are specifically circumscribed. The right hon. Gentleman is wrong to raise issues relating to the thwarting of the powers of Westminster. The National Assembly for Wales will be able to act in specific areas.

I agree that the question is not simple. Yes, it is complicated, and we have to think about the vast array of secondary powers that would be passed to the Welsh assembly, or the National Assembly for Wales, or the Assembly of Wales—we will all pick our own version for the future. However, there can be no doubt that, apart from clause 29, which mentions some specific powers, the rest are secondary.

The right hon. Member for Devizes cited as the big precedent section 75 of the Government of Ireland Act 1920, which was amended in 1922, as he pointed out. In further developing his argument, he claimed that clause 27 of the Scotland Bill contains a similar statement—based, he thought, more closely on the 1973 legislation, although I think that he would admit that it really comes out of the 1920 stable. His argument was about the principle of having a statement about the sovereignty of Westminster as the United Kingdom Parliament.

It is unnecessary and otiose for a similar statement to be included in the legislation for the Welsh assembly, because the National Assembly for Wales will not have the same wide-ranging primary legislative powers as the Scottish Parliament. The referendums were conducted on that basis.

If this Parliament should ever decide that the National Assembly for Wales should have such powers, that will be the point when the amendment becomes active and relevant and should be made. Today, for this legislation, it is otiose and unnecessary. We heard those words for

[Mr. Griffiths]

18 years when we were in opposition. I hope that the right hon. Member for Devizes will have the good grace to accept that there is no need for us to vote on the amendment.

7.30 pm

Mr. Jenkin: Most of what the Minister said was completely irrelevant to the amendment. The Government have a narrow view of parliamentary sovereignty. It is, of course, a legal concept and, legally, any message of Parliament's sovereignty in any Act of Parliament is superfluous; but the secondary purpose of a provision such as the amendment—this is why it has been used in other legislation, where the Minister's argument about its being otiose equally applies—is political.

We do not want the relationship between Westminster and the Cardiff assembly, if that is where it is to be, to be one in which Westminster is constantly interfering and reasserting its supremacy. That is precisely why it is necessary to include a message in the Bill to explain to everyone who reads it that Parliament is and intends to remain sovereign.

Sovereignty exists only as long as it has the means to sustain itself. Charles I was mentioned in an earlier debate. Charles I was legally sovereign—there is no doubt about that—but he did not have the means to sustain that sovereignty, which is why he got his head chopped off. We are not in the business of having this Parliament's head chopped off at some stage in the future.

Parliament's sovereignty is vital, because we do not have a written constitution. We are not like United States Congressmen, who swear allegiance to the constitution of the United States: we swear allegiance to the Queen, who represents the sovereignty of Parliament. That is our only guarantee of our liberty in this country.

For the hon. Member for Montgomeryshire (Mr. Öpik) to say that we need no insurance policies because we have such confidence in the happy relationship between Parliament and the Welsh assembly is completely wrong. It is precisely to plan for all eventualities that we need to make the amendment.

Mr. Öpik: Will the hon. Gentleman give way?

Mr. Jenkin: No. I want to be brief.

The Minister says that there will be no difficulties between Westminster and the Welsh assembly, but that is entirely his own view, because Welsh nationalist supporters of his legislation, who are sitting in the Chamber, deny the sovereignty of Parliament. They deny that the settlement will be stable, and want it to lead to precisely the destruction of the United Kingdom that he professes to be against.

In unwritten constitutions, the tendency is for powers that are not used to disappear through that disuse. We do not want Parliament to have to reassert its sovereignty by regularly interfering with the Welsh assembly. It would be much better to write into the Bill a clear assertion of sovereignty, so that everyone knows the ground rules by which the assembly will use its powers, preferably with no interference from Parliament.

Question put, That the amendment be made:—

The Committee divided: Ayes 133, Noes 365.

Division No. 134] **[7.34 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Waller, Robert
Waterson, Nigel
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Sir David Madel.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Ballard, Mrs Jackie
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda
(Edinburgh Pentlands)
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ffon *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George
(Hamilton S)
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan

Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and Janet Anderson.

Question accordingly negatived.

Clause 1 ordered to stand part of the Bill.

Clause 2

MEMBERSHIP

Mr. Öpik: I beg to move amendment No. 93, in page 1, line 15, after 'of', insert

'members for each Assembly constituency'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 94, in page 1, leave out lines 16 and 17.

No. 22A, in page 1, line 16, leave out from 'constituency' to end of line 17.

No. 23A, in page 1, line 18, leave out from 'constituencies' to end of line 20 and insert

'shall initially be the parliamentary constituencies in Wales, which shall be subject to periodic review by the Boundary Commission for Wales with like powers and in like manner as in the case of parliamentary constituencies.'.

No. 95, in page 1, line 18, leave out from 'constituencies' to 'shall' in line 19.

No. 110, in schedule 1, page 70, line 5, leave out 'the parliamentary constituencies in' and insert

'determined by the Boundary Commission for'.

No. 111, in page 70, leave out lines 7 to 11.

No. 112, in page 70, leave out lines 12 to 14.

No. 113, in page 70, leave out lines 16 to 22.

No. 114, in page 70, line 24, leave out from 'where' to second 'the'.

No. 115, in page 70, line 26, leave out 'electoral region' and insert 'constituency'.

No. 116, in page 70, line 27, leave out 'electoral region' and insert 'constituency'.

No. 117, in page 70, line 31, leave out 'electoral region' and insert 'constituency'.

No. 118, in page 70, line 33, leave out from 'constituency' to 'and' in line 34.

No. 119, in page 70, leave out from beginning of line 44 to end of line 2 on page 71.

No. 120, in page 71, leave out lines 3 to 7.

No. 121, in page 71, line 10, leave out 'electoral region or regions' and insert 'constituency or constituencies'.

No. 122, in page 71, line 13, leave out 'electoral regions' and insert 'constituencies'.

No. 123, in page 71, line 18, leave out 'electoral regions' and insert 'constituencies'.

No. 124, in page 71, line 19, leave out 'electoral regions' and insert 'constituencies'.

No. 125, in page 71, line 44, leave out 'electoral regions' and insert 'constituencies'.

No. 126, in page 71, line 45, leave out 'electoral regions' and insert 'constituencies'.

No. 127, in page 72, line 1, leave out 'electoral regions' and insert 'constituencies'.

No. 128, in page 72, line 3, leave out 'electoral regions' and insert 'constituencies'.

No. 130, in page 72, leave out lines 7 to 43.

No. 191, in page 72, leave out lines 10 to 14.

No. 129, in page 73, line 6, leave out 'electoral region' and insert 'constituency'.

No. 131, in page 73, line 8, leave out from 'within' to end of line 9 and insert 'the Assembly constituency'.

No. 49, in clause 4, page 2, line 38, leave out from 'have' to end of line 15 on page 3 and insert—

'a single transferable vote, that is to say a vote—

(a) capable of being given so as to indicate the voter's order of preference for the candidates for election as members for the constituency, and

(b) capable of being transferred to the next choice—

(i) when the vote is not required to give a prior choice the necessary quota of votes, or

(ii) when, owing to the deficiency in the number of votes given for a prior choice, that choice is eliminated from the list of candidates.'.

No. 11, in page 2, line 38, leave out 'two votes' and insert 'one vote'.

No. 12, in page 2, line 39, leave out from beginning to end of line 2 on page 3.

No. 58, in page 3, line 4, leave out 'the simple majority system' and insert

'a preferential voting system whereby the voter indicates his or her preference for the candidates by marking the ballot paper 1, 2, 3, etc., with the votes of the last candidate being transferred on the basis of second preferences until one candidate has 50 per cent. + 1 of the votes cast.'.

No. 13, in page 3, leave out lines 5 to 15.

No. 102, in clause 8, page 5, line 18, leave out from 'only' to end of line 20 and insert

'one vote; and the member shall be returned under the system in section 4 above'.

No. 32A, in clause 10, page 6, leave out lines 28 to 30.

No. 106, in clause 14, page 9, line 1, leave out from 'member' to 'is' in line 3.

No. 107, in page 9, line 3, leave out from 'member' to first 'his' in line 5.

No. 108, in page 9, line 7, leave out from first 'member' to second 'he' in line 8.

No. 109, in page 9, line 13, leave out from 'member' to end of line 15.

Mr. Öpik: I am tempted to shout "House", but not sufficiently tempted actually to do so.

It is interesting to commence this debate having just had a Division because voting systems are what we want to discuss. In simple terms, the Liberal Democrats propose the replacement of the system in the Bill with a single transferable vote system. Our amendments pave the way for STV in multi-Member constituencies by removing the references to the electoral regions.

The system would achieve the main aims of an electoral system: proportionality, voter choice and constituency link. Naturally, the boundary commission would determine the boundaries of the STV constituencies. It is a fairly straightforward process. STV would allow for single-Member constituencies in rural areas with sparse populations. It is important to stress that in some areas STV can still provide single-seat constituencies.

The purpose of our proposal is to ensure the fairest achievable system of proportional representation for Wales. The Labour party's acceptance, about 18 months ago, of the case for proportional representation in the Welsh assembly was a source of great celebration among Liberal Democrats. It was with some delight that we prepared our amendments, safe in the knowledge that the strategic argument for a proportional representation system had been won. Not only the Liberal Democrats called for an STV system to maximise voter choice. The Electoral Reform Society, the Parliament for Wales Campaign, the Movement for Welsh Democracy, Plaid Cymru and the Liberal Democrats have been united in the belief that STV provides the best system of proportionality that we can have.

I shall briefly explain the system in the Bill—the additional member system with closed party lists—without going through every excruciating detail. Every voter has two votes: one for a constituency Member and one for a party list. The constituency Member is the same as we have now—40 constituencies with 40 Members elected by the first-past-the-post system. An additional 20 Members will be elected from a closed party list to correct the disproportionate effects of first past the post. To make up the 20, four will be elected from each of the five old European constituencies that make up the new assembly's electoral regions. That is huge progress; for the first time, Wales has a serious chance of getting a national elected body proportionate to the votes cast.

As we all know, first past the post has regularly and monotonously created an unrepresentative outcome. That was clearly the case on 1 May, when an overwhelming majority of Labour Members were elected to the House despite the fact that Labour had only a minority of the vote. To that extent, we praise the Government for their foresightedness and for their willingness to carry through a promise made before their election. We seek to amend the proportional system to make it even more proportional, on the basis that we are now arguing about the details and how to improve our system of election to make it as transparently fair as possible.

Mr. Rhodri Morgan: The hon. Gentleman said that he was seeking to make the system even more proportional, but do not studies of the 1 May general election result show that only the additional member system would have given a more proportional result than first past the post? STV would have given a less proportional result than AMS.

Mr. Öpik: There have been various surveys, but they have consistently failed to assess—indeed, they cannot realistically assess—how voting intentions would have changed had a truly proportional system been in use so that people did not have to take a gamble or make some tactical calculation before casting their votes.

Mr. Donald Anderson: How does the hon. Gentleman know?

Mr. Öpik: We do not know. That is one of the interesting elements of our debate. We can be fairly sure from what happened on 1 May that people voted tactically to help remove the Government. Few would question that. [HON. MEMBERS: "Name names."] I do not want to mention individuals, on the ground that it would be a major retrograde step for my political career for me to bring the leader of the Welsh Liberal Democrats into this—unless he wants to intervene.

People voted in a way that showed that they were thinking of more than the simple casting of a vote for one party. They were thinking about the bigger picture—the effect that their vote would have. On that assumption, we are seeking to look beyond the simple calculations of the percentages of polls that have occurred in the past to how to remove the element of gambling in which voters have to indulge at present. How can we ensure that voters can vote according to their preferences and consciences, safe in the knowledge that the electoral system will do the rest on their behalf?

One of the assumptions of STV systems is that voters should not be expected to be experts on the electoral system and that the structure should serve them rather than make them study tables, graphs, advice in newspapers and what their friends are doing. For that reason, STV has generally been regarded as very successful.

Mr. Robert Syms (Poole): If STV is so successful, why do only Southern Ireland and Malta use it? Why should someone's second preference outweigh someone else's first preference? That is how the system works.

Mr. Öpik: One person's second preference does not outweigh another's first choice. It is simply that if the candidate of first choice is eliminated, a person's vote is not wasted but transferred to their second preference. Before the hon. Gentleman rises again, let me stress that no system of election is perfect. We are trying to optimise

[Mr. Öpik]

the system that we have. He is wrong to say that Southern Ireland and Malta are the only places that enjoy STV systems. The United Kingdom uses STV in Northern Ireland because it was believed that STV would be the fairest system in an area where, more than anywhere else in the United Kingdom, fairness has to be seen to have been achieved.

Mr. Ancram: Does the hon. Gentleman agree that the reason for the introduction of STV in Northern Ireland is that Northern Ireland does not have pluralist politics? Its politics are very different from those of the rest of the United Kingdom. If STV were introduced in the rest of the United Kingdom, its effect would be the reverse of that which it has had in Northern Ireland.

Mr. Öpik: I find it hard to understand the right hon. Gentleman's second point. He is almost saying that if we have a fairer system, people will have to become more partisan and sectarian. I do not accept that. Having grown up in Northern Ireland, I praise the STV system there. It is understood and accepted by pretty much everyone as a fair system for creating a representative outcome. Must we wait for things to get so bad in communities that people are no longer operating effectively in their political system before we are prepared to introduce a fairer system of government? The Liberal Democrats do not operate like that. We think that if something is working effectively in one part of the United Kingdom, the rest of the UK deserves it too. Let us not wait for troubles in our political systems to optimise their operations. The right hon. Gentleman has a deep knowledge of Northern Irish politics. Will he not ask himself whether he agrees with me and many people in Northern Ireland from both sides of the political divide that, for all the problems in Northern Irish politics, the STV system is one thing that is generally regarded as a success? That can be argued for particular reasons, but the most particular reason of all is that STV is the fairest system of electing a Government that anyone has yet come up with.

I shall listen with great interest to speeches from colleagues from other parties if they wish to express their worries about STV. We shall try to allay some of their fears.

I wish to talk a little more about the additional member system.

8 pm

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Before the hon. Gentleman moves on, may I point out that a big negative for the STV system is that it creates multi-Member constituencies. I notice that he has not made any remark about that. He represents a rural seat that has its own strong identity, and so do I. Unfortunately, multi-Member constituencies mean that the attachment of people in a given area to their Member is lost.

Mr. Öpik: I thank the hon. Gentleman for bringing that up. I am discussing the STV system this evening rather as I would eat a pizza—I am saving the very best bit until last.

Mr. Ancram: The best bit is the crust.

Mr. Öpik: I knew that I would regret saying that. I shall move swiftly on, not be distracted by these gastronomic accusations and return to the point made by the hon. Member for East Carmarthen and Dinefwr (Mr. Williams).

It is important that we discuss the merits and demerits of multi-seat constituencies, but I want to talk about the additional member system first. I shall describe our concerns about the AMS system. I shall be brief because I am sure that many other hon. Members wish to speak on the matter. The AMS system maintains the first-past-the-post system for the 40 constituencies. That means that the voter has to develop a certain understanding of the nature of the political process. That is our job, not the voter's job. Our job is to create the simplest structure so that the voter can enjoy the outcome for which he or she or, to be more exact, his or her community, has decided to vote.

The AMS system creates party lists. Party lists can be open or closed, but in essence the voter votes for a political party. In a closed list system, the political parties decide who goes on those lists. As Liberal Democrats, we are worried about the power that that gives political parties to establish who will sit in the assembly. We would like a more open system, and there is more than one open system to choose from. We want a system that gives voters choice and we want an open list so that the parties do not enjoy a stranglehold on the 20 seats.

Mr. Malcolm Bruce (Gordon): Does my hon. Friend think that the Government ought to be persuaded that parties that insist on closed lists may be punished by the electorate, who resent being presented with cloned candidates rather than the genuine range of opinion that is apparent even within new Labour? Does he agree that the Government should perhaps consider that a more pluralist system might benefit them?

Mr. Öpik: My hon. Friend makes an interesting point. By amazing coincidence, I have an example of just such an event. In Bavaria, which has a form of open-list AMS for its state Parliament elections, in a celebrated case in 1962, Dr. Hildegard Hamm-Brucher was sensationally moved from 17th position to first, despite the protestations of the political parties, by the wish of the voters. The voters reacted to party bullying and elected the person they, rather than the party, wanted.

There is resentment among the public when they feel that there is a party stitch-up. Some valuable points were made by Labour Back Benchers earlier about jobs for the boys—jobs for the boys and the girls. The STV system gets rid of all that, but with AMS there is still a danger, especially in the 20 seats, of patronage and that the situation will be exacerbated by the closed list.

The hon. Member for East Carmarthen and Dinefwr expressed concern about multi-seat constituencies. I want to explain why we think they are an advantage. There is nothing new about them in the United Kingdom. In any large metropolitan authority, members of different parties are likely to represent the same ward. I have experience on Newcastle upon Tyne city council of a three-party ward. For a long time there were two Tories and one Liberal Democrat councillor. Now, I am glad to say, there are three Liberal Democrats. We learnt to work together. The public chose which councillor they wanted to use. There was a surprising degree of co-operation. The party issues came second and the interests of the people came

first. In local government, we already have abundant evidence to suggest that people are effectively represented by multi-seat wards.

Another example is to be found in the Republic of Ireland. I have had many discussions with politicians in Southern Ireland in fulfilling my responsibilities as Liberal Democrat spokesman on Northern Ireland. They often talk about STV. One of the most interesting consequences of the multi-seat STV system in the Republic of Ireland is the regular and consistent interest that all Members of the Irish Parliament must take in the activities and problems of their constituents. More to the point—this is perhaps something that we as Members of Parliament would not enjoy—there is an element of competition within the parties to be the best constituency representatives. That may make us work a little harder in our constituencies, but there is no doubt that the winner is the voter.

Mr. Richard Allan (Sheffield, Hallam): Is not one of the strongest benefits of the STV system that individuals who hold strong political views are more likely to be represented by a range of political representatives? For example, strong Conservatives in Wales cannot find a sympathetic ear because only one party represents large areas of Wales.

Mr. Öpik: My hon. Friend makes an important point. I should like to think that there is no such problem in Powys and that the voters would repeatedly fill up all the spaces with Liberal Democrats, but I am sure that even in Powys there is a cross-section of political views. In rural areas, for the sake of simplicity, we may end up with single-seat constituencies, but in places such as Cardiff and Swansea there is no doubt that the first-past-the-post system mitigates against proportional representation of a cross-section of opinion. We do not get two Labour, one Liberal Democrat, one Conservative and a Plaid Cymru Member representing such cities.

I agree emphatically with my hon. Friend's point. In the interests of democracy, leaving aside the stress and anxieties for us as elected representatives, it would be preferable if a 50 per cent. vote for Labour delivered 50 per cent. of the seats to Labour and if 25 per cent. of the votes for the Liberal Democrats gave us one quarter of the representatives.

One point about multi-Member constituencies that is not always made is that women and ethnic minorities tend to achieve more representation by being allowed to choose between candidates of the same party and, more to the point, by the elimination of some of the closed-shop mentality which, whether we like it or not, often pervades the political system. In that sense, the system is effective even in helping to redress some of the traditional inequities thrown up by the first-past-the-post system.

Mr. Donald Anderson: I am a little puzzled. If the only precedents are those from Southern Ireland and Malta, which ethnic minorities are likely to be helped there?

Mr. Öpik: To add fuel to the hon. Gentleman's fire, who would imagine that a Northern Irish Estonian, living at the time in Newcastle, would go on to be Member of Parliament for Montgomeryshire? One may regard that as surprising. I accept that the minorities in the Republic of Ireland are not so much ethnic ones, although there may be such examples, but they do not come to mind immediately. In the past, women were discriminated against in the Republic, as has often happened in many countries, and they are now much better represented in Irish politics than they are in the United Kingdom. We would assert that one reason for that difference is the STV system. I look forward to other examples being cited in the debate.

In Northern Ireland, the whole purpose of the STV system is to prevent one political or religious grouping from overwhelming the political system. Not only has it been quite effective in ensuring the election of a cross-section of representatives from different parts of the sectarian divide, but I should like to think that it has gone some way towards breaking it down. Perhaps that example is a better one to offer the hon. Member for Swansea, East (Mr. Anderson).

I should now like to consider the amendments. I shall not dwell on them because right hon. and hon. Members have no doubt already studied them at great length. I am glad to see that the Secretary of State and the Under-Secretary, the hon. Member for Bridgend (Mr. Griffiths), are indicating assent.

Mr. Ron Davies: Since the hon. Gentleman tempts me, I assure him that I have studied them closely. In fact, I studied them with his predecessor, Alex Carlile. We agreed before the election that the best scheme on offer was the additional member scheme. Before the election, the hon. Gentleman's party signed a solemn and binding undertaking with me to campaign for it during that election. His party also put its name to the White Paper which proposed that scheme and campaigned vigorously and successfully in favour of that document during the referendum. I can therefore assure the hon. Gentleman that I have studied his proposals closely, but I judge them to be second best to the scheme that, before the election, his party thought to be much better.

Mr. Öpik: The right hon. Gentleman has forgotten that we signed on the dotted line for the best scheme that we thought that we could get away with at that time. I have nothing but praise for the right hon. Gentleman's accurate memory, although his hearing is not necessarily as impressive. I believe that we have fulfilled our side of the contract. Despite our misgivings, we campaigned positively and faithfully for the Welsh assembly. It is clear that the Liberal Democrats' contribution was crucial on 18 September. I would suggest that, since the referendum, we have returned the generosity shown by the Secretary of State in like kind.

Ms Lawrence: It is interesting to note what the hon. Gentleman has said. We in the Labour party have stressed the importance of sticking to the contract that we made with the British people. Is he saying that his party does not take the same view about keeping its side of that contract?

Mr. Öpik: On the contrary. I would like to think that, for all our differences—we are now discussing one—we have presented ourselves as a constructive Opposition. We support many of the Bill's proposals. In the final

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analysis, we will vote for it. I am sure that the hon. Lady is not trying to encourage the Secretary of State to impose some sort of gagging order on the Liberal Democrats.

Mr. Livsey: My hon. Friend is talking about the important principle of proportionality in the STV system. Does he agree that one of our concerns is that the additional Member element in the system proposed for Wales is much weaker than that proposed for Scotland? In Scotland there will be seven additional Members per Euro-seat or electoral region compared with four in Wales. The Scottish system is based on a first-past-the-post element and that is why we are proposing a more proportional system.

Mr. Öpik: I thank my hon. Friend for that observation.

Mr. Davies: Perhaps the hon. Gentleman could remind the hon. Member for Brecon and Radnorshire (Mr. Livsey) that in answer to me he said that the AMS is the best system that he could get away with.

Mr. Öpik: Because of various numerical differences, the system in Scotland is more proportionate than that proposed for Wales. The right hon. Gentleman should remember that I said that AMS was the best system that we thought that we could get away with at that time. More to the point, it set the slightly old-fashioned Labour party of Wales on the long, painful journey towards accepting the more radical, fresh and far-sighted views of the Liberal Democrats in Wales. The right hon. Gentleman and his colleagues have made tremendous progress in the past 12 months. We will carry on coaching them as best we can on all matters of constitutional reform as the years go by.

It is important to emphasise that we are pleased that we are not discussing the case for proportional representation, but the type of proportional representation that we want to adopt. We do not want to wreck any accord on the creation of the Welsh assembly, rather we want to propose arrangements to improve it. As the Government are a listening Government, surely it is good to have the opportunity to respond to our concerns. On the basis of earlier discussions—and whatever the outcome tonight—perhaps we will review the issues in years to come. Perhaps the Government will be persuaded of the benefits of STV once they have considered what happened with AMS.

8.15 pm

Amendment No. 110 provides for the boundary commission to determine the boundaries of the proposed constituencies. Amendments Nos. 111 to 130 remove references to electoral regions to allow for STV. They are technical changes. Amendment No. 49 is the main enabling amendment to introduce STV by amending clause 4. Amendment No. 102 changes clause 8 to allow for STV and amendments Nos. 106 to 109 change clause 14, again to remove references to the electoral regions in order to allow for STV. In effect, the amendments are a complete package designed to replace AMS with STV.

We are not setting out to wreck the accord; we are very pleased to note where we are starting from because it could have been a lot worse if we had a less progressive man holding the office of Secretary of State for Wales and a Labour party that was unwilling to look at the future but was content simply to rest on laurels past. Now that the bold step has been taken, it is right for the Liberal Democrats to suggest that the Labour party should take the final step towards true proportionality.

The Labour party should support not just a system that is fairer, but a system that is seen to be such by the public and which offers no secret controls to party hacks to appoint individuals from party lists. Above all, the Labour party should favour a system that enables the Welsh voting public to get exactly what they vote for. That is our intent and it may lead to the re-election of Conservatives in Wales.

Mr. Owen Paterson (North Shropshire): Given that we are talking about proportion, may I ask the hon. Gentleman to remember that, in the referendum, only 24 per cent. of the electorate of Powys voted yes?

Mr. Öpik: Let me remind the hon. Gentleman of three other statistics. First, the result was massively different from that achieved at the previous referendum. I accept that we still have a job to do to convince many people in Wales that the assembly is the right way forward, but we are well on the way to doing so. Secondly, I should like to remind the hon. Gentleman that just 29 per cent. of the voting public propped up the Tory Government for five years, yet the Tories regarded that as a mandate for wrecking large parts of the country.

As for the third and final statistic, the hon. Gentleman should bear it in mind that those who whinge about figures and statistics after the vote are often punished by the electorate at the next election, as we saw so graphically in Winchester, where Conservative whingers managed not to win back the seat, but to increase our majority from two to 21,556. My advice to him is to accept the decision of the whole of Wales and constructively to work to weld together a more co-operative and constructive process with members of all parties and of none.

In conclusion, I hope that the Government will seriously entertain our amendments and accept the merits of STV. Perhaps we have some way to go before we convince the Government, but I hope that the door is open for a constructive debate. We have come a long way already and I should like to think that this is the beginning of a constructive dialogue that will help to revolutionise the way we elect our representatives and restore the faith of the public who, all too often, have been disappointed, not by how they voted, but by what they got when they voted according to their conscience. I thank hon. Members for their time and I shall be interested to hear all the speeches from Labour Members that add colour and insight to our debate tonight.

Mr. Donald Anderson: The hon. Member for Montgomeryshire (Mr. Öpik) asked whether Labour is the listening party. Perhaps that is part of the problem—we listened to Alex Carlile. He came to a concordat, which is now described as the best the Liberal Democrats could get away with. I wonder whether Mr. Carlile said so at the time.

I understand that our good friends on the Liberal Democrat Benches venerate Mr. Lloyd George, of whom it was said, "Count not his broken promises as a crime.

He meant them, oh he meant them at the time." It was clear that, in the spirit of Lloyd-George-ism, the latter-day Liberal party meant its promise to us "at the time", prior to the election, but since that time an amendment has been ably moved by the hon. Member for Montgomeryshire who, consistent with Liberal Democrat tradition and like Miss Enid Lakeman, is having a love affair with proportional representation. He believes that all the ills of society will evaporate if only we accept different forms of proportional representation, depending on whether we are dealing with the matter before or after the election.

Mr. Öpik: On the contrary, I assure the hon. Gentleman that I have no doubt that, were STV to be introduced in Wales, the return of the Tories would mean that many of the ills of society would return to sit in the Welsh assembly. It is not in our political interests that we move the amendment; it is in the interests of democracy.

Mr. Anderson: What self-sacrifice.

The amendments set out a series of potential voting systems. It is fair to say that there is no perfect voting system and the outcomes are never exact, save in a country such as Israel, where the whole country is a single electoral unit. Unless there is a minimum vote requirement—say 5 per cent.—the result can contain enormous distortions and give great power to fringe groups such as that of the late Rabbi Kahane in Israel.

Mr. Syms: Because of the fringe elements and the diversity of its system, Israel has introduced a directly elected Prime Minister on an essentially first-past-the-post system so as to get away from minorities holding power.

Mr. Anderson: That Prime Minister is still dependent on the Knesset, which is itself the result of a one-country proportional system that carries with it all the problems of coalition-building and fringe or minority power that can now be seen affecting the peace process. Leaving Israel speedily, it can be said that all systems are proportional, but some are more proportional than others. All have advantages and disadvantages.

One important and fundamental point has not yet been made. The fact that the Government are introducing a system of proportional representation tells us something about the spirit in which the devolution package has been put forward. It is an important signal that, in this respect, the Labour party is Plaid Cymru—the party of Wales. Under the current system, we have gained all the seats in the European Parliament—five out of five. To put it bluntly, we are overrepresented and, by contrast, the Conservative party is underrepresented. By what can only be deemed to be an act of generosity, the Labour Government are proposing a system from which we as a party shall not benefit—but Wales will benefit.

If the assembly were to use the first-past-the-post system, we would have the same distortions as have been thrown up by the current system in this Parliament. The Government and the Labour party have not been given sufficient credit for their act of generosity—an act not of weakness, but of strength, because we can decide the issue. It was a spirit not of domination but of inclusiveness that persuaded the Labour Government to bring forward a system of proportional representation in the first place. That fundamental point needs to be stated before we consider the effects of different electoral systems.

Mr. Allan: I should like to stress that Liberal Democrat Members give the Government credit for their decision. My hon. Friend the Member for Montgomeryshire (Mr. Öpik) made it clear that we feel that the Government have gone a long way in a fairer direction and that we are talking about the final outcome. We fully accept and are duly grateful for the fact that the Government took that decision. It is an essential step forward and we hope that it will be a model for the whole United Kingdom.

Mr. Anderson: I welcome that response. I simply said something that must be said. Had we accepted the Conservative amendment, which would have introduced a first-past-the-post system, the result in respect of the assembly would have been as distorted as was the result of the last election. In that election, the Conservative party received about 20 per cent. of the vote in Wales but had no representatives whereas Plaid Cymru had 10 per cent. of the vote and has four representatives. If that is what the Conservative party wants to follow from its amendment, so be it, but it is wrong in principle and unfair.

The Labour Government are coming to the aid of the Conservative party, both in respect of Europe and in respect of proportional representation, and trying to breathe some life into the corpse that is the Conservative party in Scotland and in Wales. It may well be that that corpse will be slightly revived by the electoral system we are debating.

Mr. Laurence Robertson (Tewkesbury): Will the hon. Gentleman give way?

Mr. Anderson: Yes, to the hon. Gentleman speaking from the dead.

Mr. Robertson: To get 20 per cent. of the vote and yet no seats is wrong only if one looks at the whole area of Wales; but if we look at each constituency—the principle on which the constitution of this country is rightly founded—we see that in each case electors chose to vote for another candidate. Surely that is quite acceptable to everybody?

Mr. Anderson: If the hon. Gentleman supports the amendment put forward by his party in favour of the first-past-the-post system, he must intend the natural consequence of that, which is that on the 1997 outcome the Conservative party would not be represented in the assembly. He may welcome that and think it a happy result of the electoral system, but I think that it is wrong and unfair. The Conservatives should be included, in spite of themselves, in the assembly.

Mr. Wigley: The hon. Gentleman must be aware that many Conservative party members in Wales desperately hope that this provision will be in the Bill; they include a number of former Members of Parliament who are looking for a new incarnation.

Mr. Anderson: It is wonderful to think of former Conservative Members in Wales having a Damascene

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experience. They have seen the light and, in spite of the unreconstructed policies put forward by the Conservative Front Bench, they now say that they wish to clamber on board and that they were really closet devolutionists all the time. Like Nicodemus, they come to us at night and say that they were really with us.

Various systems were on offer. The present Welsh Whip, my hon. Friend the Member for Cardiff, Central (Mr. Jones), and I happily proposed a system that was accepted by the Government—our submission was not to Alex Carlile but to the Welsh Labour party. It was based on the following principles: first, the link between a Member and his constituency is deemed to be valuable and should be accepted in the system. I have been here for a fairly long time. My international experience has shown me that many of my colleagues on the continent come from multi-Member constituencies or have no real identity and base in the areas that they represent. There should therefore be a direct link between a Member and the constituency that he or she purports to represent.

8.30 pm

Secondly, there should be, as far as possible, a known electoral division. Hence the proposed system is based on the current Westminster constituencies because they represent identities and communities. It is also based on the Euro-constituencies, which will now be swept away but which have some relevance in terms of community. Ultimately, there will be a greater relationship between the seats in the assembly and the votes cast by the people of Wales. That is part of the inclusiveness that clearly weighed heavily with Alex Carlile when he accepted that view before the election.

As part of the package my hon. Friend and I proposed, we suggested that there should be 60 seats—40 plus 20—and not simply because there happen to be 60 seats in the Swansea guildhall and, by some great foresight, the founding fathers, who helped to construct and design the Swansea guildhall, had put 60 seats in the chamber. Although that is an important consideration, we thought that that figure made sense. We did not want people to say, "There they go again; we are over-governed." That number of seats seemed to be right for Wales as a whole. It is the Goldilocks syndrome of not too many and not too few. However imperfect it is, I believe that our suggestion meets the requirement.

Hence, I agree with Alex Carlile and the Government, but I do not agree with Lloyd George or the Liberal Democrats.

Mr. Ancram: It is always a pleasure to follow a speech of that kind and I am grateful to the hon. Member for Swansea, East (Mr. Anderson) for his solicitousness about the Conservative party. I assure him that if he thinks that we are a corpse, he will have some sleepless nights, because we shall haunt him. He may find a little later that it is not the Canterville ghost but a live political body that is haunting him. But by that time it may be too late to do much about it. He spoke about Nicodemus coming in the night. That was a little rich coming from a Labour Member in the context of Wales because there is not total unity of spirit among Labour Members. I, too, have had some interesting conversations over the past four months about the proposals before us.

I am sorry that the Under-Secretary, the hon. Member for Bridgend (Mr. Griffiths), is being overworked tonight. This is the third debate to which he will have responded. I had been looking forward to the launching in Committee of the hon. Member for Neath (Mr. Hain), who I thought was the devolution Minister, particularly during the referendum campaign. I then remembered that about 20 years ago he wrote a book called "Proportional Misrepresentation", in which he completely destroyed the argument for proportional representation and came out in favour of the first-past-the-post system, so a speech from him from the Government Front Bench might not have helped the Government's cause.

I listened with interest to the hon. Member for Montgomeryshire (Mr. Öpik). I felt that we were having a peep-show view of the Lord Jenkins of Hillhead committee and the attempts of the Liberal Democrats to persuade their Labour colleagues of the benefits of the single transferable vote. The more I hear the arguments for STV, the less I am convinced by them. The hon. Gentleman talks about fair votes, but when my hon. Friend the Member for North Shropshire (Mr. Paterson) suggested that only 24 per cent. in Powys had voted for the assembly, we were effectively told that those who had voted against were wrong, so they could be ignored. That is the antithesis of an argument for fair votes.

Mr. Öpik: While no one is wrong for expressing a view in any vote, does the right hon. Gentleman recognise that we still have a job of work to do in that respect? However, under STV, a minority vote will not command an overwhelming majority of the power.

Mr. Ancram: That does not detract from the fact that the hon. Gentleman said that if one dislikes what the majority votes for, one simply ignores it. That is not the basis of a fair vote. He gave some examples of STV and referred to Ireland. I do not wish to criticise the Irish system, but in my experience it created anything but stable government. When I was a Northern Ireland Minister, I found myself negotiating with a Government led by Mr. Albert Reynolds one month and with a Government led by Mr. John Bruton the next. There had been neither a change of political opinion nor a general election, simply a change of coalition partners—a falling out of individuals—and suddenly the whole political landscape in Ireland changed. We should be very much aware of such lessons if we are to create a stable system. I thought that the Government wanted to create a stable institution in Wales, not one that is constantly at the whim of the small parties involved.

Proportional representation leads to government by deal. That is what coalition is about. I was entertained tonight to hear that the deal cobbled up before the election on the additional member system between the Liberal Democrats and the Labour party, which was in opposition at the time, had not even lasted the short course between the election and now, and that the Liberal Democrats were trying to unpick it. That does not fill me with great confidence about the Liberal Democrats' proposals.

Mr. Dafis: Does the right hon. Gentleman accept that all Governments govern by deal? One of the last

Conservative Government's biggest problems was that a deal between the two disparate wings of the party was impossible, so the whole thing fell apart.

Mr. Ancram: I suppose that, in a pluralist system, all political parties are coalitions. At least within a party there is a system for having arguments, whereas under proportional representation deals are done between different parties. I seriously believe that, almost invariably in a coalition system born out of proportional representation, the small parties hold the balance and sway of power. The Liberal Democrats are keen to have such a system because they look across the water to Germany and see that the party that has remained in government, regardless of whether the left or right is in power, is their sister party. That must be attractive to them. However, it is not a democratic prospect when the party that is actually in power is the one that secures the smallest number of votes.

Mr. Dalyell: Has the right hon. Gentleman seen the writings of Vernon Bogdanor, professor of government at Oxford university, who incidentally is a great pro-devolutionist, about the problems of having fixed-term Parliaments under a coalition? If one member of the coalition wants to swap sides or change allegiance, real problems arise. Unless there is the possibility of dissolution, it is difficult to maintain a credible Government.

Mr. Ancram: I take the hon. Gentleman's point.

Mr. Donald Anderson: As in Norway now.

Mr. Ancram: We shall closely examine whether the Scotland Bill has provision for dealing with such a situation. It is a serious point, as is the issue of minorities holding the balance of power in coalitions. Proportional representation makes it easier for not only the moderate minority in the middle but for the extreme minority on the outside to get in. In the recent election in Ireland, three of the seats were held on a narrow majority by people with strongly republican views: two were from Sinn Fein and one was an independent who could, ultimately, hold the balance of power. That is the antithesis of stability.

We argued against devolution, but we now believe that it will happen, so it must work. We should be conscious of anything that is likely to create a more unstable system.

Mr. Livsey: The right hon. Gentleman argues that there is instability in Ireland, which operates an STV system, and in Germany, which operates AMS. Where does he actually stand? The Federal Republic of Germany has been extremely stable under AMS, and so has the Republic of Ireland under an STV system.

Mr. Ancram: I have said what I have said about the Republic of Ireland. The one stable factor in the Federal Republic of Germany has been the constant re-election of the equivalent of the Liberal Democrats on between 5 per cent. and 7 per cent. of the vote.

The additional member system gives rise to other problems. Perhaps the Minister will remind me whether the system proposed is the d'Hondt or Sainte-Lague system. They are complicated systems that try to ensure that there is some degree of proportionality. If the system were totally and openly proportional, it might produce a distorted result. The problem with AMS is that, particularly where there is a closed list, it is the antithesis of fair votes. People are asked, in effect, to vote for a party. Members who are elected are chosen not by the electors, but by the party machine, however the list rankings have been decided. That adds to the power of the party machine, which undermines democracy and creates enormous areas of political patronage. Such a system is open to abuse. That is why we do not like it. The AMS, as opposed to the European system of a straightforward list, has two categories of Member. One category is elected directly by the electors in the constituency under a first-past-the-post system, and the other is elected by party according to the weight of vote across a larger area. Members in the first category will undoubtedly claim to represent the constituents in dealing with the problems of housing, health and roads, and Members in the second category will not have that mandate.

In the Welsh assembly and in the Scottish Parliament, the two categories of Member will be paid the same and have the same facilities, but one will have to work a darn sight harder than the other. I believe that that is a recipe for instability.

The Liberal Democrats' proposal for an open list should be considered, because it at least gives a greater mandate to the Member elected than does AMS.

Ironically, the proposed system is likely, in the short term, to help my party. The hon. Member for Swansea, East kindly reassured us that that was the reason for the Government's proposal. I am not sure that I take that entirely at face value. Even so, I believe that the stability and robustness of the system that we adopt for the Welsh assembly is more important than short-term political gain.

For that reason, we have tabled amendments Nos. 22A and 23A, which would replace the additional member system with the straightforward, first-past-the-post system. If the result of the vote on 1 May were to be replicated, that would not be in the interests of Conservatives in Wales. However, I take the rather more optimistic view that we are on our way back, and by the time of the Welsh assembly elections, the first-past-the-post system will do us very well, and a large number of Conservatives will be elected to the assembly.

8.45 pm

I want to put on record the reasons why we are strongly against proportional representation. We believe that our electoral system works better than the PR systems in other countries. Italy is a good example, because it has had PR for years and has had countless Governments. It has now begun to move away from PR towards first past the post, because PR created years of unstable government. France switched back to its second ballot system because the national front won more seats under PR from 1986 to 1988. New Zealand, which introduced PR last year, had to wait more than two months for a Government to be formed. A number of people who have studied that system have told me that we should consider closely the lessons to be learnt from New Zealand before we make the same mistakes.

Mr. Allan: Italy is an extraordinary example to use. According to my reading of that country's current

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political situation, there has been far more instability since the change in the electoral system than there was before it. There has been a complete breakdown of the parties, a growth of new parties and confusion between Forza Italia and the parties in the north. There is no case for saying that the introduction of first past the post has stabilised the Italian system.

Mr. Ancram: The hon. Gentleman should consider the number of Governments that there have been since the system was changed, as opposed to the average number per year in the years since the war before it was changed. He will find that his argument does not stand up.

There is no doubt that accountability suffers under a PR system.

Dr. Marek: The right hon. Gentleman should bear in mind the fact that Italy overtook us in economic well-being years ago, so we must not draw too many conclusions from the position there.

If the election were replicated in Wales, a Labour group from south Wales would be in charge. We needed to change the system so as to provide not a Labour assembly, but a Welsh assembly. We have achieved that by moving away from a first-past-the-post system and providing an element of AMS.

Mr. Ancram: I cannot remember whether the hon. Gentleman has declared that he is going to the assembly or staying in the House. If he is going to the assembly, he must be looking forward to many changes of Administration, possibly in the hope that he will feature in a number of them. I take his point about the need to create a Welsh political unit, but there are other ways of doing that. I do not want to show my hand at this stage, but I shall introduce amendments that try to achieve that. The price that is paid for PR is not necessarily the best way of creating homogeneity in Wales.

There is no doubt that under PR the one-to-one link between a Member of Parliament and his constituency is weakened. I believe that the electorate want one person to be responsible for dealing with their grievances. The fact that I represent all my constituents and not just those who support me is a healthy part of our democratic system, because it broadens our outlook.

I shall ask for a vote on our amendment, because I believe that the introduction of PR into our political system—leaving aside Northern Ireland, where the lack of pluralism creates a different situation—is a bad step. It is a bad step not just for Wales and Scotland, but because it will be seen as the forerunner for the rest of the United Kingdom.

There is no doubt that PR produces the second best, because the result is always compromise. Some people may argue that compromise is a good thing, but in my experience compromise has its place. Compromise in politics normally means getting not the strongest and the best but the "least worst". I do not wish that on the Welsh assembly, and I will therefore press my amendment to a vote when the time comes—if I may, Sir Alan.

Mr. Denzil Davies: I do not think that Ministers will be surprised when I tell them that I do not support the system proposed in the Bill. Although I am old-fashioned and, no doubt, in a very small minority, I support the first-past-the-post system. We have been told that no system is perfect, and I will not argue the case for first past the post versus proportional representation in general, because that is not what the amendment is about; but basically I support first past the post for the Welsh assembly—and, indeed, for the House. The Bill proposes the worst kind of PR system, if it can be strictly described as a PR system.

I was surprised by the speech of the hon. Member for Montgomeryshire (Mr. Öpik): like my right hon. Friend the Secretary of State for Wales, I had thought that his party's favoured system was the system proposed in the Bill. Certainly, as far as I remember, the Liberal Democrats did not criticise the additional member system during the referendum campaign. I did, publicly, and may have incurred the wrath of the central committee by doing so.

Mr. Livsey: Surely it is well known—and surely the right hon. Gentleman knows—that the Liberal Democrats favour the single transferable vote. The issue was whether we were to have a Welsh assembly, and whether it would involve an element of proportionality. We were prepared to accept that as far as it went, but obviously, as a matter of principle, we favour STV.

Mr. Davies: I think that it would be possible to vote for a Welsh assembly in a referendum as a matter of principle, in support of decentralisation and devolution, while adding the caveat that the Liberal Democrats did not support the additional member system; but I heard no caveats. It surprised me that the Liberal Democrats were not prepared to say fairly, clearly and honestly, before the Welsh people, what they believed.

Mr. Öpik: May I jog the right hon. Gentleman's memory? He may recall that we made our specific concern about the system of proportionality very clear. Indeed, I made it clear more than once on television. During the referendum campaign, we said that strategically things were proceeding in the right direction; the big question, we said, was about PR.

Mr. Davies: I did not hear the hon. Gentleman say that, and his speech came as a bit of a surprise to me, but I do not want to pursue the matter. It is understandable, I suppose: it is in character, in the context of the Liberal Democrat party.

My hon. Friend the Member for Swansea, East (Mr. Anderson), waxed lyrical about a system which, apparently, he had invented along with the Whip, my hon. Friend the Member for Cardiff, Central (Mr. Jones). It was marvellous, he told us, because it provided a direct link with constituencies. That is not how I read it. In the case of two thirds of Members the link is there, but in the case of the remaining third it is not a case of breaking a link with a constituency, because there is no link to break. Members are chosen by the party centrally, although there may be certain ways of choosing them.

The Electoral Reform Society has issued a splendid briefing paper. Most of the speech of the hon. Member for Montgomeryshire was taken from it, although he did not acknowledge the source of his speech. He even found

a reference to Bavaria in the briefing, but he did not say that he had found it there. He obviously knew about Bavaria before the briefing was published.

The briefing paper gives the example of a ballot paper, which shows vividly that there is no link with constituencies. There are no names of people on the paper in the additional member scheme; there are just names of parties. Perhaps there is a list tucked away somewhere, but it is certainly not possible to vote for the names on such a list. The Members who are chosen will of course be accountable—a word that is used constantly nowadays. They will not be accountable to constituents, because they will have no constituents; they will be accountable to the party that has favoured them by putting them on a list.

The additional member system is an apparatchik's dream. It is democratic centralism: "democratic" in inverted commas, that is. The central party chooses. Although the salaries of the additional Members will presumably be paid by the taxpayer rather than the parties; they will be nominees of the parties and accountable to those parties. I think that we will pay a price at the polls. I am old-fashioned enough to believe that the British like a link between their Members of Parliament and the constituencies. I think that the Welsh people will find a way out, and I think that, if we adopt the same system in Britain as a whole, the British public will find a way of telling us that they do not like the concentration of party power.

The problem nowadays is that political parties tend to be more and more unpopular. People resent a political class that increases its own power, pay, perks and status, but here we are going further down the road when we should be trying to find a way of making people trust us a bit more as political parties, rather than creating a centralised system.

It is true that two thirds of those who are elected will be chosen by constituencies, but the centralising tendency which probably exists in all parties nowadays is certainly very strong in the Labour party. I am told that efforts are now being made to dilute even the constituency element in the choice of the two thirds. I would not dream of using a word like "cloning"; I think that the managerial language is "profile". A kind of DNA profile is drawn up, and those who fit the profile are deemed acceptable. If someone is old Labour, or old-fashioned—as we have heard from the hon. Member for Montgomeryshire, who is extremely new-fashioned—

Mr. Allan: New-fangled.

Mr. Davies: I did not want to say "new-fangled". I wanted to be kind to the hon. Member for Montgomeryshire. As his colleague has used the phrase, however, I can.

Those of us who are old-fashioned, with unradical thoughts and minds that are not prepared to address problems, are not the kind of people who fit the "profile". Only those who fit the profile will be thrown back to their constituents.

Last night, the Labour party I think decided to put constituencies together, so even the link between the so-called constituency Member and the constituency might not be strong. We are seeing again the centralising tendency in my party and perhaps we see it in other parties too.

Ms Julie Morgan: Does my right hon. Friend agree that the purpose of putting two constituencies together is to achieve better representation for women? Can he suggest another way of achieving that?

Mr. Davies: I have no idea. I have not heard any debate on the matter, which is perhaps not surprising. The executive's decision the other night was taken behind closed doors. I have not seen any minutes. This is the first time that I have heard that argument. By all means, let us have the argument, but let us not take the decision before we have it.

Mr. Rogers: Surely my right hon. Friend would accept that the great advantage of being responsible for two constituencies is that the Member can be doubly democratically accountable—he can be accountable to both constituencies. We double democratic accountability.

Mr. Davies: Except that one does not know where the Member happens to be at the time. Putting constituencies together reduces accountability. That is a problem in modern politics in Wales and probably in all the western democracies. Accountability is reduced as the political class creates more power for itself.

9 pm

I agreed with the hon. Member for Montgomeryshire about one thing: we should have an open list system. If we are going down this road—and I am sure that there is no chance of changing anything—we should have that system. I confess that I am not as knowledgeable as the Liberal party about electoral reform—it has been thinking and talking of little else for the past 50 years—but I have read the excellent electoral reform publication and I know about the lady from Bavaria who managed 17 years ago to win an election, even though she was at the bottom of the list.

I was attracted by the specimen ballot paper—if we have to have this system at all. Apparently, although I would have thought that it would confuse voters, it is possible to have a choice: to vote for the party and forget about the people who have been chosen, or to vote for someone on the party list. The person at the top of the list might not receive any votes. That would not be conducive to or useful for the apparatchiks, but at least it ameliorates, although only to some extent, the iniquitous system of the closed list and the additional Member.

We shall not be going back to the first- past-the-post system entirely; I accept that that battle has been lost. One third of Members will be elected by this crazy system, but if we are going to have it let us explore the possibility of the open list system. I do not think that there are any problems. If the Bavarians can do it, so can we. As a party, we are very attracted by the German system. I remember my hon. Friend the Member for Cardiff, West (Mr. Morgan) extolling the virtues of Baden-Württemberg. I am not sure where that is, except that it is in Germany.

Mr. Rhodri Morgan: It is next to Bavaria.

Mr. Davies: I am sorry to say that Baden-Württemberg has a closed list system, so I cannot use it as an example.

[Mr. Davies]

Most of Germany has a closed list system. When I went to East Germany years ago, it had such a system. The people there told me that it was similar to the one in West Germany, except for Bavaria. They were right.

As the excellent pamphlet tells us, the Germans have that system—and it is part of their history and I do not criticise them for it—because of the problems of the Weimar Republic. One can understand why Germany needed a strong party-based system at that time, but the world has moved on and no doubt one day the German constitution will have to move with the rest of the world.

At least I can give my hon. Friends Bavaria. If one of the German Länder is doing something, it must be right and good. We in Wales should follow that example. I say to my hon. Friends: please consider the matter again. We will pay a price for this centralism unless something is done about the closed list system. Let us have at least an open list system. Then at least the additional member system will be slightly better than it is at present.

Mr. Dafis: Amendment No. 191 provides some flexibility in relation to the boundaries of the regions for the additional member lists. The regions are based on the European electoral regions, which will no longer operate at the time of the election for the National Assembly for Wales. It is important that the areas represented by Members elected under the additional member system bear some relationship to community and geographic reality, and are not simply based on numbers, which the Bill emphasises.

The Wales Mid and West European constituency best demonstrates the absurdity of merely emphasising numbers. That constituency covers an area extending almost from Llandudno, in the north, to Pembrokeshire and includes all of Powys and Llanelli. It is impossible to imagine a more disparate region. The region has absolutely no unity or cohesiveness and is extremely difficult to represent. I do not envy the Member of the European Parliament who must try to represent it, as it is difficult to keep in contact with one's constituents.

Members elected under the additional member system should have a type of constituency to which they are linked, and the regions from which they are elected should be more manageable than European constituencies. Although the Government will not accept amendment No. 191, I hope that, to achieve a sensible system, they will seriously consider making constituencies manageable, rather than simply emphasising numbers.

Amendment No. 58 supports Liberal Democrat amendments in favour of the single transferable vote system. The right hon. Member for Devizes (Mr. Ancram) spoke against proportional representation, although he seemed to say that the additional member system had even greater deficiencies than the STV system. It has been suggested that the STV system weakens the link between the Member and the constituency. The experience in the Republic of Ireland, however—my comments are based on my meetings with Irish TDs and on seeing them work together—belies the idea that the link is weakened. Although their constituencies are considerably larger, they are not unmanageable.

Electors in an STV system can choose their assembly Member, rather than merely voting for a party, as in the additional member system. Such a connection would provide a stimulus to a Member of the Assembly to be a good constituency Member. Therefore—as the right hon. Member for Llanelli (Mr. Davies) said—an STV system empowers electors rather than political parties, because electors, not a party, decide which Member will be elected.

It has been suggested that an STV system is complex, and that it is difficult for electors to understand the ballot paper, which contains so many names that are arranged in party lists. Again, however, the Irish experience overwhelmingly shows that that is not true. Although the system seems complex, it is well understood in Ireland. Moreover, the Irish clearly appreciate the influence that the system gives them over a party's selection of candidates. The parties themselves must also consider which of those they include on their lists are most likely to be electable. It is, therefore, a way in which electors can influence the party's choice of candidates, which is perfectly reasonable.

The Irish experience demonstrates that STV produces a less confrontational style of politics in which members of different political parties representing the same constituency work well together. That sometimes happens under the current system when those representing adjoining constituencies work together in the interests of the region, but I was particularly impressed by what I saw in Ireland.

STV also encourages coalition Governments. It has been suggested that coalition Governments create constant instability. However, the Irish Government have displayed a significant continuity of policy over several decades, instead of swinging from one set of policies to another. That must have something to do with Ireland's outstanding economic success. A striking continuity of policy has run through successive Administrations comprising different combinations of political parties. There is, therefore, no evidence from the Irish experience that the accusation of instability has any substance.

The strength of the case for STV has persuaded Plaid Cymru to change its policy. We have moved from supporting the additional member system—although it was a little more complex than that—to supporting the STV system.

We know that the amendment will not be accepted tonight, but we have put down a marker to highlight the virtues of the STV system. We hope that at some stage there will be an opportunity to introduce STV in Wales, and perhaps on a broader basis, as it is a preferable system.

Mr. Laurence Robertson: I agree with some of the remarks by the hon. Members for Swansea, East (Mr. Anderson) and for Montgomeryshire (Mr. Öpik). They stressed the importance of the link between the Member and the constituency, not just because it tends to give people what they want, but because it is representative of the British constitutional and electoral systems.

I shall make one or two brief comments. I make no apology for repeating myself, as one of my concerns about devolution and the constitution of the Scottish Parliament and the Welsh assembly is the drift—although it is somewhat driven—towards European politics.

The Chancellor of the Exchequer has said that there is no constitutional bar to Britain joining a single currency. The United Kingdom is being broken up into regions.

Proportional representation is also an alien concept. My right hon. Friend the Member for Devizes (Mr. Ancram) spoke about its dangers.

Mr. Allan: Does the hon. Gentleman feel that proportional representation is more or less alien than eating horses and having toilets that are holes in the ground?

Mr. Robertson: I am not sure whether I should welcome that intervention, but I feel that proportional representation and devolution are totally alien to British political life.

The concept of political parties having to register or be part of the constitution is also totally alien, as is the fact that people will be asked to vote for a political party rather than a person, even though they support that political party. The fact that Members will serve those who compile a list rather than the people whom they are supposed to represent is another element of an alien system. The fact that there will be gatherings of groups to keep the whole thing going is also alien to the British way of life.

I am perplexed that so many hon. Members are smiling or laughing at what I am saying. It may be somewhat comical, but I challenge them to point out where I am wrong in saying that the system is alien to the British way of life. It is not what people in this country expect or what they have grown up with. I agree with the right hon. Member for Llanelli (Mr. Davies), who said that the issue will come back to haunt his party. I ask the Government to take note of him and many others from various parties, who, although I do not agree with everything that they have said, have already come up with many objections to the system.

9.15 pm

Mr. Evans: I thank the Government for their generosity in devising a system for the assembly that throws a lifeline to the Conservative party—or that is what we are supposed to believe. However, the Secretary of State must forgive me for being suspicious of his lifeline. I know that he is a charitable person, but I did not realise that his charity extended as far as the Conservative party.

A pick-and-mix assortment of systems is offered for the European elections, the assembly in Wales and the Parliament in Scotland. In addition, Lord Jenkins of Hillhead is looking at various systems that may be used for Westminster. The Liberal Democrats advocate the single transferable vote. I fully understand why they support that system. It may have something to do with their belief that they might be the depository of all the second votes from Tories and Labour supporters. In their virtual reality world, they may think that under STV the assembly will be packed full of Liberal Democrats trying to keep out the Tories and—

Mr. Donald Gorrie (Edinburgh, West) *rose—*

Mr. Evans: I have only three minutes. I hope that hon. Members will be understanding. I can imagine the system that the Liberal Democrats are thinking of.

With a closed list system, the parties have disproportionate power over their candidates. I have grave reservations about centralising that power in political parties. It is transferring power not from the parties to the people, but from the people to the parties, particularly from the people who work for political parties in the constituencies.

I also have grave reservations about having two Members representing the same area—a constituency Member and a regional Member. The ordinary electors are already confused about the different responsibilities of different tiers of government. With the assembly, we shall have more tiers of government than Elizabeth Taylor has had tiers on her wedding cakes. The demarcation of responsibility between tiers of government is not clear. Even within one tier of government, people will not know whether to write to their constituency assembly Member or their regional assembly Member, who may be from different parties. There will be massive conflict.

We already know that conflict exists between the members of different parties, and one can only imagine the conflicts that would exist between members of the same party. If the Prime Minister does not get on with his Chancellor of the Exchequer, although they are in the same party and even the same Government, we can only imagine what will happen if we have that form of proportional representation.

I disagree strongly with the system suggested by the Liberal Democrats, which would produce 10 extra politicians. One of the strong arguments that won us a lot of votes in the referendum was, "Do you want to spend the money on politicians or on the people?" We got the result there, but the Liberal Democrats have not been listening and have suggested a system with 10 more politicians. That would cost about £1 million with all the salaries and expenses, and the people would prefer to see the money spent on services.

Dr. Marek: I am making a brief intervention in support of my right hon. Friend the Member for Llanelli (Mr. Davies). We want not a closed list but an open list. The people of Wales will want to be able to decide whom to vote for and whom not to vote for. That is important.

However, if we are to have closed lists, I wonder whether the Minister can promise us that all members of the Labour party will be able to vote to decide the order within the closed list. I do not want some shadowy group of people in Labour party headquarters at Millbank to decide the order. That ought to be done in Wales.

Mr. Win Griffiths: To answer my hon. Friend the Member for Wrexham (Dr. Marek) directly, let me say that what he has asked about is one of the things still to be decided in the Labour party. He will have a chance to say something about it at a later stage—and we shall be able to debate the issues of open lists tomorrow.

Until I heard the speech by the hon. Member for Tewkesbury (Mr. Robertson), and his peroration about aliens, I had not realised that the electoral system that we propose would form a suitable case for investigation in "The X Files".

The hon. Member for Montgomeryshire (Mr. Öpik) may have thought that he was on to a winner in proposing amendments to clause 4, but I have to disappoint him because we do not support the amendments that would introduce the single transferable vote. We made it clear in the referendum campaign that we would use the additional member system. That is the best way of achieving a new

[Mr. Win Griffiths]

inclusiveness and an element of proportionality in Wales, and it was endorsed in the referendum vote on 18 September.

We believe that that system best serves the constituencies, with a representation that reflects the whole of Wales. It will not be too complex for voters to understand or officials to administer—unlike STV, under which we would have to have constituencies with three to five members. Some of the constituencies in rural Wales, such as mid-Wales, west Wales and north Wales, would be very large.

There is also great potential for voter confusion. For example, we know that, although the Irish Republic has had STV since 1923, there are 10 times as many spoilt ballot papers in general elections in Ireland as there are in Wales. Moreover, the counting process is exceedingly complex. In most of Ireland, there are constituencies of between 60,000 and 75,000, but the Welsh constituencies would be bigger. Even in Ireland, there are sometimes as many as 11 or 12 counts—15 were recorded in one constituency—and they take two days to complete. That is not the best system.

As for representation for women, as the hon. Gentleman is a member of the British islands parliamentary group, he will know that there are only two women in the group, and that at present the representation of women in Ireland is no better than in the United Kingdom. From his discussions with members of the Dail, he will also know that they would dearly love to get rid of STV, were it not so entrenched. The German example that the hon. Gentleman used lends no credence to what he has to say. Indeed, it is a warning to political parties to ensure that their selection processes are open.

The official Opposition, of course, want to keep the old first-past-the-post system for elections in Wales. It is for the political parties to tackle the criticisms levelled by the right hon. Member for Devizes (Mr. Ancram) in respect of selecting members, especially for the regions, and allocating their roles. They will not be free-wheeling, independent, forget-the-party members. They will be elected by the voters of Wales to represent the political parties that they have chosen to support. I hope that any Conservatives who may be elected in the process will exhibit enough allegiance to the Conservative party to agree on useful ways of proceeding in the National Assembly for Wales—that is to say, if any of them get elected for the constituencies, which we have yet to see.

Criticism of the additional member system implies criticism of every country in the world that uses it. Does the right hon. Member for Devizes really think that the German system, which Britain was chiefly responsible for creating, has served that country badly or has led to more political and democratic problems than we have suffered since the war? We can agree to differ about what we believe to be the most effective system, but there is no empirical evidence to suggest that first past the post is better than any sort of additional member system.

However gradually the Opposition parties arrive at their positions, they will certainly want to ensure at least an element of proportionality. They can do so by supporting our original proposition.

Mr. Öpik: It was remiss of me not to acknowledge the tremendous contribution of the Electoral Reform Society, not just to my speech tonight, but to the general debate on STV and proportional representation.

An alien system, in my view, is one that consistently delivers majority government in the UK with a minority of the vote, as happened in 1992 and 1997. I shall tell the House what I mean by stability. I mean the Republic of Ireland, which now enjoys a standard of living exceeding that of the United Kingdom. Another example would be Germany, which managed to absorb 17 million people on the breadline without going bust in the process. Both countries use PR systems.

I shall tell the Committee what is not acceptable: a system that merely harms one party or prefers one party to another. The reason for change is justice. Social justice is democratic justice. We should not measure the stability of a nation by the frequency with which it changes Administrations. We should measure it according to the country's economic, cultural and social stability. Germany and the Republic of Ireland have shown that stability in spades.

The right hon. Member for Llanelli (Mr. Davies) suggested that I might be new-fangled. I assure him that I am old-fangled. I am, for instance, a strong monarchist, as many people know. I still love a T-bone steak, if I can find one. What I do not want to have to tolerate are iniquities from the past and the first-past-the-post system is one of those iniquities.

Interestingly, the right hon. Member for Llanelli seems to agree with many of our tenets for proportional representation. For one thing, we believe in an open system. Indeed, the right hon. Member for Devizes (Mr. Ancram)—

Mr. Denzil Davies *rose—*

Mr. Öpik: I have not the time to give way.

Mr. Davies *rose—*

Mr. Öpik: Well, I shall briefly.

Mr. Davies: I made it clear at the beginning of my speech that I was not in favour of proportional representation. All I said was that, if we were to have that sort of system, I should prefer an open to a closed list.

Mr. Öpik: I accept that point and shall move on swiftly. Perhaps we can discuss it further over a pint after the debate.

The constituency and Member link is absolutely right. STV is the one PR system that establishes a 100 per cent. link between elected Members and constituents. A list system does not do so.

We also discussed the fact that the system is an alien proposition, but it is already here, in Northern Ireland and in many organisations. If it makes Wales an alien nation,

I would be happy to live in an alien nation. Perhaps we can import some of that alien thinking back to the rest of the United Kingdom and improve democracy here as well.

In conclusion, this is a debate not about old and new, but about fair and unfair. It is a debate not about stable and unstable, but about undemocratic and democratic processes. That is our argument for STV and if we cannot get it, it is our case for an open-list system. We are glad to have got this far and we praise the Government for the steps that they have taken in moving towards proportional representation. We sincerely hope that this is not the destination, but merely a staging post on a greater journey.

Question put, That the amendment be made:—

The Committee divided: Ayes 43, Noes 335.

Division No. 135] **[9.30 pm**

AYES

Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Brake, Tom
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Dafis, Cynog
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gorrie, Donald
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Jones, Ieuan Wyn *(Ynys Môn)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Livsey, Richard
Llwyd, Elfyn
Michie, Mrs Ray *(Argyll & Bute)*
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'hs)*
Stunell, Andrew
Swinney, John
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tyler, Paul
Wallace, James
Webb, Steve
Wigley, Rt Hon Dafydd
Willis, Phil

Tellers for the Ayes:
Mr. Michael Moore and
Mr. Richard Allan.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Forsythe, Clifford
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John

Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Rt Hon John D *(Strangford)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. John McFall.

Question accordingly negatived.

Amendment proposed: No. 22A, in page 1, line 16, leave out from 'constituency' to end of line 17.—*[Mr. Ancram.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 136, Noes 378.

Division No. 136] **[9.43 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Arness, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clark, Rt Hon Alan *(Kensington)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Sir David Madel.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Waivertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara

Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverhton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Kevin Hughes and Mr. John McFall.

Question accordingly negatived.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Mr. McFall.]*

Committee report progress; to sit again tomorrow.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Activity Centres (Young Persons' Safety) (Northern Ireland) Order 1997, which was laid before this House on 25th November, be approved.—*[Mr. Jamieson.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

COCOA AND CHOCOLATE

That this House takes note of European Community Document No. 8164/96, relating to cocoa and chocolate products intended for human consumption; and endorses the Government's efforts to resist any discrimination against UK products, to secure their free circulation throughout the EC and to maintain the widest possible range of consumer choice.—*[Mr. McFall.]*

Test Match Cricket

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McFall.]*

10.2 pm

Mr. Bill Rammell (Harlow): I am grateful for the opportunity to introduce this Adjournment debate. It is timely, given the current review of listed events and the attempt by the England and Wales Cricket Board to get test match cricket and live test match cricket de-listed. My purpose in seeking the debate and the purpose of Members of Parliament of all parties who signed my early-day motion—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Hon. Members must leave the Chamber quietly.

Mr. Rammell: My purpose and the purpose of colleagues is to preserve for everyone the right to be able to watch live test match cricket on terrestrial television.

I should declare an interest, in that I am an inveterate sports fanatic. Although many things have changed over the course of my life, two of my abiding passions for the past 30 years have been football and cricket—watching, playing and endlessly talking about them. I am sure that other hon. Members will relate to that.

My personal enthusiasm for both sports originally derived in large measure from watching them on television. Although I am happy to pay tribute to my parents for almost every aspect of my upbringing, they would be the first to admit that they were not and are not sports fans. Had it not been for sport on television, I am by no means certain that I would have developed an interest in football and cricket. It is through television that one develops such enthusiasm.

I remember, as a child and as an adolescent, watching matches on television, going out with a burst of enthusiasm to play with friends in the park and attempting—and failing—to replicate the feats that I had seen. That is the sort of commitment and enthusiasm that can be generated by watching sport on television.

Had cricket and football been available only on satellite television, I am not certain that I would have developed that interest. Millions of people are in a similar position. Therein, in essence, lies my fear for the future of cricket if it is hidden away exclusively on satellite television, as the England and Wales Cricket Board wants. If youngsters do not develop interest, passion, and enthusiasm for cricket through television, tomorrow's players, club members and viewers risk being lost to the game.

If anyone needs convincing about the scale of that risk, they should consider how many fewer people will be able to watch test match cricket if it is available only on satellite television. The evidence available for football shows that only 16 per cent. of households have access to Sky Sports because they or their parents have chosen to purchase the channel.

When the Euro 96 semi-final was held between England and Germany, the BBC had an audience of 24 million, yet a game of similar importance—the World cup qualifier between England and Italy last October—had an audience of only 4 million. That was one sixth of the audience available to watch it on the BBC. Proportionately, that difference would apply to cricket as much as to football.

The vast majority of families cannot, or choose not to, purchase sport on satellite television, so they, and particularly their children, are denied access to sport that is exclusively available on satellite television. As Jack Bannister aptly said recently:

"Many families won't get to see top class cricket on TV. It is the nail in the coffin of grass roots growth."

That is absolutely true.

Although I support that view, I am by no means a wholesale critic of sport on satellite television. Sky Sports has brought major gains and benefits to a host of sports. A major cash injection into football has led to the premier league being rightly regarded as the best in the world.

Mr. Brian White (Milton Keynes, North-East): Does my hon. Friend accept that there have been benefits with the introduction of satellite television, which has enabled us to watch South Africa versus Australia, and that we should not simply go back to the days of the cartel, when the BBC and ITV could deny many sports fans access to the sport that they wanted to watch? Test matches should be available on the BBC, but satellite broadcasters provide added value.

Mr. Rammell: My hon. Friend makes an effective point. I was about to say that Sky Sports has brought added value to the coverage of sports, particularly those never previously available for viewing on terrestrial television.

Sky has also vastly improved the quality of sports coverage. It uses virtual reality technology to analyse moves within a game, to look at offsides in football and to determine whether a referee was sighted in a certain situation. That has been revolutionary, and I pay tribute to it. Sky has therefore been good for sport, and I want that contribution to continue in the sports that I have mentioned. However, Sky in particular, and satellite television in general, need constraints to control them. That is what the listing of major national sporting events is all about.

May I deal with some of the arguments put forward by the England and Wales Cricket Board in favour of de-listing live test cricket? First, it claims that cricket should be de-listed to get the market rate for television coverage, and says that, without such a cash injection, it fears for the game's future. None the less, the price which the BBC pays for the right to show test cricket has risen by more than 645 per cent. since 1990. That could hardly be described as a bad deal. When the present contract with the BBC was announced in 1994, the deal was variously described by the cricketing authorities and the media as "a bonanza for cricket" and

"great news for the game".

Those statements hardly square with the current ECB view that, unless the framework that enabled those deals to be struck is done away with, the game will face a financial crisis.

The ECB has also said that live test cricket is not the be-all and end-all, and that highlights could be made available on the BBC even if live cricket went to satellite television. For cricket enthusiasts, watching highlights of test match cricket is not the same as watching it live. Test cricket is about tactics and pressure building: it is an unfolding drama. That can be properly appreciated only by watching live coverage.

[Mr. Rammell]

The ECB has said that cricket needs a huge cash injection to nourish grass-roots development, yet there is no guarantee that, if test match cricket went to Sky, the money would be used for that purpose. Football has had a cash bonanza, but where has the money gone? Has it gone to grass-roots development? I think not.

A major part of the money that has been generated has gone into inflating players' salaries to astronomic levels. An average premier league player today expects and demands a salary of £1 million a year. I have nothing against players receiving the going rate, but I do not understand why the vast majority of people should be denied the opportunity to watch their sport on television simply to push up players' salaries.

Mr. Michael J. Foster (Worcester): Does my hon. Friend agree that the involvement of young people in the game will not only improve their sporting excellence in the future, but build up their leadership and teamwork skills? It is important to encourage young people to use cricket to develop skills for their future.

Mr. Rammell: Absolutely. Sport is an effective way for young people to develop community and leadership skills, and cricket is a fine example of that.

There are no guarantees that, if cricket were de-listed, the money would go to the grass roots.

Mr. Nick Hawkins (Surrey Heath): As the hon. Gentleman knows from our exchange of correspondence, I strongly agree with the points that he has made. I argued this case in the previous Parliament. Does he accept that, as the distinguished journalist Mihir Bose showed in a series of good articles in *The Daily Telegraph* in the months leading up to Christmas, one of the difficulties about the way in which money from satellite television has been used in other parts of the world is that, once the satellite providers have frozen terrestrial providers out of the market, the money has dropped away? The ECB may be naive in believing that the money would always be available if we were to have a monopoly satellite provider.

Mr. Rammell: That point is well made. The hon. Member describes the ECB as naive. There is concern about the way in which the board is handling these issues.

Mr. Derek Wyatt (Sittingbourne and Sheppey): Since 1994, we have had four-day instead of three-day county cricket matches. County cricket has lost a whole day of entertainment and investment. The money that is derived from television goes to test cricket and to the counties. If the Government will not guarantee that money to test and county cricket, why should the authorities not be free to choose how they sell their rights?

Mr. Rammell: We are talking about a national institution, in which not only the cricketing authorities, but the ordinary paying and playing public have a stake. The public also have rights, which is why our regulatory regime should prevail.

The ECB has also said that it is not necessarily campaigning for cricket to be removed from terrestrial television: it just wants the freedom to obtain the best deal for cricket in the circumstances. It wants an open contest. It may be an open contest, but it would not be a fair one. On each and every occasion, Sky would initially be able to outbid the BBC, which is limited to its licence fee income.

The ECB's implicit argument seems to be: "Trust us. De-list test match cricket and we shall do our best to get the best deal, yet keep terrestrial television in the picture." I believe that any organisation should be judged not only on its words, but on its actions. Already, although it is not subject to listing, the 1999 cricket World cup has been handed to Sky exclusively by the ECB, although it was aware that the BBC was preparing a bid. Those actions do not fill me with confidence, or make me inclined to trust the ECB if cricket is de-listed.

The Government have set out criteria for the listing of major national sporting events. I maintain that test match cricket meets those criteria. First, test match results have been widely reported for generations on main news bulletins, which suggests a national resonance. Not just cricket enthusiasts but people with a far looser connection with the game have been following the fortunes of the national team.

Secondly, it is clearly practical to have coverage on terrestrial television, not only because that is already happening but because that is the position that the BBC wishes to maintain. Thirdly, there is a long history of broadcasting test match cricket on free-to-air services. The relationship between cricket and the broadcasting authorities at the BBC goes back some 60 years.

For me, however, a more persuasive criterion is the degree to which top stars in a particular sport are widely recognised, and are part of what I would describe as the media establishment by dint of their sporting success. I do not think that any hon. Member who is present would deny that people such as David Gower, Graham Gooch, Ian Botham and Mike Atherton meet that criterion.

Kate Hoey (Vauxhall): And Alec Stewart.

Mr. Rammell: Indeed—and many others. Those people are widely known: I would guess that seven out of 10 of the population could identify them, and they associate them with cricket. They are certainly part of the establishment that I have described.

The one aspect of the ECB's arguments that I think has an element of plausibility is its fear that—with test match cricket more effectively protected by listing as a result of the Broadcasting Act 1996, and with no effective competition from either ITV or Channel 4—the BBC will not be pressured or feel obliged to agree a reasonable deal. If that is indeed the ECB's concern, I feel that it should be addressed in a number of ways.

First, the Independent Television Commission has powers to intervene if the BBC will not, or does not choose to, agree a fair price. Secondly, there is no indication that the BBC is not prepared to agree a fair deal. Thirdly, if the ECB is really concerned, I think that it should act now. It should approach the BBC while consultation is taking place, while it has some political leverage. It should sit down and negotiate a deal, and, if necessary, seek the imposition of a formula agreement for uprating. I am sure that that would meet with widespread approval.

I consider that the arguments in favour of retaining listing are overwhelming. I believe that there is a conflict between the desires of the ECB and Sky in the marketplace on the one hand, and, on the other, the community's right to watch one of its premier national sporting events. I am sure that hon. Members will agree with me that the rights of the community should prevail.

10.18 pm

Mr. John Grogan (Selby): Let me make two brief points. First, between 1995 and 1998, 405 different cricket clubs received nearly £50 million, allocated by the Sports Council from the proceeds of the national lottery. Cricket receives a larger share of lottery capital awards than any other sport, including £5.2 million for the redevelopment of Trent Bridge as a residential centre of excellence. I feel that the receipt of vast amounts of public money brings with it public responsibility. If cricket wants to receive cash from the people's lottery on such a scale, its greatest occasions must remain accessible to all the people who watch terrestrial television.

Secondly, and perhaps most important, if we exclude the next generation from watching cricket on the box, the old cricketing enemy, Australia, will be laughing in our faces. In Australia, people treat sport seriously. In the land of Mr. Murdoch's birth, they not only nurture their sporting elite in academies, but ensure that all the top sporting action is available to everyone on television. To the Aussies, inspiring future generations is as important to sports development as training today's champions.

Down under, the anti-siphoning list system was established in 1992 and ensures that free-to-air channels are given first option on no fewer than 41 sporting events, including every rugby and cricket international involving Australia. Recent results tend to show that Australian sport does not appear to have suffered too much from the constraints placed on the governing bodies in relation to selling their rights to the highest bidder.

I implore my hon. Friend the Minister to ensure that all my constituents, rich and poor, can watch future England versus Australia Ashes tests—whether they be at Lord's, the Oval, Old Trafford, Headingley, Edgbaston or Trent Bridge—live on television.

10.20 pm

The Minister for Arts (Mr. Mark Fisher): I congratulate my hon. Friend the Member for Harlow (Mr. Rammell) on securing a debate on the position of test cricket on the list of events protected under part IV of the Broadcasting Act 1996, and on setting out the case for its retention on that list with such clarity and passion. I also congratulate my hon. Friend the Member for Selby (Mr. Grogan) on his short but telling speech.

My hon. Friend the Member for Harlow describes himself as a sports fanatic, but he is more correctly described as a sports lover. The House is fuller tonight for an Adjournment debate than I or, I suspect, you, Mr. Deputy Speaker, have ever seen it in all the years that we have been in the House. Usually, only the hon. Member concerned, the Speaker and the Minister are in the House. To have the Benches full of hon. Members who love and take an interest in the issue is a testament to the seriousness with which it is taken.

Ms Joan Walley (Stoke-on-Trent, North): We have considered the issue of sport on television, but it is equally important that we examine sport on local radio, particularly BBC radio.

Mr. Fisher: My hon. Friend makes a good point.

My right hon. Friend the Secretary of State for Culture, Media and Sport and I have received many representations about the list, and some are specifically about the listing of test matches. We recognise that the issue generates strong views in this place, as this debate has shown.

My hon. Friend the Member for Harlow was correct to say that the issues that he raised concern more than just cricket. I agree that cricket and other sporting events have great significance for many people in this country and generate interest among those who do not normally follow the sport concerned. Events such as the Cup final, the Wimbledon tennis championships and the Grand National are national events. They bring us all together around an event of common interest, so they have a significance far beyond the sport.

I do not dispute the right of sports bodies that organise major events to seek to increase the income for their sport, and the sale of broadcasting rights is one of the ways in which they seek that revenue. They have a duty to do so, and they do it with some vigour, but their pursuit of that revenue is not the whole story. The Government's view is that some major events are so much a part of our national life that they are, in a sense, public property.

The widespread interest that such events generate is only partly a result of the efforts of the promoters. In many cases, it is also the result of the long history of the event, of the fact that it brings together major national and international participants, of the involvement of British national teams or, in the case of cricket, of its deep roots in our national community, going to the grass roots of the game in villages, village greens and cricket matches throughout this country.

Mr. Andrew Reed (Loughborough): Does my hon. Friend agree that the national bodies take only a short-term view in securing funding? The problem is that young people will not have sporting heroes and be encouraged to take up those sports. The national bodies are denying those young people, who need national sporting heroes to become involved in sport, access to sports such as rugby, cricket and football, for short-term cash benefits from Sky television and others. That is only a short-term solution, and will lead to long-term problems for those sports.

Mr. Fisher: As I said, I think that the matter is more complicated than that. It is necessary to fund sports properly, so that they not only nurture the grass roots but reach the widest possible audience. The Government and the advisory group that we have appointed will have difficulty in judging that balance.

I am delighted that my hon. Friend the Member for Vauxhall (Kate Hoey) is a member of the advisory group. As a member of Surrey county cricket club, she will bring

[Mr. Fisher]

to the group particular knowledge and sympathy for cricket. Nevertheless, she and the other group members will have a difficult job in balancing the objectives.

Let us be clear about it. The Government are committed to the variety of principles underlying the protected list, but those principles must be weighed against other considerations. The future of the sports cannot be taken for granted. Therefore, difficult choices will have to be made.

The Government have stated that the main criterion for inclusion in the list should be national resonance—which is very important, because it goes beyond a sport's immediate significance. However, we must also consider other matters. In considering whether to list an event, the Secretary of State will have to have regard to such factors as whether it is practical to offer extensive live coverage on a general channel. He will also take into account the impact of listing on the sport's income, which is an important factor, as hon. Members who feel strongly about the matter must realise.

The advisory group announced by the Secretary of State is considering those issues, and it is judging the position of a number of major sporting events against those criteria. We have conducted wide consultation, which has broadly dealt with the issues.

The group has been asked to make its recommendations before Easter, which gives it very little time to consider a complicated matter. I am confident, however, that its recommendations will be clear and objective. We have deliberately chosen people with a wide knowledge of sport, and particularly of the key sports that are being considered.

The group will have to consider whether test cricket meets the criteria for continuing inclusion on the list. Test matches feature prominently on the sporting calendar and command wide interest—as demonstrated by the number of hon. Members in the Chamber for this debate. The Government realise that test matches are events that unite the nation, and I am sure that every hon. Member can think of one or more specific test matches. The first match that I remember was when Laker took 19 wickets. I sat there watching, in black and white, praying that Tony Lock would get a couple of runs. All of us can remember such events.

There are other points of view, some of which we have heard in this debate. Some people argue that the matches appeal primarily to cricket fans, and that average audience ratings for BBC transmissions are a little under 2.5 million. That factor, too, must be taken into account.

The advisory group will also consider prospects for the coverage of sports events on general terrestrial channels. All parties believe that the BBC's coverage of test cricket is of an exceptionally high standard. The corporation's charter, however, states that it must offer programming of general interest to everyone. Scheduling to achieve that objective is a difficult matter.

Whatever the merits of those arguments, the sport of cricket is clearly in need of further funds, as people like my hon. Friend the Member for Harlow realise. In the past four years, the England and Wales Cricket Board has invested £10 million in development of its development arm, the Cricket Foundation. My hon. Friend will be aware that Lord McLaurin's ambitious plans for the reorganisation of cricket involve an investment of £150 million at county grounds, which have a real need for that level of investment. That money will have to come from somewhere. There is therefore a difficult balance to achieve.

Although the test's intrinsic national resonance will be central to the advisory group's deliberations, the group will even-handedly consider its resonance against the case for participation, coverage and funding. As well as the ECB and the BBC, the views of other people will be considered.

I am sure that my hon. Friend will agree with me that the needs of sport must be considered in an even-handed way as well as the needs and desires of those of us who love sport and want to see it on our national television channels. I am confident that the group's recommendations will balance the good of cricket with that of the television viewer.

I am grateful to my hon. Friend for giving me the opportunity to set out the Government's position on the issue, and I suspect that cricket fans all over the United Kingdom, and perhaps all over the world, will be grateful to him for raising such an important matter and putting the case with such passion and persuasion.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Wednesday 21 January 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Westminster City Council

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

9.34 am

Mr. Andrew Dismore (Hendon): I am grateful for this opportunity to raise the issues of local government probity illustrated by the scandals of Westminster city council. The saga stretches back over 12 years and touches every Westminster resident. As Westminster Labour councillors, my hon. Friends the Members for Regent's Park and Kensington, North (Ms Buck) and for The Wrekin (Mr. Bradley) and I experienced the scandal directly and fought against it. It is a scandal of such spectacular scale that it rivals any work of political fiction—except that it is true.

I shall start by reminding the House of some of the key findings of the High Court on 19 December 1997. It found that

"Dame Shirley Porter and Councillor Weeks lied to the court as they had lied to the Auditor".

That was

"because they had the ulterior purpose of altering the electorate".

It further found that

"Targeting marginal wards was central to her political objectives"

and that

"Their purpose throughout was to achieve unlawful electoral advantage. Knowledge of the unlawfulness and deliberate dressing-up both inevitably point to wilful misconduct."

In so finding, the High Court surcharged Dame Shirley Porter and Councillor Weeks £27 million—the highest amount in local government history—and disqualified them from holding office. Language of such outstanding condemnation is more appropriate to the Old Bailey than to the High Court, but it shows how seriously the court viewed what has been described as the greatest act of corruption in local government history.

In the May 1986 council elections, Labour romped home in 12 marginal seats and came within 108 votes of winning the council. Lady Porter's greatest nightmare was coming true. "Imagine socialists running Buckingham palace!" she exclaimed. From that paranoia was hatched the long dark shadow of the Tory conspiracy that was to subvert democracy in the city of Westminster. From then on, elections were to be fought on a different basis.

As the few remaining decent Tories stood by, officers were bullied and intimidated and city hall was politicised. As Burke pointed out,

"It is necessary only for the good man to do nothing for evil to triumph."

Never was a saying more appropriate than in Westminster council during the Porter years.

As the auditor said in his report on the infamous sale of the cemeteries for 15p, there was "a climate of fear" in city hall. Time and again, officers who refused to toe the line were sidelined, retired or sacked. Some 48 senior officers had left by 1988. The exodus culminated in the departure of the chief executive, Rodney Brooke, a highly thought of local government officer, who, after years of humiliation doing little more than the equivalent of counting paper clips, was given a £1 million pay-off.

The High Court exposed what it called

"The contemptuous state of mind towards officers and their views"

and

"The attitude of the majority party to the Westminster council officers, for whom it could not have been pleasant working at this time . . . such pressures may well have had an insidious effect on the officers, making them reluctant to speak out robustly."

The politicisation of city hall was summarised in a nutshell by a margin note written by solicitor Matthew Ives on one of the many secret documents. He wrote:

"This paper should not have been written by an officer. Much more subtle approach required. This paper shows officers working for a Tory victory."

City hall was infiltrated by a whole dramatis personae of shady right-wing characters advising Lady Porter. One became known throughout city hall as "the man with no name" and "the thing in the goods lift", because of his habit of sneaking in by the tradesman's entrance. We now know that he was Roger Rosewall, erstwhile Socialist Workers party activist, now Porter apologist and *Daily Mail* leader writer.

Property speculator Richard Loftus was also part of the clandestine city hall plot. While he paid for the Tories' poll tax campaign, he was also seeking permission for highly controversial developments in the west end, involving the partial demolition of some of the finest Georgian buildings in central London. He gained those permissions, leading to the destruction of a large part of London's architectural heritage. We believe that those permissions were obtained only because of his Tory party connections.

Not only was political campaigning conducted on the rates, but, from other sources, donations were illegally channelled through a bogus charity, the Foundation for Business Responsibility, which was run by Michael Ivens, a right-wing extremist and husband of Tory councillor Katy Ivens. There was a panoply of espionage, with Porter telling her associates to

"swallow documents in good spy fashion."

Instructions were given to officers to book meeting rooms for Tories, using undercover names. The Toffler society was a favourite alias—much to the disapproval of the American right winger, Mr. Toffler. There was a complete dispensation with the normal democratic process. Decisions were taken not in committee but by a secret chairmen's group, whose minutes have still not been fully published. The reports that went to committee were misleading and incomplete.

However, activities went far beyond that. A dirty tricks squad was set up to discredit residents' groups that opposed Tory policies. Instructions were given to spy on Labour councillors' backgrounds in efforts to dig up dirt

[Mr. Andrew Dismore]

on us—unsuccessfully, I am pleased to say. Orders were carried out to lie to us, and to delay and obfuscate replies to Labour councillors' letters. As the High Court found, Mr. England, the director of housing, helped Phillips, the managing director,

"to provide the minority party with wholly misleading answers to what appeared to us to be understandable and wholly proper questions."

Against that background, it is all too clear how the corruption of Westminster occurred.

In her interview with the auditor, disaffected Tory councillor, Patricia Kirwan, said that soon after the 1986 elections,

"one idea which came forward, following a meeting between Lady Porter and the Leader of Wandsworth Council"—

who is now the hon. Member for Mole Valley (Sir P. Beresford)—

"was to sell all Council owned properties in key (marginal) wards as it was thought that owner occupiers were more likely to vote Conservative than Council tenants."

By as early as June 1986, officers were recording that the Tories' objectives included

"Social engineering including housing",

and

"Economic justification for G-mander on housing."

From those roots developed the policy that was euphemistically called, "Building Stable Communities", which was anything but that. It was the smokescreen for gerrymandering.

The sale of council homes in the eight key marginal wards for the Conservative party's electoral advantage is now well-documented and recorded fact. The homes-for-votes scandal has left thousands of victims throughout Westminster, whose problems will be described by my hon. Friend the Member for Regent's Park and Kensington, North, should she catch your eye, Madam Speaker.

"Building Stable Communities" went way beyond homes for votes, affecting every council department, every evolving policy—even affecting electoral registration, which was made virtually impossible for those living in temporary accommodation and much more difficult for council estate tenants in marginal wards. Planning policy was fixed, discriminating against social housing and in favour of owner-occupation. Planning permission for owner-occupied housing in marginal wards was fast-tracked to meet the Tory voter targets. There was a plethora of environmental schemes—from fixing broken pavements to street cleaning, and even hanging flower baskets from lampposts—but they all had one key aim: to divert resources to favour marginal wards: A special task force, the ZIP squad, was set up to see it through.

Press and public relations activities were politicised, with special brochures, leaflets and newsletters for marginal wards. Everything was subject to an overarching policy of regular monitoring, with monthly reports supervised by Councillor Weeks and submitted to the chairmen's group.

Mr. Mike Gapes (Ilford, South): Is my hon. Friend aware that, when the scandal developed, Westminster council employed somebody to act as a consultant to try to help it with its problems? That man was Geoff Price, who had retired as the chief executive of the London borough of Redbridge in 1993. It subsequently came out that Mr. Price was involved in another local government scandal, in my borough of Redbridge. As chief executive, he and the director of finance, Maurice Tilley, gave enhanced pension payments to 103 council employees, who were predominantly male, white and in the central secretariats of the council. Mr. Price enhanced his own pension by £63,000 in the two years before payments were stopped by the minority Labour administration, which was elected in 1994 and dealt with the scandal created by the Tories while they controlled my borough. Is not it interesting that there is a connection between the Tories in Westminster and the former Tory chief executive of Redbridge council?

Mr. Dismore: I am grateful to my hon. Friend for that intervention. Mr. Price was brought in to investigate another aspect of the scandal, which I shall be mentioning shortly. I am pleased to say that, once we brought the matter to the council's attention, he was sacked from the inquiry—although I regret to say that he did not choose to waive his fee.

It was not all plain sailing for Lady Porter. The poll tax threatened to wipe out all her work, until it was conveniently fiddled by central Government to ensure that the predicted poll tax of more than £400 was halved to £195. More significantly, there was the problem of major works bills, which Mr. Price was brought in at a much later date to investigate. Many of those who bought gerrymandered flats were potentially liable for bills of tens of thousands of pounds, so under the instruction of Councillor Hartley, the chairman of the housing committee, no major works bills were sent out at all between 1987 and 1991, straddling the 1990 elections. The council is still trying to sort out the loss of millions of pounds that was left behind.

Those are just some examples of how all Westminster council's resources were diverted to one overriding aim: to win the council for the Tories in 1990, at whatever cost—a cost that we estimate overall to be more than £100 million. The issues that I have described are the subject of further complaints to the auditor.

It is of equal concern that not only did the gerrymandering work for the 1990 elections, but the Tories so nearly got clean away with it. If it had not been for Porter and Weeks's obsession with recording and monitoring progress in writing; if it had not been for the persistence of the objectors; if it had not been for the talents of John Ware of "Panorama", who investigated the issue; if it had not been for the handful of Tories who spilled the beans, such as Patricia Kirwan; and above all, if it had not been for the courageous tenacity of John Magill, the district auditor, the truth might never have come to light.

Dr. Julian Lewis (New Forest, East): I note the hon. Gentleman's tribute to the courage and tenacity of the district auditor. Does that mean that he approves of the way in which the district auditor spun out his investigation for a period longer than the duration of the second world war, held a press conference halfway through the investigation to announce the guilt of the parties, and indicted 10 people, of whom all but two have

either been cleared or—in one case—have committed suicide? Does he believe that that was a model of auditing, and if so, why was it condemned by the court?

Mr. Dismore: The hon. Gentleman should read the court judgment more thoroughly, because it made it absolutely clear that there was no reason to impeach the auditor's investigation. The auditor made it clear in his provisional report that the investigation had taken so long because of the obstruction of the Conservative party, through shredding documents and avoiding interviews. I shall deal with that shortly.

In the light of the court judgment, the Audit Commission must be encouraged to confirm that Mr. Magill is the right person to proceed with the outstanding inquiries, which must be completed as soon as possible.

There are, however, wider lessons to be learnt, many of which have been picked up by the Nolan report into local government. I have one concern about the Nolan report. Recommendation 15 proposes standards committees in each local authority. It is inevitable that the majority party of the council would have a majority on such a committee.

Had the misconduct of Lady Porter been subject to the scrutiny of such a standards committee during the years of her reign on Westminster council, I have little doubt that the allegation of wrongdoing would have been rejected, dismissed and swept under the carpet, thus not achieving the necessary objective examination that Nolan expects. However, I welcome the Nolan recommendation for a new criminal offence of misuse of public office, stretching beyond just financial loss to cover other areas of serious misconduct.

If I am asked one question above all others, it is, "When is Lady Porter going to gaol?" That is what people expect, and it is the one thing under the present system that cannot happen. We also need stronger powers of investigation for the auditor, and an offence of obstructing the auditor. As I said, in Mr. Magill's interim report, we read of how documents were destroyed and interviews avoided. Mr. Magill even had to carry out a dawn raid in his boiler suit to go through old archives hidden in the basement of city hall, because he was so afraid that they would end up in the shredder if he gave advance notice of his visit.

We need protection for whistleblowers. The private Member's Bill promoted by the hon. Member for Aldridge–Brownhills (Mr. Shepherd), which I understand the Government support, is a good start. We need openness in the disclosure of information and documentation.

A major difficulty with the present system is the requirement for an objector to prove his or her case. That is an extremely expensive business, especially for a private citizen. It is not fair to put citizens in such a position when attempting to enforce rights on behalf of the community. We must consider ways of giving them public support. We need to find ways in which to compensate the victims of such outrageous wrongdoing.

So far, there has been no word of condemnation by the Tory party of Westminster council, Dame Shirley Porter or any of her co-conspirators. So far, no action has been taken to recover the money from Dame Shirley. The council has not even sent her a bill.

At the time of Mr. Magill's report—

Mr. Dennis Skinner (Bolsover): Will my hon. Friend bear in mind the fact that the Tory silence on that matter is in sharp contrast to what happened in 1972–74, when 11 Clay Cross councillors decided not to put up the rents in accordance with the edict by Ted Heath—or should I call him the former Tory Prime Minister—on the Housing Finance Act 1972?

The Tories were baying for blood then. Those councillors were 11 principled people. They were acting not in a covert fashion but openly, saying that they were contesting the law. Yet every day in the House the Tories demanded that heads should roll.

As a result, my brothers and their colleagues were, in some cases, made bankrupt. They had their cars towed away and their holiday money taken by the sequestrator, and they were kicked out of office for 14 years by the Tories voting in the House to ensure that the sanctions were applied.

The councillors were honourable people; they were not putting money in their own pockets, yet they were hounded by the Tory Government. Does not that stand in sharp contrast to the silence from the Tories now about the £27 million fraud by Lady Porter, who should be brought to book immediately?

Mr. Dismore: I am grateful to my hon. Friend for that intervention. He may be interested to know that I asked the Library to research the previous history of surcharge, and found that if all the surcharges previously made were added together and multiplied by 100, only then would the sum start to approach £27 million. I can also inform my hon. Friend that one of the people found guilty in the High Court, Councillor David Weeks, is still sitting as a Conservative councillor in Westminster.

Mr. Nick St. Aubyn (Guildford): Will the hon. Gentleman give way?

Mr. Dismore: I have nearly finished now. No doubt the hon. Gentleman will speak later.

At the time of Mr. Magill's report, I suggested that the council should apply to the court to freeze Lady Porter's assets. That did not happen, and we now hear that Porter has transferred most of her money abroad, mainly to Israel and Florida. To quote forensic accountants KPMG, she has been "well advised". The council, in consultation with the auditor, must now take urgent steps to recover the missing millions.

Finally, a suggestion put forward by the *Evening Standard* editorial on the High Court judgment day expresses a desire shared by the 136 hon. Members who have so far signed early-day motion 630. Dame Shirley Porter received her DBE for services to local government. That award, we now know, was obtained under false pretences. She should be stripped of her title as a lesson to all would-be corrupt gerrymanderers. The Conservative party leadership must now bite the bullet, dissociate themselves from Dame Shirley and the others, condemn what they have done and expel them from the party.

9.52 am

Mr. Nick St. Aubyn (Guildford): I begin by declaring an interest as a resident of Westminster when I work at the House. I have a home near here and I currently have an application with Westminster council to vary an existing valid planning consent. I have been advised by the officer concerned that the variation is non-controversial.

[Mr. Nick St. Aubyn]

I also have a wider interest in speaking in the debate, because from 1982 to 1986 I was an elected member of Westminster council. When Dame Shirley Porter first stood for the leadership of the council, I was one of those who voted against her. I opposed her policy on the technology committee, of which I was a member, and as I had been so vociferous in my opposition, I was somewhat surprised when she asked me to become chairman of that committee. In all fairness, I must say that she was always prepared to listen to my advice, although it was not always the advice that she wanted to hear.

I make it clear that I have nothing to hide in connection with my period as a Westminster councillor, and I have nothing to gain by speaking in the debate. I simply hope to give a sense of balance and fairness to the conduct and proceedings of the House.

The hon. Member for Hendon (Mr. Dismore) mentioned the 1986 election. I was fortunate enough to be elected in 1982, beating the sitting Labour councillor with the largest swing in any London seat, and in 1986 I lost that seat only after seven recounts. In case anyone should think that an avaricious attitude towards getting votes out is confined to one side of the House, or the council, I can tell hon. Members that we later discovered a number of cases in which people who had voted had clearly not been resident in my ward for many years. That number was more than the number of votes by which I lost.

However, we were not bad losers. We took it on the chin and went on to better things. But the House has already listened to a bad loser this morning, because whatever the hon. Member for Hendon may say about the conduct of Westminster council, he failed time and again to win control of it. How galling it must have been for him, as he heard of the fall of so many citadels of Conservative power in London and elsewhere, that he and his colleagues could not gain the glittering prize that he so clearly described.

Mr. Dismore: You fixed the elections.

Mr. St. Aubyn: There was something a little demeaning in the way in which the hon. Gentleman approached his subject this morning, because his speech was so one-sided. The judge was certainly forthright in his condemnation of Lady Porter and Councillor Weeks. It is not my job to defend them, but the judge also had harsh words to bestow all round.

The judgment reads as follows:

"in our judgment, the press conference which took place"—

that is, the press conference held by the auditor—

"was ill-conceived and unfortunately executed. It would have been sufficient for a press statement to have been issued, preferably by the auditor's solicitor . . . Instead, a televised announcement was arranged at which the auditor himself appeared and, although he said that his views were provisional, he expressed them in florid language . . . There was a further feature of the events which should have had no place in the middle of quasi-judicial inquiry. A stack of ring binders on the desk at which the auditor sat, bearing the name of his firm for the benefit of the cameras was, ostensibly, under the protection of a security guard: unless it was being implied that the persons under investigation might wish to steal the documents, it is not clear what was the purpose of this posturing."

That was the judgment of those who sat in the hearing from which the hon. Gentleman so selectively quoted.

There was more. Yes, it was found that the investigation was lied to by two of those who appeared before it, but, in the interests of a balanced judgment by the House, it is fair to record what the judges said in their findings as well. They refer to

"the huge lapse of time—10 or 11 years—since the crucial events, and . . . the period of nearly 4 years since the auditor announced his provisional findings",

and remark:

"In such circumstances, it would be unsurprising if any of the appellants, however innocent of wrong-doing, had claimed any close relationship with . . . a policy which . . . was both unlawful . . . and might give rise to wilful misconduct".

Mr. Jim Fitzpatrick (Poplar and Canning Town): Does not the hon. Gentleman agree that the judgment also contains the following passage?

"In the public hearing which followed the provisional findings there was, as it seems to us, ample and fair opportunity given for the appellants to make their case to the auditor. Although each chose not to give evidence, each made representations, DSP, E and P by counsel. Numerous contemporaneous documents chart the course of events. Accordingly, we are not persuaded that the auditor's final conclusions can be impeached on the grounds of unfairness. In any event, we are satisfied that the hearing which has taken place before this court has cured any possible unfairness to the appellants which could have arisen from the conduct of the auditor. Each has had the opportunity, after mature consideration of the objectors' complaints, the relevant documents and the auditor's findings, to put his or her case fully in evidence and submission by experienced counsel."

Mr. St. Aubyn: I am grateful to the hon. Gentleman for reminding the House, at some length, that the judges admitted the possibility of a need to cure mistakes and deficiencies in the process to which the accused had been subjected.

I shall quote one more time from the judgment. It says that in such cases one should

"select and concentrate on the points of real significance and . . . discard the rest as dross".

I suggest that we do the same with the speech by the hon. Member for The Wrekin (Mr. Bradley). *[Interruption.]* No one would dispute the fact—

Mr. Peter Bradley (The Wrekin) *rose*—

Mr. St. Aubyn: No, I have given way several times already.

Mr. Bradley: The hon. Gentleman just said that I had made a speech. I know that I speak quickly—and with great depth and breadth—but I have not yet uttered a syllable. If the hon. Gentleman can tell me what I am going to say when I do, he will save us all a good deal of time.

Mr. St. Aubyn: I apologise unreservedly to the hon. Gentleman. I was referring to the hon. Member for Hendon.

No one would dispute the fact that the former leader of Westminster council was wilful. Many politicians are wilful. The issue is one of misconduct, however, and I think that we should take a balanced view. One of the findings of the judgment from which we have all quoted

was that the "quality of life" programme that was at the heart of the council's policy was, in itself, in no way improper. Yes, misconduct was found to have taken place, but it took place in the wider context of a policy that was validated time and again by Westminster's electors.

When I was a Westminster councillor, we had a real problem because of the large number of homeless people who had little connection with the borough, but who sought housing in it, often at the expense of people—and their children—who had lived there for many years and were also trying to get a foot on the expensive housing ladder.

We had an idea. We had some land in our land bank in the early 1980s. Instead of developing it for council housing, we transferred it, at no cost—all this was done entirely legitimately—to a builder, who built homes on it and sold them, at a reduced price, to the people on our housing list. That was known as the starter homes project, and it was so successful in creating new housing for those in genuine need that it was adopted throughout the country. There is clearly justification for a policy that gives preference to the sons and daughters of those who live in the area of a council—in this instance, Westminster—if that policy can be legitimised, even if it sometimes means not meeting the competing needs of homeless people.

No one should deny the seriousness of homelessness, and its seriousness in a city centre; but we should not ignore the effects on others of trying to cope with the problem. Rarely do I hold a surgery in my Guildford constituency at which people do not tell me of the problems that they experience with new neighbours on their housing estates—previously homeless people who are becoming a disruptive influence.

Mr. Bradley: The hon. Gentleman has told us that his tenure on Westminster council was between 1982 and 1986, before the events that we are discussing took place. I wonder whether his speech—interesting though it is—is relevant to the debate.

May I just point out that it was precisely the rights of sons and daughters in Westminster, and in long-established communities, that were denied and overturned by the hon. Gentleman's former colleagues on the council? His speech is very conceptual, and has nothing to do with the matter in hand.

Mr. St. Aubyn: The hon. Gentleman is quite wrong. The debate is about probity. In setting priorities for local government, we go to the heart of the matter: the needs of all local residents should be taken into account. There were sound principles behind some of the policies that were pursued by the council at that time, and are still being pursued today. That, above all, is why the council continues to enjoy the support of local residents in local elections.

As I said, the debate is about probity. It would have helped the speech of the hon. Member for Hendon if he had shown at least a semblance of balance when comparing the conduct of Westminster council with that of other councils. It would have helped if he had made some comment on one council's debt of £50 million, and the auditors' statement that its financial position

"has left it ripe for fraud and corruption and urgent action must be taken."

It would have been right for him to mention the problems to which I refer—those of Islington council. Mr. Elliott, the district auditor,

"warned that widespread use of petty cash and overtime put it at risk of fraud."

His latest damning report on Islington council highlights soaring rent arrears of more than £20 million, council tax arrears of more than £23 million, £5 million in overtime payments and £4 million in uncollected parking fines.

There are real problems on Islington council. It would be wrong to suppose that the problem of corruption is confined to one council in London or, indeed, in the country as a whole. We heard recently of the problems of Glasgow council. A senior Labour member of the council spoke of trips for votes, and even the promise of jobs for votes. Above all, we have heard of cases of personal gain on Labour councils. I must tell the hon. Member for Bolsover (Mr. Skinner), who intervened earlier, that in the course of the 11-year inquiry into Westminster council, I have seen no evidence that those who now stand accused of misconduct gained any personal financial advantage from their actions. I am not here to defend them, but, to be fair to them, their case is still subject to appeal. I challenge Labour Members to come up with any such evidence.

In the cases of Glasgow, Islington and—as we read recently in *The Herald*—Paisley, there is more than a suspicion that people obtained such personal gain. It is to the shame of the hon. Member for Hendon that he was not prepared to balance his comments about Westminster council's past with the present of Labour councils up and down the country.

Mr. David Heath (Somerton and Frome): I am fascinated by what the hon. Gentleman is saying. If he believes that probity in local government is important—and I hope that every hon. Member agrees that it is—and if he considers the audit process important, will he not take this opportunity to commend Mr. Magill for the difficult work that he did over many years and in the face of many obstructions? I know about that, having been involved in the process myself. Will not the hon. Gentleman commend that work and that audit process, rather than trying to exonerate those who have been found guilty?

Mr. St. Aubyn: I am not here to exonerate anyone. That is for the courts to do, and, indeed, what they have done in the case of all but two of those accused by Mr. Magill. In the light of their findings, it is hard to give an unqualified endorsement of Mr. Magill's actions. He certainly received no such endorsement from the three judges who examined the case.

We must now look to the future. We must consider how we can ensure probity in councils such as Glasgow, Islington and Paisley, and in other parts of the country. Such councils should adopt a new code of practice. They should read what Nolan has to say, and take account of his suggestion that they should emphasise the qualities of selflessness, integrity, objectivity, accountability, openness, honesty and, above all, leadership that should characterise a code of conduct for every council in the country. I commend the pioneering work of the one council that has already adopted such a code: I refer, of course, to Westminster council.

[Mr. St. Aubyn]

I am proud of my time as a Westminster councillor. I know that my father-in-law, Councillor Brook, was proud of his time as a Westminster councillor, and I know that my wife's grandfather, Councillor Marshall, was proud of his time as a Westminster councillor. It is an outstanding council with an excellent record. That is why it has been given the endorsement of the local electorate time and again.

The hon. Member for Hendon failed in his attempt, because he was seen to be demeaning not only the actions of the few but the interests and the wider aspirations of the many. The people of Westminster will not forget the fact that, when he came back to Westminster, to the House, to take advantage of his privileged position to slag off most of those who live in Westminster in one way or another, by imputation, for not voting for him, he again let the side down.

Hon. Members should try to be more objective and fair in their analysis of a problem that stretches across the country.

10.10 am

Ms Karen Buck (Regent's Park and Kensington, North): The hon. Member for Guildford (Mr. St. Aubyn) mentioned balance. The critical fact is that the Labour party acts when there is wrongdoing or substantial allegations: we suspend the members under investigation. We have not hesitated to condemn and criticise those who are found guilty. The difference is that Conservative Members have not uttered one word of condemnation or criticism of the behaviour of Dame Shirley Porter and her colleagues, who have been found guilty by the courts. How dare Conservative Members talk about balance, when they have not begun to address the issue?

"Dame Shirley Porter is guilty of the worst offence possible for someone in public office—betraying the very people whom it was her duty to serve. Housing is one of local government's most important responsibilities, and for it to be abused is morally and politically squalid."

Those are not my words, but those of the London *Evening Standard* on 9 May 1997, following the publication of the district auditor's final report. They are important words, because they demonstrate the fact that the wider world understood the nature of the breach of probity in local government that occurred in Westminster.

Sadly, some of the Westminster Conservatives' apologists, from some of whom we have heard this morning, have done their best to promote what happened as a victimless crime, saying that it may have been arrogance or wrongheadedness but that no one got hurt and, in any case, everyone does it. In fact, it was the single greatest act of electoral corruption in British political history, and thousands of ordinary people suffered and continue to suffer.

The council tax payers of Westminster have lost £27 million, regardless of whether that money has gone into someone's pocket, which is not in dispute. This spring alone, the council will cut £500,000 from the classroom budget for our schools. Over the years since the investigations began, millions of pounds have been removed from the budgets of the social services and education departments, hitting services for the elderly and the chronically sick and disabled.

That £27 million is worth £130 a year on everyone's council tax, and the interest forgone alone is worth £30. The absolute and overriding priority, as my hon. Friend the Member for Hendon (Mr. Dismore) said, must be the return of the money. The council must seek to have the money paid into court, pending an appeal, and work with the district auditor to pursue what is rightfully due to the people of Westminster.

Where did the money go? It went on capital grants to induce tenants to vacate council buildings and to purchase non-council property. No doubt that was a success in some cases, but the inducement contributed to the 1,000 repossessions a week that were happening at the height of the housing crisis in the early 1990s.

Millions of pounds were spent on keeping buildings empty, with expenses ranging from security and the Sitex doors that went up on properties throughout the borough to the cost of rent forgone. The largest expense was the additional cost of homelessness, condemning hundreds, if not thousands, to the misery of bed-and-breakfast accommodation.

In March 1988, 9,000 properties were included in the designated list and, by March 1989, 702 dwellings had been set aside for sale. One of the most appalling aspects of the story is the fact that, when those properties had been set aside, they were allowed to remain empty for long periods. The total number of weeks empty in the period investigated by Mr. Magill was 27,567.

Think of what that meant to families in bed and breakfast, and indeed for sons and daughters—the very people of whom the hon. Member for Guildford spoke earlier—who were trapped in grossly overcrowded accommodation in their home borough while a metal door was fixed to the neighbouring property, which was being held for sale.

Mr. St. Aubyn: Does the hon. Lady not realise that the sons and daughters to whom we have referred would not have been entitled to enter those homes, and that others, who were unintentionally homeless, would jump to the top of the queue and pre-empt them? That goes to the heart of current housing policy in many councils.

Ms Buck: I disagree. The issue is entirely one of housing priority. Permanent accommodation was allocated on the basis of housing priority, whether for homeless people or for Westminster residents of long standing in chronic housing need, perhaps because of statutory overcrowding. It is also a fundamental mistake to assume that homelessness is a problem which is entirely external to the host borough. Throughout the relevant period, a substantial proportion, if not the majority, of those accepted as homeless had connections with the borough of Westminster.

In the aftermath of the period of frenzied selling occasioned by the designated sales programme, the number of homeless households rose to 871. It would be nice to be able to say that homeless families and people in housing need were simply the forgotten casualties of the episode. In fact, it would be closer to the truth to say that they were treated as the enemy. Notes from the chairman's group of September 1986 contain instructions to be

"mean and nasty to the homeless"

and to

"determine if more can be exported".

Mr. Gapes: On the subject of exporting, is my hon. Friend aware that one of the boroughs to which homeless families from Westminster were exported was Redbridge, where Peabody built a new housing estate in the early 1990s? For example, people with young children were forced to move to a borough many miles away, on the other side of London, with which they had no connections whatever. Many of them were single parents, refugees or people with medical or other problems, who needed to be close to the area that they knew, with the facilities that they had made use of, yet they were moved to my borough, which lacked the facilities, in the schools and other areas of demand from local people, to cope with the influx.

Ms Buck: I absolutely agree. A great deal of human misery was caused. There is no doubt that out-of-borough housing developments can be negotiated to everyone's benefit, but in the history of the gerrymandering scandal there was an aggressive policy of exporting homeless families without the appropriate negotiation with the boroughs on which they were dumped.

Other enemies of the council included the tenant-led groups seeking to take control of their estate in the Harrow road area, ironically making use of the Conservatives' tenants' choice legislation. As the Conservatives needed to marginalise Westminster's homeless into wards that they were unlikely to win, any campaign that would reduce access to the relevant stock was absolutely unacceptable; so there was a sustained smear campaign against those residents.

Against that background, the council moved homeless families into 200 homes in appalling condition in two tower blocks that had been intended for emptying and asbestos removal on the estate that the tenants sought to take over. The original decision was reversed, and 100 families passed through those asbestos-ridden flats. I hope that we may hear more about that later.

Along with council tax payers and those in housing need, the third group of victims was the leaseholders—pawns in the Conservative party game. There was an aggressive home selling campaign, and a lack of real information about what leaseholders' liabilities would be. Many people were trapped in flats that were unmortgageable and unsellable. The building societies red lined some of the designated estates and, as my hon. Friend the Member for Hendon said earlier, the residents were subject to huge unforeseen service charges and major works bills. That is despite the fact that senior Conservatives had seen officers' warnings prior to the sales programme about the dangers on those estates, especially on the Lisson Green estate.

Leaseholders form one of the largest constituency groups coming to my surgeries with cases of hardship. For example, an 80-year-old woman has been presented with bills dating back to 1990. A disabled man in his 50s has had his home repossessed because he was completely unable to maintain payments on the service charges. Young adults—the very people mentioned earlier by the hon. Member for Guildford—whose parents are long-standing Westminster residents and who bought flats have had them repossessed because they were unable to pay service charges and major works bills. They have been left completely homeless. I welcome the fact that the new Government have sympathy for the predicament of those leaseholders and will consider specific schemes to help them.

The homes for votes scheme included ways to make risky home ownership more attractive, through what was called the abatement scheme. That scheme was later found to be ultra vires and had to be withdrawn. It was an intrinsic part of the gerrymandering programme. The council's internal auditors showed that counsel's advice that a general scheme to waive service charges should not be applied was ignored. Some Maida Vale lessees saw bills rocket from £300 to, in some cases, £5,000, following the withdrawal of the abatement scheme. The whole gerrymandering saga was compounded by administrative and management failures, but it was driven by a hidden political agenda. The delays in billing for political reasons have added to the chronic uncertainty that has destroyed people's lives. The internal audit report on the leaseholder scandal in 1995 found that no accurate bills had been sent out for seven years and £20 million worth of work had not been charged for.

My hon. Friend the Member for Hendon referred to the campaign against the auditor John Magill, who has endured and, as is clear from today's debate, is still enduring, a campaign of vilification against him. He was charged with bias, his office was picketed and suggestions were made that his investigation was motivated by personal gain. That campaign was not carried out only by Dame Shirley's supporters, but involved the use of council resources, with publicly funded efforts to prove that Magill was responsible for, for example, the council's failure to collect service charges. The district auditor scheme has weaknesses—that is why it is being reviewed. However, as my hon. Friend the Member for Bolsover (Mr. Skinner) pointed out earlier, mention is never made of the weaknesses of the auditor scheme when Labour councils are in the firing line. In any case, the High Court judgment exonerated Mr. Magill from the fundamental charge of unfairness.

Conservative Members have drawn attention to the length of the investigation. Some of my hon. Friends and I, when we were members of Westminster council, often sought additional resources for the district auditor's office to expedite completion of the inquiry. Time and again, we were blocked by Westminster council and, no doubt, by the then Government who had no willingness whatever to see Mr. Magill complete his investigations. Therefore, it is complete nonsense to blame Mr. Magill alone for the length of the investigation.

Dr. Julian Lewis: The hon. Lady mentioned the length of the investigation. For the sake of the record, I wish to emphasise that it took seven years. Has any comparable time ever been taken by an auditor in an investigation of the wrongdoing of a Labour council?

Mr. Dismore: There has been no comparable wrongdoing.

Ms Buck: As my hon. Friend says, there has never needed to be an investigation on a comparable scale into such electoral wrongdoing. As I have said, we asked time and again for additional resources for the auditor's office to bring about a speedy completion of the investigation. The length of the inquiry was not helped by the fact that documents were shredded and deliberate attempts were made to undermine, block and delay the process.

[Ms Buck]

Key movers of the policy remain in place and, in some cases, in important positions on Westminster council. David Weeks, one of those found guilty by the High Court and erstwhile deputy to Dame Shirley and leader of the council in his own right, continues to sit as a councillor. He may even seek to be re-elected in this year's local elections. He has not been suspended by the Conservative party. Why not? After all, he has been found guilty in the High Court. He has not been condemned by the Conservatives and he has not had the decency or good taste to resign his seat.

Councillor Alex Segal, who was not on the final list of those investigated, remains as the chair of social services and as chief whip. He produced a paper, in January 1987, that drew attention to the likelihood that home owners would be more likely to vote Conservative. It stated:

"The short term objective must be to target marginal wards and redress the imbalance of tenure."

The High Court judgment states:

"After the production of the Segal paper, the direction of the designated sales policy was clearly targeted at marginal wards."

Councillor Segal was also part of the chairmen's group involved in deciding to locate tenants in the asbestos-ridden tower blocks. The inquiry into that decision stated:

"No one involved in the debate can be excused for not insisting on a thorough evaluation of the tower blocks."

Angela Killick, the former chair of social services, has said that Alex Segal was

"the driving force behind the policy . . . part of the clique with Porter and Legg."

In a story worthy of Richard Littlejohn's "You couldn't make it up" column, Alex Segal and Councillor Miles Young have even sought public money to offset their costs in a claim for immunity.

Senior Conservatives have sought to create an image of themselves as victims who have been wrongly accused, harmed and persecuted. They are not the victims: the victims are the residents of the City of Westminster, especially the thousands of vulnerable homeless, those in housing need and the leaseholders who await redress. We await an apology from the Conservative party and its condemnation of those involved. Above all, we await the money.

10.25 am

Mr. Paul Burstow (Sutton and Cheam): Before I start, I wish to offer my apologies to the hon. Member for Hendon (Mr. Dismore) for not being in my place at the beginning of his remarks, although I managed to hear most of them. I also apologise to you, Mr. Deputy Speaker, for my lateness and the resultant discourtesy to the House.

Before commenting on the Westminster case, I wish to set my remarks in the context of local government as a whole. It is important to stress that local government in this country is generally free from corruption and fraud. In evidence to the Nolan committee on standards in public life for the third report on local government, the Audit Commission stated:

"The Audit Commission appoints auditors to 469 local authorities. These authorities spend over £50 billion per year. Over 20,000 councillors serve on them and 2 million people work for them. In 1995/96 there were 1,475 proven cases of fraud and 21 proven cases of corruption involving councillors or local government officers."

The Audit Commission also told Lord Nolan and his committee that 99 per cent. of fraud in local government was committed against local authorities by people from outside. That evidence, with submissions from a wide range of other interests, led the Nolan committee to conclude that the systems in place to deal with probity in local government are generally effective. That fact makes the Westminster case all the more shocking.

The systematic abuse of power—and its financial consequences—by Dame Shirley Porter and David Weeks, as leader and deputy leader of the Conservative majority on Westminster council, is in a league of its own in the annals of local government misconduct and surcharge. The traditional independence of local government officers was undermined by the climate of fear engendered by the intolerant attitude of the Conservative majority on the council. Details of that intolerance are given in the High Court judgment, and I urge some Conservative Members to read it in its entirety, instead of relying on the selective quotes that have been used so far.

Local government officers, unlike civil servants, work for the whole council and not just for the ruling party. That is not a fiction but a practical reality, which informs the culture of most councils, and a vital safeguard of the transparency of decision making in local government, which the House should not lightly discard. On Westminster council, the dividing line—even the grey area—between public purpose and party political purpose was not just blurred: it was totally ignored. Power was concentrated in a few hands and dissent was stifled. In effect, the Conservative leadership took on executive power. That is a warning of what can happen when powerful executive politicians are without adequate checks or balances.

Admittedly, much could be done to modernise the local government committee structure and many hon. Members who have come from local government know how the system works. However, the legal requirement that decision-making committees reflect the political balance of the council is an important safeguard for the public and for minority parties. The other place is considering a Bill that would allow one-party decision-making committees and the concentration of executive power in the hands of individual councillors or elected mayors.

The Bill undermines the strong legal framework that governs access to information and provides for experiments. Westminster was a laboratory where such experiments were allowed to run out of control. The purpose of Westminster Conservative councillors is now clear: they sought to gerrymander the 1990 local elections. In the High Court judgment, Lord Justice Rose said:

"Their purpose throughout was to achieve unlawful electoral advantage."

As the hon. Member for Hendon said, there has been no compensation for those harmed by that decision. Figures supplied by the House of Commons Library suggest that the £27 million surcharge confirmed by the Court of Appeal dwarfs all previous surcharges put together.

Mrs. Teresa Gorman (Billericay): I am sure that, in the interests of accuracy, the hon. Gentleman would

want to note that of the 10 accused, eight have been exonerated and that the two people found guilty intend to appeal. The matter is therefore not complete.

Mr. Burstow: If it is a matter of appeal, we shall have to see what comes next. The hon. Lady will accept that a detailed reading of the Court of Appeal judgment shows that those people acted wilfully, committed misconduct and incurred substantial financial loss. I accept that the court said that two people were involved, but they are two very senior members of the Conservative majority on Westminster council, who led that council in an entirely improper and inappropriate direction for many years.

When Lord Nolan reported to the Prime Minister last July, he made some important recommendations to rebuild public confidence and strengthen the ethical framework of local government. I hope that we shall soon have an opportunity to debate that report in detail and that the Minister can confirm today that there will be a new statutory provision for misuse of public office, which would have a far wider effect than the blunt instrument of surcharge.

Westminster is an extreme and extraordinary case, but the circumstances that made it possible are more likely to be fostered by long periods of uninterrupted one-party rule. Although I would never argue that electoral reform is a cure all, I believe that a proportional voting system would bring a long-overdue gust of fresh air into our town and county halls.

Several hon. Members *rose—*

Mr. Burstow: I thought that that comment might bring one or two people to their feet, but, in view of the time available, I shall take no interventions.

Such a change would strengthen opposition party representation on many councils where one party has enjoyed unfettered power with little scrutiny for far too many years. Allied to measures to boost turnout, such as a rolling register, PR would make a difference to the quality and effectiveness of local government.

In 1996, the right hon. Member for Suffolk, Coastal (Mr. Gummer), the then Secretary of State for the Environment, told the House in answer to a private notice question:

"If decisions in respect of Westminster are upheld by the courts, I shall not hesitate to condemn those responsible".—[*Official Report*, 9 May 1996; Vol. 277, c. 367.]

The Conservative party must now publicly condemn that gross abuse of power and set in motion its own inquiry into what went wrong in Westminster. If it will not put its house in order, I urge the Government to investigate what happened in Westminster. Dame Shirley Porter and her deputy leader, David Weeks, subverted Westminster city council for party-political purposes. Their aim was to create a Tory rotten borough at the heart of our capital. I hope that we shall hear from Conservative Front-Bench Members today a clear and unequivocal condemnation of that corrupt administration's actions over many years.

10.32 am

Mr. Peter Bradley (The Wrekin): It is impossible to underplay the importance and impact of this scandal on the thousands of victims in Westminster, on the reputation of local government and on the Conservative party. An eminent local government QC, Andrew Arden, said that, in his experience, this was

"the greatest act of corruption in the history of local government, not financial corruption in the conventional sense, but corruption of the machinery of the authority itself, given over to party political gain, in a way—and to an extent—that is absolutely without precedent . . . Nothing prepared me for such a naked abuse of power, people and resources; I would have said it was unthinkable".

No amount of cavilling by Conservative Members about the time it took to elicit the truth from recalcitrant Conservatives, or diversions into the defaults of other local authorities, reduces the depth of the scandal or the scale of the guilt of those involved.

Dr. Julian Lewis: Will the hon. Gentleman give way?

Mr. Bradley: No, I shall not give way. Time is pressing. The hon. Gentleman has had his say and it was very interesting.

We are talking not just about political corruption but about one of the crimes of the century—£27 million of public money misapplied on the gerrymandering of Westminster. That is £11 million more than the fraud perpetrated by Peter Clowes, who received a sentence of 10 years for it. It is more than last year's entire annual budget of no fewer than 271 local authorities, including Wrekin, whose budget was a mere £17 million, Basildon, Brighton, Derby, Luton, Milton Keynes, Portsmouth and Southampton. By the time the auditor has finished his investigation, we confidently expect that surcharge to rise to £102 million.

Conservatives in Westminster left not a stone unturned. They broke the law on designated sales. If they were prepared to break the law for votes in one dimension of council activities, it is hardly surprising that they were equally prepared to break the law in others. They shipped thousands of homeless people out of the borough. At one point, they even offered local authorities in the north of England a £400 bounty to take families—and they were roundly rebuked and rebuffed. They subverted the objectives of charities such as the Peabody Trust, which built a 300-unit housing estate for Westminster residents—not in Westminster, but in Hillingdon.

The only interest of Conservatives in city hall was to get people out of the borough and off the electoral register. They used public money to target vote-catching environmental improvements in marginal seats. They subverted the planning process, which was far more likely to yield a result than fiddling with housing at the margins. They encouraged private development as part of office planning consents, and they resisted the development of social housing.

In the 11 years between 1982, when the hon. Member for Guildford (Mr. St. Aubyn) was a member, and 1993, Westminster secured as planning gain just 24 units of social housing. Those who say that there is no development land in Westminster should take a trip to Paddington Basin or go round the corner to Westminster hospital. They should look at the planning consents to see how many units of social housing to meet local need have received consent. It is a round figure. Conservative council members corrupted the development plan to pursue their aim.

It is inconceivable that all that could have happened without the Conservative Government's acquiescence. It is more likely that it had their active connivance.

[Mr. Bradley]

Labour Members and others made a catalogue of requests for Government action and made inquiries into, for example, the sale of a cemetery, sold for 15 pence and recovered for £4.25 million of public money. No public inquiry was held into those unresolved issues, the gerrymandering of Westminster or the corruption of the unitary development plan. All the claims were rejected by a who's who of Ministers: the late Nicholas Ridley when he was Secretary of State for the Environment; the right hon. Member for Henley (Mr. Heseltine); the former right hon. Member for Bath—Chris Patten—and the right hon. Member for Suffolk, Coastal (Mr. Gummer) all protected their colleagues at city hall.

What of the role of others? We have heard references to the hon. Member for Mole Valley (Sir P. Beresford) and the precious advice that he gave to Dame Shirley Porter just days after her scare in 1986.

Sir Paul Beresford (Mole Valley): The hon. Gentleman should be aware that I and others on Wandsworth council—officers and members—have given advice to many councils. Whether they took the advice is down to individual councils, but I could list them: Camden, next door to Westminster; Lewisham, which took my advice by the truckload; and Crawley, which took not only advice but assistance from financial staff of Wandsworth council. Any attempt to smear is wrong and incorrect. If the hon. Gentleman continues with that, he should do so outside the House.

Mr. Bradley: The hon. Member is obviously sensitive on that point. I have not suggested that he has acted improperly; indeed, I am assured that he is honourable. I am sure that other local authorities have listened to his words even if they have not taken his advice. I refer him to the transcript of interviews given by former Conservative colleagues of his, including Patricia Kirwan, on that very point. I am sure that he has read that transcript. There were others, too—Members of this House.

Sir Paul Beresford: Will the hon. Gentleman give way?

Mr. Bradley: No, I must make progress, because I am anxious to hear the Minister's reply. The hon. Gentleman has had his say.

I come to the role of Members of Parliament: the former right hon. Member for Westminster, North—Sir John Wheeler—and the right hon. Member for Cities of London and Westminster (Mr. Brooke), both of whom were present when some of the strategy papers were unveiled by their colleagues from city hall. The right hon. Member—he is an honourable Member—for Cities of London and Westminster said—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

Mr. Bradley:—immediately after the provisional—

Mr. Deputy Speaker: Order. The hon. Gentleman must resume his seat when I am on my feet. I remind him that all hon. Members of this House are honourable Members. He should remember that.

Mr. Bradley: I apologise; I was simply emphasising the respect in which the right hon. Member for Cities of London and Westminster is held. He said in 1994 that he was

"aware of the political dimension"

in these matters, so I wonder why, when he was chairman of the Conservative party, he did not think to blow the whistle.

We believe that the scandal goes right to the doors of No. 10. We know that, in 1987, Shirley Porter wrote to the then Prime Minister, Mrs. Thatcher, as follows:

"We in Westminster are trying to gentrify the City. We must protect our electoral position which is being seriously eroded by the number of homeless that we have been forced to house . . . I feel that the problem is now so serious that you should look at it yourself. Could I suggest that one of your Policy Advisors spends some time with my officers looking at the problem in detail? I am afraid that unless something can be done, it will be very difficult for us to keep Westminster Conservative!"

The clincher was not the gerrymandering of Westminster; it was the poll tax dodge in 1990. In autumn 1989, Westminster was faced with a poll tax of £429—similar to that of other London boroughs. We know that, after representations were made to the right hon. Member for Suffolk, Coastal, then the Minister for Local Government, and to other Ministers, that figure magically became £195—a vote-winning, election-clinching result.

If we had time, we could spend the whole day going through the scandals that attended Westminster, but, as my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) said, the most staggering aspect in recent days of this monumental scandal is the lack of response from Conservative Members. There has been a deafening silence. When wrongdoing on a far smaller scale has been alleged in Labour-run authorities, we have moved quickly—in Doncaster, Glasgow, Hull and Hackney—yet in 10 years we have not heard one word of condemnation in respect of Westminster from Conservative Members. Indeed, they seem keener to savage their current leader in the letter columns of national newspapers than to condemn Shirley Porter's wrongdoing. The early-day motion condemning Shirley Porter has been signed by 136 Members of Parliament, not one of them a Conservative Member and, as has been said, David Weeks, who stands accused not only by the auditor, but by three High Court judges, still sits as a member of Westminster city council.

On 9 May 1996, when the auditor confirmed his findings, the then Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal, said:

"I have made it clear that I would condemn utterly any failure to meet the highest standards of propriety, whenever it is found and whoever is found guilty.

If the decisions in respect of Westminster are upheld by the courts, I shall not hesitate to condemn those responsible".

He went on to say:

"The only honourable way to deal with an issue of this kind is to say that, if someone is found by the courts of law to be guilty, one condemns unreservedly and without question—whoever that person is, however close one is to them, and for whatever party they happen to stand."—[*Official Report*, 9 May 1996; Vol. 277, c. 367-69.]

In resisting invitations to condemn, the Prime Minister of the day, the right hon. Member for Huntingdon (Mr. Major), said:

"I am quite prepared to condemn cases of proven malpractice and those who have been found guilty in a court of law."—[*Official Report*, 9 May 1996; Vol. 277, c. 362.]

We are still waiting for the right hon. Members for Huntingdon and for Suffolk, Coastal to deliver that pledge.

Another former Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), said in 1994:

"It is not a question of individual moral behaviour, but of an allegedly highly organised policy by a political group in local government.

If true"—

it has now been seen to be true—

"it is the heaviest blow the Conservatives have had to take in living memory . . .

The Prime Minister has declared that if proven it will receive the utmost condemnation.

For the Conservative party in Parliament, it would be wise to display to the country the seriousness with which we view this report."

It is time the truth was told. The audit system has failed. It was brought in by the Local Government Finance Act 1992 to act as a stick with which to beat Labour authorities. But there has been no redress for or recompense to victims.

The truth matters and justice matters. I ask my hon. Friend the Minister for an investigation of the Conservative Government's record in aiding and abetting the corruption at Westminster city council. I ask her to ensure that outstanding inquiries are expedited and that Westminster city council—whose role in this saga has not been entirely blameless—takes urgent steps to recover the £27 million of public money owed to the people of Westminster. I ask for an expeditious review of the audit system so that in future we can be assured that the citizen, not the corrupt politician, is at the centre of local democracy.

10.44 am

Mr. Richard Ottaway (Croydon, South): I start by offering the apologies of my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), who would have liked to be present at today's debate, but who is leading the Northern Ireland Affairs Committee to Northern Ireland at this difficult time.

Today's debate has focused on the events of 10 years ago. As my hon. Friend the Member for Guildford (Mr. St. Aubyn) observed in his excellent speech—the only speech by a Conservative Member—this is not the first time that the hon. Member for Hendon (Mr. Dismore) has sought to make political capital out of this saga. He was the fairly undistinguished leader of the Labour group on Westminster council in 1994 when, armed with the auditor's provisional report, he led his party to a glorious defeat, despite having constantly raised the issue, as he seeks to do again today.

In the short time available, I wish to make three points. First, the Conservative party is in favour of the highest possible standards in public life: we condemn wrongdoing in any quarter and will do so if the decisions in respect of Westminster are upheld by the court. Secondly, I believe in justice: all the individuals involved in this matter have the right of appeal and, until the legal process is exhausted, any sensible and cautious person would be wise to await the outcome before making a judgment. Thirdly, given the trail of waste, inefficiency and corruption in Labour-controlled councils throughout the country, Labour Members are in no position to lecture anybody.

The original findings of the district auditor in his provisional report were against 10 councillors and officers. Of those 10, one committed suicide and the auditor decided not to uphold the objections in respect of another three. Of the remaining six named in the auditor's final report, the judges have quashed the surcharge relating to three officers; the fourth officer is receiving treatment after suffering a nervous breakdown and the auditor has dropped the action against him. The remaining two have the right of appeal. All those people have been through a traumatic experience and, for most of them, there was no just reason for it.

Mr. Peter Bradley: Will the hon. Gentleman give way?

Mr. Ottaway: No, because the hon. Gentleman far exceeded the amount of time that would have left me with enough time to reply to the debate.

We extend our sympathy to the friends and relatives of Dr. Michael Dutt, who was driven to take his own life by the pressures of the accusations made against him. The nature of the inquiry has not escaped comment. In the judgment of the court, the judges stated:

"whether Parliament contemplated so gigantic an investigation by an auditor into an objection to local authority accounts we very much doubt. In our judgment, in any future investigation of this kind, it will be essential for the auditor to exercise a sense of proportion and to balance, on the one hand, the need for adequate scrutiny of the accounts and the objections to them and, on the other, the need to avoid a prolonged and inordinately expensive inquiry."

Despite that, the district auditor has decided to appeal against one of the findings.

Lord Nolan clearly found the whole process unsatisfactory. In the third report of the Committee on Standards in Public Life, which dealt with local government and involved taking evidence from Westminster, he wrote:

"we have been persuaded by the evidence put to us by many witnesses that the concept of surcharge of councillors is unsatisfactory. We believe it is particularly unsatisfactory to have a procedure in England and Wales in which the district auditor formally can prosecute a case against individual councillors, judges guilt or innocence, and determines the penalty on the basis of his own calculation of financial loss. We believe that the concept of surcharge itself is now outdated. It should be abolished and replaced by the direct involvement of the courts in judging guilt or innocence and the appropriate penalty."

I invite the Minister to say whether the Government agree with Lord Nolan.

This case illustrates the danger of jumping to conclusions and condemning people before the judicial process is completed. On 9 May 1996, the then Leader of the Opposition, now the Prime Minister, said—

Mr. Peter Bradley: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Gentleman to mislead the House? On 19 December, the High Court judges refused the right of appeal to Shirley Porter and David Weeks. The legal process is at an end and they are guilty. Will the hon. Gentleman acknowledge that?

Mr. Deputy Speaker: The hon. Gentleman must not accuse another hon. Member of misleading the House about something that is purely a matter of debate. I remind right hon. and hon. Members that the sub judice rule

[Mr. Deputy Speaker]

applies when notice of appeal is given. As I understand it, leave to appeal is being sought, so the House's rule does not apply now. As it remains possible that the rule may once more be brought into play, it is probably advisable, even on such a serious subject about which hon. Members have strong feelings, to use moderate language.

Mr. Ottaway: I am not seeking to hide behind the sub judice rule. I am simply stating the facts.

On 9 May 1996, the then Leader of the Opposition invited my right hon. Friend the Member for Huntingdon (Mr. Major), then the Prime Minister, to condemn the conduct of those named in the auditor's report as "disgraceful and improper." Bearing in mind the fact that, since then, the case against three of those named has been quashed by the High Court, such a precipitate demand from the right hon. Gentleman illustrates the serious danger of making premature accusations before the wheels of justice have turned and those responsible have contemplated their inquiry. I am sure that all hon. Members present would invite the Prime Minister to correct the implication of his remarks in May 1996.

What is unbelievable today is the sheer hypocrisy of a party that has such a catalogue of ropy practices in local government. Thirty Labour councils are under investigation following allegations of corruption, impropriety—including the acceptance of bribes—fiddling expenses, failure to declare financial interests and gerrymandering. Frankly, what we have heard today is the pot trying to call the kettle black.

Against that background, the Government's approach to Westminster council gives rise to the greatest concern. Their decision to cut the council's SSA illustrates their embarrassment at Westminster's success in keeping its council tax at such a competitively low level. It costs Westminster £33 million to provide services for non-residents. Its SSA allowance for that is £18 million, so there is a shortfall of £15 million.

Westminster is a world-class city that takes great pride in caring for its environment and protecting our heritage. Some 71 million visitors visit Westminster every year and that poses particular problems connected with density and cleanliness. The Government, looking for excuses to reduce the SSA, say that those visitors do not cause such problems. To argue that density is not a problem for Westminster council by quoting fatuous examples of people staying at the Ritz is disingenuous and short-changes the residents of Westminster.

A report prepared by KPMG demonstrates that density is relevant to the costs of providing services for businesses and commuters, but the Government have rejected that report. To her credit, I was pleased to note that the hon. Member for Regent's Park and Kensington, North (Ms Buck) said that she accepted the basic conclusions of that report. We look forward to welcoming her in the Lobby when we vote on the revenue support grant.

Westminster city council has a proud record. On housing, it has the best record in inner London of keeping the number of empty properties to a minimum—in contrast to the efforts of Islington and Hackney. It has the cleanest streets in London and has won many prizes for that. It is the greenest borough in London, with many well-kept parks and gardens. It also has the cleanest refuse fleet in the world. On education, it leads the way. The pupil-teacher ratio is 18 in primary schools and 15 in secondary schools. The Labour party talks about low class sizes, but Conservative Westminster delivers them.

Westminster is a borough which protects the vulnerable. While Labour has been cutting expenditure, it has been increasing spending on social services. It spent £337 per head on social services—it has increased by 15 per cent.—in the past three years. It is a borough which believes in competitive tendering and its programmes have saved every resident £200 a year on his council tax bill. It is now a pioneering borough in the use of the private finance initiative. It is a borough which takes pride in the provision of its services by providing one-stop centres that are open in the evenings and on Saturday mornings—when the public need them.

Despite that high quality of service, the borough is also able to provide the lowest council tax in the country. That is what irritates the heck out of the Labour party and explains why it is falling over itself to cut the borough's SSA.

Westminster is a borough which has a right to be proud of itself. The Conservative party is proud of it and we believe that the public are also proud of it. That is why they will re-elect a Conservative administration in May, as they did in 1994, to carry on the good work.

10.54 am

The Minister for Local Government and Housing (Ms Hilary Armstrong): We have heard a sorry tale this morning that does none of local government any good. Those of us who care about local government and that local people should be able to feel that it is working for and with them can only feel extremely sad about what we have heard and the response from the Opposition spokesman, hon. Member for Croydon, South (Mr. Ottaway).

I am grateful to my hon. Friend the Member for Hendon (Mr. Dismore) for raising this important issue, which provides me with an opportunity to set out the Government's proposals to improve standards in local government. A former member of Westminster city council, my hon. Friend is well qualified to introduce the debate because he was one of those who played an important part in bringing its discredited homes for votes policy to the attention of the district auditor.

My hon. Friend will appreciate that, in view of the likelihood of further appeals, I cannot comment on the Westminster case in detail, but he and my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) are right to remind the House that the saga has been grossly unfair to people who live within the boundaries of Westminster city council. We have a duty to be concerned about those people.

Those who have been waiting to be rehoused have had to suffer unsatisfactory accommodation for longer than necessary, with no means of redress, while the council tax payers of Westminster have had to meet the additional housing costs arising from the council's decision to keep perfectly good properties vacant, thus incurring high temporary accommodation costs.

The issues raised by the Westminster case will be tackled by the Government. In our manifesto, we set out a range of measures to ensure good local government.

We believe that that matters not only because it provides and supports many of our services and spends huge sums of money in doing so, but because it is the one government institution that empowers the citizen through the ballot box and other means to influence the way in which local issues are dealt with on their behalf.

The Government are determined to ensure that the integrity and credibility of the local democratic process are upheld and not further undermined by authorities that ignore or in some cases work against the needs of their communities.

The number of such authorities is small, but the damage that they cause to the morale of many dedicated local government members and officers and to the standing of local government in the eyes of the public is considerable. Probity in local government is essential: without the highest standards of probity, local government cannot gain the confidence of the people or the legitimacy that it needs to play a proper role in our country.

We have said all along that wrongdoing in local government should be investigated and dealt with accordingly. When the Nolan committee recommendations on local government conduct were published last year, the Prime Minister stressed the Government's determination to improve standards. We want to establish a new ethical framework for local government that will let members and officers know exactly where they stand and provide clear and equitable penalties for misbehaviour.

We will lay a good deal of the responsibility for the rehabilitation of local government on authorities, but we will also put in place procedures for monitoring what happens to ensure that complaints are properly investigated and that the appropriate action is taken. We are now considering the recommendations of the Nolan committee and we will announce our proposals for consultation in a few weeks.

One of Nolan's most prominent recommendations was that surcharge should be abolished and that a new offence of misuse of public office should be introduced across the public sector. We have heard much comment about the current system from Opposition Members. They seem to forget that they introduced it and continued to support and defend it throughout their period of office. Should we decide to abolish surcharge, we shall need to ensure that there is a workable alternative. However, we are clear that there must be an effective deterrent against financial wrongdoing and that, when it occurs, there must be an effective way of dealing with it. As hon. Members know, we are considering the offence of misuse of public office wherever people are represented.

The auditor is the financial watchdog for local authorities and is ideally placed to identify possible misconduct involving financial loss.

Mr. Deputy Speaker: Order. We must move on to the next debate.

Tax Avoidance (Offshore Trusts)

11 am

Mr. David Maclean (Penrith and The Border): While it is always a delight to see the Financial Secretary in her place, I regret that the Paymaster General is not here to listen to the debate and reply to it. In accordance with the conventions, and out of courtesy, I dropped him a note on Monday saying that I intended to refer to him in my speech today. So it is an additional source of regret that he has not seen fit to be here in person and is letting the Financial Secretary answer questions on his behalf. We also saw that last week in Treasury questions.

I am delighted to have this opportunity to debate tax avoidance and offshore trusts. It is timely for three reasons. First, the Budget is less than two months away and we can soon expect to hear what progress has been made on the Government's plans for a general anti-avoidance law. Secondly, the taxation of offshore trusts is under review. Thirdly, that review has been steered by a Minister who is closely linked with a Guernsey-based offshore trust. Some might say that that makes the Paymaster General uniquely well qualified to conduct a review of offshore trusts. Others might say that he has a severe conflict of interest and that, for that reason and for others which I shall explain later, his position has become untenable.

No one likes to pay more tax than he has to. So I make no criticism of anyone who takes legitimate and legal steps to minimise his tax liability. However, where genuine loopholes exist, where unforeseen gaps in the tax system allow people who clearly should be paying to avoid tax altogether, the Government should act. Blocking loopholes helps to keep tax rates low for everyone. That is a principle which guided the previous Government. Our last Budget stepped up the campaign against people who cheated the system. We wanted to protect genuine taxpayers who paid their fair share.

The Inland Revenue was given extra funds to step up its work on the black economy, on income tax compliance and on corporate tax avoidance. Her Majesty's Customs and Excise received an extra £88 million to boost its campaign against excise fraud and VAT evasion.

Of course, there are other ways to prevent tax avoidance. More intensive policing of the system is not the only way. The best way is to keep the system simple in the first place. The fewer taxes there are, the fewer reliefs, exemptions and allowances are available, the less potential there is for tax experts to work the system to their advantage. That is one reason why we were working steadily towards the abolition of inheritance tax and capital gains tax. Both are surrounded by a thriving industry of accountants and lawyers specialising in tax avoidance. When my right hon. Friend the Member for Charnwood (Mr. Dorrell) was Financial Secretary, he made the Conservative Government's position on tax evasion clear. He said:

> "The Government remain determined to prevent the growth of tax avoidance to the level that existed before 1979. And over the last 14 years a large number of measures has been introduced to counter avoidance, including some in the present Finance Bill. . . . But there is a point where avoidance can be regarded as improper and unacceptable, deserving to be looked at critically, and deserving to be stopped."—[*Official Report*, 18 June 1983; Vol. 226, c. *761*.]

[Mr. David Maclean]

That is what he said, but what about the present Chancellor of the Exchequer? In Treasury questions last week, he said from the Dispatch Box that when my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley)

"was Financial Secretary to the Treasury and was asked to take action on offshore trusts, he said that:

'It would impose a substantial and unreasonable burden on business.'"—[*Official Report*, 15 January 1997; Vol. 304, c. 482.]

So there we apparently have it. The Chancellor gave the House the impression that the previous Government, when asked to take action in 1990, did nothing.

Naturally, I looked up the quotation that the Chancellor used. I can only assume that it is because of what No. 10 calls deep psychological flaws in his character that his imagination has run wild with the actuality. The shadow Chancellor, my right hon. Friend the Member for Hitchin and Harpenden, was asked a question by the then Member of Parliament, Mr. David Shaw. It will enrage the Prime Minister when he discovers that his Chancellor has been using with approbation answers inspired by David Shaw. David Shaw asked my right hon. Friend to consider a complicated system of prior notification whereby all companies, all trusts and individuals would have to inform the Inland Revenue of any proposed transactions between themselves and a tax haven. My right hon. Friend said in reply:

"The Inland Revenue devotes substantial resources to countering tax avoidance and evasion, including the kind of offshore transactions involving tax havens to which the questions refer. Where appropriate, the Government would not hesitate to bring forward such further legislation as was found to be necessary. To require general notifications of business transactions with tax havens would, however, impose a substantial and unreasonable burden on business."—[*Official Report*, 10 January 1990; Vol. 164, c. *705-06.*]

There is the true and accurate quotation. We can all now see why the No. 10 spin doctors are so keen to correct the Chancellor's perceived version of events in everything that he says and does.

Mr. Peter Snape (West Bromwich, East): We are all following what the right hon. Gentleman has to say with interest. Will he comment on the reports that a donor to the Conservative party based in Hong Kong had an offshore trust in Taiwan? This donor was known as White Powder Ma for some reason about which I am not too sure. He wanted back the £1 million that he had donated to the Conservative party because the previous Government failed to spring his father from gaol. I hope that the right hon. Gentleman will mention that as he goes through.

Mr. Maclean: That is nothing to do with this debate. The one thing that occurs to me is that that donor apparently gave £1 million to the Conservative party and the policy did not change. Bernie Ecclestone gave £1 million to the Labour party and got the policy changed.

Mr. Snape *rose—*

Mr. Maclean: The hon. Gentleman is an experienced hand. He has been here slightly longer than I have. He knows that I will not be deflected this early in the debate.

When my right hon. Friend the Member for Hitchin and Harpenden was Financial Secretary, he said that further legislation would be introduced if necessary. Indeed, further legislation was introduced. The most important change in the way in which individuals are taxed on their holdings and offshore trusts was introduced by the Conservative Government in 1991. In his 1991 Budget speech, the then Chancellor, Norman Lamont, argued:

"I do not think that it is right for a relatively small number of wealthy people to shift very large assets into offshore trusts simply in order to avoid United Kingdom tax."—[*Official Report*, 19 March 1991; Vol. 188, c. 174.]

As a consequence of the Conservative legislation in 1991, United Kingdom residents transferring assets to an offshore trust for the benefit of themselves or their family are now liable for capital gains tax. It is notable that in a recent article in *Accountancy Age* on the possibility of a Labour Government cracking down on offshore tax avoidance via trusts, the chairman of the Jersey Fund Managers Association was quoted as saying:

"The Conservative Government already levelled up the playing field. I don't think a Labour Government holds any particular worries for us."

So while the Chancellor huffs and puffs in the House trying to pretend that the previous Government did not take action on offshore trusts, the view of the operators of the trusts is that the legislation passed by the Conservative Government removed so many tax advantages that they have no fear that Labour can make it much tighter.

However, the present Government have a long record of commitment to tighten up on offshore trusts. Back in 1993 the Chancellor published a *Tribune* pamphlet entitled "How to tackle tax abuse". His argument was simple. He argued that £10 billion could be raised by a combination of a windfall tax on the privatised utilities and the closing of tax loopholes. As he wrote at the time:

"The Chancellor should end the tax abuses which reach to the heart of our public finances by indulging the super rich at the expense of all the rest of us".

On offshore trusts, the Chancellor wrote:

"As the law stands, offshore owners of UK assets, including companies, shares and land, pay no CGT when they trade in these assets. A UK resident can transfer assets to an offshore trust and the trustees can then make payments to beneficiaries in the UK, avoiding much tax liability."

That was in his pamphlet "How to tackle tax abuse." I am sure that the Paymaster General can confirm the accuracy of the Chancellor's account of how one avoids paying tax.

Just a year later, the then shadow Chancellor returned to the fray, publishing another paper, entitled "Tackling Tax Abuses, Tackling Unemployment". He noted:

"The abuse of offshore trusts and companies continues",

and added:

"All Governments owe it to their people to take action against the persistent few who, at the expense of everyone else, shelter their wealth overseas whilst seeking to enjoy the benefits financed by those who pay their tax at home".

In his speech to the Labour party conference, he pledged:

"A Labour Chancellor will not permit tax reliefs to millionaires in offshore tax havens."

Therefore, it was no surprise when the Chancellor used last November's pre-Budget report to promise a general anti-avoidance measure on the ground that closing loopholes one by one

"is no longer a satisfactory response to the continual inventiveness of tax planners".

That then seems to be the Chancellor's plan—a general anti-avoidance catch-all measure. I shall be interested to find out how the Government go about putting such a provision together, especially as one commentator said:

"As a matter of principle, we believe that the citizen is entitled to know where he or she stands before the tax law. A catch-all provision that came into play when all else fails, is unacceptable in a fair tax system."

Who is that commentator? Why, it is the Chancellor himself, writing in 1994, but we all understand that much has changed for him since then. At that time, he thought that he would like to be the Prime Minister; now he thinks that he is the Prime Minister.

The Government's position on offshore trusts is clear. They want to tighten the tax rules, so how embarrassing it must have been when it began to leak out that the Paymaster General had his own offshore tax haven. Although he has been reluctant to give the full facts, which have been extracted from him painfully over the past six weeks, we know at least that he is a discretionary beneficiary of the Orion trust, a Guernsey-based fund which was established by his late Belgian friend and business associate Madame Joska Bourgeois.

Madame Bourgeois was a remarkable woman. She made a £30 million fortune selling Jaguars to the Belgians. How many Belgians were so keen to buy Jaguar cars in the early 1980s that that car dealer made a fortune out of it? I confess that I do not know of any other dealer who made money out of selling Jaguar cars, with their famous reliability in the early 1980s, before Edwardes turned the company around. This is a case for Hercules Poirot to investigate.

I have no objection to any individual benefiting from such a trust, provided that he complies with the law, but most decent people, including many of those who voted for the Labour party at the last election and who apparently are now deserting it in droves, cannot stomach the blatant double standards that this sorry affair has exposed.

The Government clearly oppose offshore trusts, yet the Minister in charge of the policy has such a trust himself. Even worse, his plans for individual savings accounts will cut tax relief for many thousands of savers with more than £50,000 in personal equity plans and tax-exempt special savings accounts, yet he has the benefit from at least £12 million that is stuffed into a secretive tax haven, avoiding tax all together. No wonder he has been accused of hypocrisy and by no less a person than the Deputy Prime Minister, who said on "Breakfast with Frost":

"You may argue that the politician"—

the Paymaster General—

"has said one thing and perhaps done another. That seems to be the greatest charge against him."

That charge is hypocrisy and how true it is. At least that was the greatest charge against the Paymaster General on 14 December.

To understand the complex web of dealings in which the Paymaster General has enmeshed himself, we must first understand the nature of the Orion trust. Gavin Lumsden, writing in *The Times* on 20 December, described various types of trusts and went on:

"The Orion Trust in Guernsey, of which Mr. Robinson is a potential beneficiary, does not conform to any of the tax rules, not because it is an offshore haven, but because the woman who set it up, Joska Bourgeois, was a non-UK resident and therefore outside the scope of UK tax law. Because she died in 1994, Madame Bourgeois, a Belgian national living in Switzerland, had effectively put Orion beyond the reaches of the UK taxman forever. Because of this, Orion can grow its assets tax-free and distribute the capital to beneficiaries in the UK who have no tax to pay. The implications of this for Mr. Robinson were enormous when last year he was given the right to buy shares in Trans Tec, a company he founded. Mr. Robinson could have subscribed to the shares but would have had to pay tax on any increase on their value whenever he came to sell them. He could also have sold his rights to a third party, but that would have denied him the benefit of growth in the shares' value. Instead, Mr. Robinson sold the right to buy the shares to Stenbell, another company he owned, which sold them on again to Orion. By transferring them to Orion he could be confident that a trust, of which he was a potential beneficiary, could benefit from the growth in the shares free of tax.

According to Mr. Fitzpatrick of Chantrey Vellacot (accountants) it is 'a classic case study in how to use an offshore trust.' The effect of this could be dramatic if the Trans Tec shares continue to perform. In the past two years they have doubled in value. Orion now owns £13 million of the company shares. If they were to double again, the trust will have gained £13 million. Ordinarily, this would produce a £5 million Capital Gains Tax bill—but not for Orion or Mr. Robinson or any other beneficiary of the trust."

That is the view of the experts: it is a classic case study into how to use an offshore trust for tax-avoidance purposes.

Mr. Ian Bruce (South Dorset): Does my right hon. Friend agree that the one thing that should have happened is that all those transactions should have been totally at arm's length and done on the basis of true value? Are we to assume that the Paymaster General has extraordinarily short arms?

Mr. Maclean: My hon. Friend makes an interesting point. I shall come to the arm's length attempt when I discuss Stenbell Ltd., but I must set out the chain of events if the House is to understand what has gone on. I have researched this in some detail, but I shall try to be as brief as possible. The House will find that the Paymaster General has attempted to put himself at arm's length from the Orion trust.

The Paymaster General has so far failed to answer several questions about the Orion trust. It was set up by the executors of Madam Bourgeois's will following a bequest in her will. The Paymaster General was one of her executors who had to set up the trust. He was the executor of her will from when she died in 1994, but he resigned abruptly in 1996, just a few months before the trust opened for business in Guernsey.

Who are the trustees? The Paymaster General will not tell us, except to say that they are independent. Offshore tax experts believe that they are professional trustees who manage various trust portfolios and that they are linked to a trust management company called Richmond Corporate Services. The first question that the Paymaster General has to answer is: did he, when he was executor of Madam Bourgeois's will, have any part in the selection of Richmond Corporate Services?

The Paymaster General and seven other family members are discretionary beneficiaries. The independent trustees advise the trust and decide when and how much

[Mr. Maclean]

to pay, but, as the settlor of the trust, Madam Bourgeois, is dead, the normal modus operandi is for trustees of discretionary trusts to have a so-called "letter of wishes" from the individual whom they regard as their client, so that they can administer the trust as required. The second question for the Paymaster General is: has he ever written a letter of wishes to the Orion trustees? If he has, he has been even more economical with the truth than we have believed so far.

In June 1996, TransTec, the Paymaster General's highly successful company, of which he is chairman, decided to raise £58 million by a rights issue of five new shares for every nine. The chairman of TransTec, the Paymaster, had the right to buy 9,805,550 shares at 103p each—a discount on the market price. But the Paymaster did not take up the shares personally. He sold the rights to buy them to a company called Stenbell Ltd. Stenbell Ltd. has two directors; the Paymaster General is one. He says that he did not take up the shares himself because he could not afford to. He was quoted as saying on weekend television:

"I didn't have the £10 million handy to do it"—

but apparently his own company, Stenbell, did have the £10 million handy to do it.

I have obtained the notes to the Stenbell accounts for the period ended 31 May 1997. They make interesting reading: Stenbell has an authorised share capital of 1,000 ordinary shares of £1 each. It only has two ordinary shares of £1 each allotted, called up and fully paid, and guess whose they are?

So is Stenbell a going concern? The notes to the Stenbell accounts say:

"At the period end, the company had a deficit of assets over liabilities of £240,850. The continued trading of the company is dependent upon the continued support of its principal creditor, the Geoffrey Robinson Personal Settlement. In the opinion of the directors, this support is likely to be forthcoming for the foreseeable future, as evidenced by a further injection of loan capital since the year end. Accordingly, in the opinion of the directors, it is appropriate to prepare the statements on a going concern basis."

That is pretty clear, is it not? Stenbell has no assets whatever except those that the "Geoffrey Robinson Personal Settlement" give it.

Therefore the third question for the Paymaster General is: did the "Geoffrey Robinson Personal Settlement" finance or guarantee the money so that his company, Stenbell, could buy the £10.1 million of shares from his company, TransTec?

As we now know, Stenbell did not retain the shares. They were sold to the Orion trust, whose trustees are, supposedly, independent, and if tax is to be genuinely and legally avoided, those trustees must operate without any influence from the Paymaster General. Indeed, when this affair broke, the Paymaster General's solicitors confirmed the independence of the trustees. His solicitors, Titmuss Sainer Dechert, rushed out a letter to *The Observer*, on 8 December 1997, stating:

"Our client did not appoint the trustees of the Orion Trust, who act entirely independently of him and are not controlled, or their decisions influenced, by him in any way; the trustees of Orion make their own decisions."

They threatened immediate libel proceedings if the newspaper continued to publish further reports—threats which were all bluff and have now been quietly dropped.

However, a few days later, the Paymaster General moved from threatening legal offensives to a charm offensive, when he gave extensive interviews to the Sunday media. Among other things, he told us that he did influence the Orion trust to buy the TransTec rights issue that he had sold to Stenbell. As the Paymaster General is an honourable man and a Member of the House, I believe him. He did influence the independent trustees, or as he says:

"I did suggest that they took up the rights issue and they did".

I can only conclude that, as the Paymaster General is an honourable man, Titmuss Sainer Dechert have the psychological flaw that the Prime Minister sees in his Chancellor, and that they, his solicitors, lied, lied and lied again in their letter of 8 December when they said that the Orion trustees did not have their decisions influenced by Her Majesty's Paymaster General.

Later, the same independent trustees were to jump at the Paymaster's next "suggestion", to buy his shares in Coventry City football club, which they did. Why should those apparently independent, professional trustees, listen to the Paymaster's suggestions unless they had a letter of wishes from him, as their principal beneficiary, giving guidance on how they should act?

I must accept that the Paymaster has operated the rules cleverly and well. Indeed, he is a highly successful and clever business man. He is the only man in history to buy a company from Robert Maxwell and find that it actually has more assets than liabilities. It is not appropriate today, but the Paymaster General's earlier dealings with Robert Maxwell deserve a thorough investigation. However, as far as the Orion operation is concerned, he would no doubt have succeeded if it were not for his public position now and the investigations of the press.

Let us consider the chain of events in summary. The Paymaster is executor of Madam Bourgeois's will, but resigns just before the Orion trust is operative. At the same time, his company, TransTec, planned to have a rights issue which will gain him almost 10 million new shares. He sells the rights to those shares to his company, Stenbell, which buys the shares—presumably financed by the "Geoffrey Robinson Personal Settlement"—and sells them on to the offshore Orion trust, which just happens to have acted on his suggestion to buy them. Why involve Stenbell? That is simply to add another link to the chain and make it look more like an arm's-length operation. If Orion bought the shares directly from the Paymaster General, he could be deemed by the Inland Revenue to be the settlor of the shares, and full income tax liability would attach, as a result of legal changes made by the previous, Tory, Government.

It is a classic case of the use of intermediate companies and offshore trusts to avoid tax on a massive scale, perfectly legally. The Paymaster's dealings have been designed to persuade the Inland Revenue that he was acting at arm's length.

We need to consider two further curious little events. The first concerns an interesting note that I found in the Stenbell accounts. It says that for the period ending 31 May 1997, Stenbell sold on shares to the Orion trust:

"A Trust in which Mr G Robinson MP is a beneficiary".

Note the wording "a beneficiary", not a discretionary beneficiary, as we had been told by the Paymaster.

Therefore, the fourth question for the Paymaster General is: are the Stenbell accounts, which he has produced, from a company that he controls, wrong? Have

they misrepresented his actual position as a potential discretionary beneficiary, which he tells us that he is? We need to know.

Then there is what I call the "eve of poll affair." The eve of poll was not a happy night for me and many of my Conservative colleagues, who saw election defeat looming, but it was a great day for the Paymaster General. Not only did he sense victory on the morrow and a job in Government, but the Orion trust was suddenly informed that another 2.95 million TransTec shares were to be settled on it. The Paymaster General says that he knows nothing about it. He says:

"You'd have to ask the settlors that. I'm not briefed"—

but apparently the settlor was the late Madame Bourgeois and, of course, the Paymaster General was the executor of her will before he resigned just before the Orion trust became operative and he could be a beneficiary.

Surely it is uncharacteristically careless of the Paymaster, the successful and clever business man, to have, shall we say, "mislaid" 2.95 million of his own company's shares, which he failed to settle on the Orion trust, of which he is a beneficiary, at the outset, but which was then settled by a deed of arrangement, completed on 30 April, the eve of the general election. And the Paymaster General says that he has no idea how that convoluted state of affairs and amazing coincidences came about. I am afraid he must tell us.

The next question to the Paymaster General is: who informed the Orion trust of the 2.95 million missing TransTec shares, and why were they not transferred with the original bequest?

The Paymaster says that we need to ask the settlors that. No we do not. We are asking the Paymaster that question. He is the one who needs to come clean. We have no influence on the settlors of the Orion trustees, but we know that the Paymaster has. If the Paymaster General can influence them to buy his TransTec and Coventry City shares, surely he can influence them to tell him the circumstances surrounding this extraordinary share transfer—and then he can tell the House of Commons. It is about time he said something in the House of Commons about his dealings.

The legal technicalities of offshore trusts have served the Paymaster well. Apart from the tax avoidance advantages, they have enabled him to shelter behind highly evasive answers to parliamentary questions. As the House can see, this is a complex matter which is difficult to set out simply. That has enabled the Paymaster General to hide behind arcane offshore trust law. But slowly and surely, the complex web of his transfers and share dealings has been untangled, and day by day his position becomes more untenable.

The latest ministerial code, revised and endorsed by the Prime Minister—the one I have still refers to Ministers' spouses, not their partners—states:

"Ministers must scrupulously avoid any danger of an actual or apparent conflict of interest between their ministerial position and their private financial interests".

The Prime Minister says that the Paymaster General has followed the code—that he has avoided any apparent conflict of interest. But in his television interviews, the Paymaster General has admitted that on some issues he has given advice to the Chancellor of the Exchequer which goes against his own financial interests.

Thus if we take the Paymaster's version of events, which I believe to be true, as a Minister of the Crown he has looked at the policy options on tax evasion which his Treasury civil servants have provided, and he has advised the Chancellor to adopt an option or options disadvantageous to his personal financial interests. That is a noble thing for him to have done, but it is still a clear contravention of the ministerial code. That code, endorsed by the Prime Minister, does not advise Ministers to act against their personal interests when they face a conflict of interest. It tells them to avoid any "actual or apparent" conflict in the first place.

I must admit that the Prime Minister is showing more resolve in bluffing out this flouting of the code by the Paymaster General than the latter showed with his threat to sue the press for libel.

The Paymaster General is the Minister responsible for corporate taxation and general accounting issues in the Treasury. It is not possible for him to avoid any apparent conflict of interest so long as he is a discretionary beneficiary of an offshore tax haven. The ministerial code is quite specific:

"In some cases it may not be possible to devise such a mechanism . . . in such a case, it may be necessary for the Minister in question to cease to hold the office in question".

The Prime Minister even states in the foreword:

"I will expect all Ministers to work within the letter and the spirit of the Code".

If the Prime Minister is to follow his own code, he must immediately ask for the Paymaster General's resignation.

That, of course, is not how this Government of pals and cronies act. We read that when the code was about to be flagrantly breached by the Foreign Secretary, the Prime Minister apparently revised it to accommodate his right hon. Friend's private arrangements.

The Prime Minister has stood loyally by his friend the Paymaster. We read that they are very good friends; indeed, on at least two occasions the Paymaster General has put his luxury villa in Tuscany at the disposal of the Prime Minister and his family. My reading of the press reports suggests that this is not a self-catering "bring your own sheets and flea powder" establishment. It is apparently a very high-class joint—the sort of place I am not allowed into. I have not tried to calculate how much more four weeks in Tuscany in a luxury villa in August might cost than, say, a few nights in the Ritz hotel in Paris. No doubt others will do the calculation for me.

There is also a new angle on which the Prime Minister must act—now. Because of revelations concerning the influence that the Paymaster General exerted on Orion to buy his TransTec shares, and the probability that he has therefore tainted the offshore trust and technically brought it onshore, it is said that the Inland Revenue is investigating his links with the Orion trust. Is that true? The normal rules ensuring strict client confidentiality for ordinary citizens in their tax affairs are absolutely right and proper. But this is no ordinary citizen: this is a senior Minister in Her Majesty's Treasury with special responsibility relating to taxation who may be under investigation for tax avoidance. He cannot therefore shelter behind the client confidentiality rule. He must answer the question, and answer it soon. Is the Paymaster aware of any Inland Revenue investigation into the TransTec shares transfer to the Orion trust, or into his influence on their purchase? On that he must come clean.

[Mr. Maclean]

Furthermore, has the right hon. Gentleman now told the permanent secretary at the Treasury, Sir Terry Burns, the full facts? I feel sorry for the permanent secretary; like all good perm secs of my experience he will do his utmost to defend his Minister and protect him from his own folly. The Paymaster General said in a statement of 29 November:

"I informed him"—

the permanent secretary—

"that I was a discretionary beneficiary under a trust established for my family. After advice from the Permanent Secretary and Titmuss Sainer and Dechert, I decided in accordance with their advice, that there was no need to include this in the blind trust arrangements, since I was a discretionary beneficiary."

It is interesting that Sir Gordon Downey took a different view when he looked into the matter, but I shall not go into that today. I am concerned with the Paymaster General's dealings as a Minister of the Crown, not with any failure on his part to register his interests as a Member of Parliament.

What would the permanent secretary to the Treasury say now that more of the truth has come out? Wisely, like any great man who has been duped, he is saying very little. He has still not replied to the shadow Chancellor's letter of 12 December, in which he pointed out that the dealings of the Orion trust cannot be compared with a blind trust. That of course was the assumption on which the permanent secretary worked when the Paymaster General told him of his "beneficial family trust". In truth, the permanent secretary cannot reply, and I do not criticise him for that. Any reply that he could make would kill off his Minister.

The time has come for the Paymaster General to go. He has ducked and dived, he has threatened and charmed, but he has failed to answer the crucial questions on his business affairs. The Chancellor of the Exchequer is also guilty of hiding the facts from the House. My right hon. Friend the shadow Chancellor has repeatedly asked him for details of the Paymaster's dealings, yet the Chancellor relies for answer on the press statement issued by the Paymaster on 8 December. That press notice contains the infamous Titmuss Sainer Dechert letter stating that the Paymaster did not control or influence the Orion trust. We now know that assertion to be false; yet the Chancellor in his parliamentary answers merely refers to it for his defence. It is disgraceful and astonishing that the best defence the Second Lord of the Treasury can muster is based on a lawyers' letter which, as I said earlier, lied, lied and lied again.

It is time for the Paymaster to go, not just because he has been economical with the truth, as my detailed account today has revealed, but because of the apparent and obvious conflict of interest. Who in the country will believe that a man who benefits from at least £12 million in a tax haven has no conflict of interest when doing his job of clamping down on tax evasion? It beggars belief. And who will believe that the Inland Revenue will fearlessly investigate the status of the Orion trust and the supposed independence of its trustees when one of the principal beneficiaries includes the Revenue's own Minister at the Treasury?

It is time for the Paymaster to go because of the double standards that this case exposes. The Government are vitriolic about offshore trusts, yet one of their senior Ministers benefits enormously from such a trust. Here we have a Minister who presided at a press conference to launch the Government's new savings accounts, which clobber 300,000 middle-class savers, just 18 months after he suggested to Orion that it buy 10 million of his shares and then tuck them away in a tax haven for his and his family's use. If the right hon. Gentleman does not see the inconsistency or hypocrisy in that, he is the only one who does not. The Deputy Prime Minister sees it, but apparently our Prime Minister does not.

It is time for the Paymaster General to go because he has failed to answer any of the crucial questions that must be answered if he is to be left with any credibility or trust. So that the Minister answering today has a clear and concise list of them, let me summarise the questions that must be answered by the Paymaster. First, did he have any part in the selection of Richmond Corporate Services as trustees of the Orion trust? Secondly, has he ever written a letter of wishes to the Orion trustees?

Thirdly, did the "Geoffrey Robinson Personal Settlement" finance or guarantee the money so that Stenbell Ltd. could buy the TransTec shares? Fourthly, Stenbell Ltd., of which the Paymaster General was a director, has produced accounts describing him as a beneficiary, not a discretionary beneficiary, of the Orion trust. Are those accounts wrong?

Fifthly, who informed the Orion trust of the 2.95 million TransTec shares that were settled on 30 April? Sixthly, why were those TransTec shares not transferred with the original bequest to Orion? Seventhly, is the Paymaster aware of any Inland Revenue investigation of the TransTec shares transfer to the Orion trust, or his influence on their purchase?

Eighthly, has the Paymaster now told the permanent secretary at the Treasury, Sir Terry Burns, that he has influenced the Orion trust by suggesting that it buy his shares in TransTec and Coventry City football club, and is the permanent secretary still of the view that Orion is no different from a blind trust?

Ninthly, does the Paymaster General still believe that he is complying with the rules in the ministerial code that insist that there should be no apparent conflict of interest, when he benefits from £12 million in a tax haven, despite the fact that his ministerial responsibilities include closing tax loopholes? Finally, does he believe that full disclosure on all financial dealings is the only way to ensure that he has acted with due propriety and fairness? Those are important words.

I shall table all those questions today as official parliamentary questions. The Paymaster General must answer them. Indeed, the Chancellor of the Exchequer must answer them; no longer can he dodge them by hiding behind a lawyer's letter that we now know to be totally untrue. If the Paymaster General—or the Chancellor or the Financial Secretary today on his behalf—does not answer those questions, he must go, and go now, not just because of his conflict of interest, not just because of his economy with the truth, and not just because of the evident double standards. He must go because he has failed his own ethical test.

In a letter to *The Times* critical of the Conservative Government's handling of the sale of *The Times* and *The Sunday Times* to Rupert Murdoch, the Paymaster General wrote:

"What is required therefore is the full disclosure of all the financial documents and legal opinions. Only in this way can the public be satisfied that this important transaction has been handled with due propriety and fairness."

He continued:

"It is an occasion where proper behaviour must be seen to have been observed and the public assured that the right judgment has been arrived at."

Those are the Paymaster General's words, not mine. He has written his own political suicide note. He stands condemned in his own words. He has no credibility left. He must go.

11.42 am

Mr. Ross Cranston (Dudley, North): I would have congratulated the right hon. Member for Penrith and The Border (Mr. Maclean) on raising this serious subject, but unfortunately he has used the debate for an unjustified attack on my hon. Friend the Paymaster General. I shall not go into the details; I shall make just three observations.

First, the right hon. Gentleman misunderstands the nature of trusts, and the position of beneficiaries and discretionary beneficiaries. I suggest that he take instruction from some of his hon. Friends, who know more about such matters than he apparently does.

Secondly, the House, through its Committee, has cleared my hon. Friend the Paymaster General. Thirdly, for what it is worth, I have full confidence in my hon. Friend.

I shall address the serious matter of tax avoidance and offshore trusts. The right hon. Gentleman said that the previous Government had taken certain steps in relation to tax avoidance. He mentioned in particular the changes in 1991 to the Finance Act. There is no doubt that from time to time, the previous Government made amendments to close gaps in the tax legislation. Unfortunately, they failed to do so systematically. They were often motivated by the haemorrhaging of public finances, rather than by any strategic view of the need to deal with tax avoidance.

The Labour Government have said that tax avoidance stands at the top of their priorities in their plans to reform the tax system. My right hon. Friend the Chancellor of the Exchequer made that clear in his pre-Budget statement. He said, rightly, that tax avoidance harms those who pay their fair share of taxes.

There are various ways to deal with tax avoidance. The previous Government were fortunate because in the 1970s and 1980s the courts had taken a purposive view of tax legislation. In a number of decisions, in particular the Ramsay and the Furniss decisions, which were confirmed last year in the McGurkian decision, the courts said that they would not adopt a literal approach, and that they would look at a preordained series of transactions in accordance with their overall effect. If, for example, a trust were interposed, they would look at the overall effect of the interposition of a trust in a series of transactions and act accordingly.

To a considerable extent, therefore, the attitude of the courts saved the previous Government from a huge haemorrhage in the public finances. The present Government have taken a much more strategic approach to the issue. First, as announced by my right hon. Friend the Chancellor, a large number of specific anti-avoidance measures will be introduced. I understand that up to 200 specific changes may be made to deal with tax avoidance.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Will the hon. Gentleman inform the House where he got the information about the next Budget that he has just announced to the House?

Mr. Cranston: I shall speak to the hon. Gentleman later about the specific measures contemplated.

Secondly, there have been changes in the administration. As the hon. Gentleman will know, the large business tax avoidance units have been centralised to target resources more effectively. In addition, the Inland Revenue has adopted a higher profile in dealing with tax avoidance. For example, there were well-publicised raids last year, when the Inland Revenue took advantage of its powers under the Taxes Management Act 1970.

Thirdly, the Government have initiated procedures to deal with multinational enterprises, in particular the transfer pricing regime. In the view of experts, the previous Government did not deal adequately with that regime. Our controls on transfer pricing lag behind those of other countries. Several consultation documents have been issued on the matter, and the Government will toughen up controls in the Finance Act later this year.

The Chancellor has initiated discussions on a general anti-avoidance provision. There has been a great debate about the matter. The right hon. Member for Penrith and The Border touched on it in his speech, but did not deal with it adequately. There is an active debate about whether the United Kingdom ought to have a general anti-avoidance provision. The distinguished Tax Law Review Committee concluded, contrary to what the right hon. Gentleman suggested, that there is a need for a general anti-avoidance provision. The advantage, of course, is that it sends a message to taxpayers that they must not design their arrangements to avoid tax, which is intended to be caught by the legislation.

Contrary to what the right hon. Member for Penrith and The Border suggested, there is a head of steam behind this general anti-avoidance provision, which I support. It will ensure a more strategic approach to dealing with tax avoidance.

The Government have adopted a series of provisions to deal with the problem systematically, dealing with both specific and general matters. I support those measures. This is a serious topic. It was not dealt with seriously by the right hon. Gentleman. I commend the steps that the Government have taken.

Mr. John Burnett (Torridge and West Devon): Will the hon. Gentleman give way?

Mr. Cranston: I have finished.

Mr. Burnett: I thank the hon. Gentleman for giving way. He listed the scrutiny that the Government are giving to tax-avoidance measures. If the Paymaster General himself is the beneficiary of what is considered to be an

[Mr. Burnett]

extremely lucrative tax-avoidance measure, how can he take part in those discussions and examinations without being the subject of a glaring conflict of interest?

Mr. Cranston: My hon. Friend is one among a number of Ministers. These decisions are being made by the Government. The Government have made their commitment to deal with tax avoidance quite clear and have set out their proposals in a series of consultation documents. Obviously, right hon. and hon. Members on the Opposition Benches have not looked at those papers. The Government are dealing with the matter in a serious manner, and I support them fully.

Mr. Keith Simpson (Mid-Norfolk): Will the hon. Gentleman give way?

Mr. Cranston: I have finished.

Mr. Simpson *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Member for Dudley, North (Mr. Cranston) has truly finished.

11.52 am

Dr. Vincent Cable (Twickenham): I came along to the debate imagining, perhaps rather naively, that we would debate tax avoidance. Instead, we have had a Hetty Wainthropp-type amateur sleuth exercise into the private finances of the Paymaster General.

Mr. Ian Bruce: The hon. Gentleman will always have the support of the Liberal Democrats. They will look after him. Do not worry.

Dr. Cable: On this particular point, they do.

I ask a question that has persisted throughout the debate: why on earth was this matter not dealt with earlier? We were given the explanation that it was raised in the 1991 Budget, but we have had 18 years, several Chancellors and numerous Budgets in which to investigate avoidance. Why was not this loophole, which was so obvious to the Paymaster General and to numerous business men, detected? The reason was either incompetence or deliberate oversight—perhaps it was deliberate cynicism.

Mr. Bruce: If the hon. Gentleman had been listening to the speech of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), he would have heard clearly that the accusation was not one of using a loophole, and avoidance, but one of evasion.

Dr. Cable: The hon. Gentleman slipped from the word avoidance to evasion, and that is a crucial step in the argument, with which even public opinion and commentators outside have not caught up. Evasion is, of course, a legal matter. Perhaps I can return to the central issue.

We believe that tax avoidance is an important political issue. One reason why the Government were elected, and why we support their efforts in this respect, was to take a much tougher, less cynical approach to the whole issue of tax avoidance. As I understand it, the Treasury has a strong policy on tax avoidance, which was emphasised this morning with the announcement of the investigation into the conduct of the Channel Islands. We support the broad policy.

Mr. Gibb: Will the hon. Gentleman state what anti-avoidance trust measures were included in the Government's July Budget, if they are so keen on the issue?

Dr. Cable: We are waiting for the Budget in a few weeks' time to take action on that. Liberal Democrats, like Conservative Members, will be looking for tough action in that respect.

Let me return to the central issue, which is important. We are looking to the Government to take the tough anti-avoidance action that they promised. This issue is important not because of revenue raising, which is a red herring, but because of the cynicism of the public about tax payments. I give a simple example. There is a trading group known as LETS—local exchange trading schemes—in my constituency: people who carry out and exchange services for each other. They do not pay cash. Some baby-sit; others carry out car repairs. Those people are frightened of expanding their scheme because the Inland Revenue will descend on them for tax avoidance. That is why public credibility has to be restored and tax avoidance dealt with firmly. I share some of the concerns of Conservative Members about the Paymaster General, not because he has been behaving improperly—that is a matter for investigation—but because Treasury Ministers should set an example. That is the issue.

On the specific issue of the Paymaster General, in the run-up to the Budget, it is clearly difficult, if not impossible, for him to continue to work on the sensitive issue of tax avoidance. The timing of the Budget is crucial, and within it must be measures to eliminate that loophole. If not, the position of the Paymaster General and the Government will become impossible.

11.57 am

Liz Blackman (Erewash): This is the season of the pantomime dame, and Opposition Members' protestations have been perfectly in keeping with the time of year. My hon. Friend the Paymaster General answered the charges laid before Parliament. Sir Gordon Downey answered those charges and found that no parliamentary rule on registration had been broken.

Like so many other hon. Members, I came here this morning in the hope that I would hear a sensible debate about tax avoidance, but that has been far from the case. It could have been such a useful opportunity to explore sensibly the measures that the Government could take on tax avoidance, to bring in extra revenue for the Exchequer. I make the distinction, like the hon. Member for Twickenham (Dr. Cable), between evasion, which is illegal, and avoidance, which is legal until ruled otherwise. It is, as Opposition Members have said, perfectly proper to structure business affairs in a way that minimises tax liability. Indeed, a whole industry has grown up to support that practice, and many hon. Members seek its advice. However, it is also the Government's duty to ensure fairness in the tax system

and to ensure that their tax intentions are translated into revenue for the Exchequer, for the proper funding of public services.

The Labour Government have clearly signalled their intention to act on tax avoidance. The Budget has signalled our intention to do just that, and future plans include a wide-ranging review of tax avoidance, involving the Inland Revenue and Customs and Excise. We are considering setting up a general anti-avoidance rule—avoidance is banned in many countries—which is welcomed by many, including the Institute for Fiscal Studies. We are serious about tackling avoidance and evasion. The record shows that the Opposition are not.

Mr. Gibb: Will the hon. Lady give way?

Liz Blackman: No, I have nearly finished.

Mr. Gibb *rose—*

Liz Blackman: No, I shall not give way. Opposition Members were on their feet for a long time.

Have not the Opposition come along to deflect attention from their own shameful record? Will not the proof of the pudding be in the eating, as to whether they support measures on tax avoidance when they come before the House?

11.59 am

Ms Jenny Jones (Wolverhampton, South-West): The right hon. Member for Penrith and The Border (Mr. Maclean) made an extremely important remark when he said that this was a timely debate. He is right, not only for the reasons that he gave but for an additional one, with which I want to deal now.

Tax avoidance could be argued to be an anomalous feature of an increasingly complex tax system. It may be lawful, but the issue is whether it is fair. When the public who vote us into this place consider the intricacies of tax avoidance and the way in which tax havens are used lawfully to avoid tax, they rapidly discover that that particular device is available for only the wealthy few. Most British taxpayers cannot avail themselves of that particular mechanism, so it is intrinsically unfair.

When my right hon. Friend the Chancellor announced that the Inland Revenue would conduct a comprehensive review of tax avoidance, including tax havens, he was right. Many British people show varying degrees of enthusiasm for paying their taxes, but everyone accepts that public services, of which we all avail ourselves, have to be paid for somehow. Nevertheless, many people do not like to be parted from their hard-earned savings, so we must devise a tax system that is basically fair, equitable and transparent.

The right hon. Member for Penrith and The Border somewhat humorously took us through the intricacies of the Paymaster General's offshore trust, but he lost me halfway through. I have no experience of tax havens and I never will, but if he lost me, he will certainly have lost most of the public who were listening to him. He gave an admirable demonstration of the complexity of taxation law, which tax accountants earn an enormous amount of money trying to make work. That simply cannot be understood by the public.

While researching the subject last night, I found an article in the *Financial Times* in July 1997 congratulating the Chancellor on taking on a comprehensive review of tax avoidance, saying that it was a "sorely underdebated topic". Seeing the subject on the Order Paper today, I rather hoped that we would have a more comprehensive debate, but, understandably, the Conservative party wants to concentrate on a certain issue.

Last night, I also did some research in our excellent Library on the Conservative party's record on tax avoidance. In 1991, Norman Lamont took the significant step of introducing capital gains tax for offshore trusts. But that is about it—one significant change in 18 years. The Conservative party cannot lecture us about tax avoidance and the comprehensive review of tax avoidance law.

12.2 pm

Mr. David Heathcoat-Amory (Wells): It has become obvious that we are not simply talking about tax avoidance this morning; we are also talking about how this morally superior new Labour Government are avoiding the truth. Until we have some straight answers to the questions posed by my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), we shall continue to assert that they are covering up the truth and have something serious to hide.

This debate is about how a serving Minister of the Crown in the Treasury has a glaring and continuing conflict of interest between his public duties and his private interest, and how he is avoiding tax on a colossal scale. That has not been resolved by yesterday's statement by the Parliamentary Commissioner for Standards. That was a House of Commons matter and he goes out of his way to say that he has no jurisdiction over the Paymaster General in his duty as a Minister of the Crown. That latter issue is what we are debating this morning.

The Paymaster General's solicitor has issued a misleading and false statement which, because it was issued by press release from the Treasury, has the status of a Treasury and Government document and has been referred to in parliamentary answers. Therefore, the Government are also associated with that misleading statement.

It is a pity that the Paymaster General is not here to answer the debate, but it is always nice to have the Financial Secretary, who herself is no stranger to not paying her taxes. The House knows that in 1989 she pledged that she would not pay the poll tax. She has also been associated with the peace tax campaign, which persuaded people not to pay that part of their tax which would go to defence expenditure. Therefore, we have two Treasury Ministers, one who would not pay her tax because of what she called her socialist conscience, and the other who will not pay his tax because he has an offshore trust. No doubt the Paymaster General will read what we have to say and come to the House in due course to resign.

The Chancellor of the Exchequer and the Prime Minister attempt to hide behind the separate defence that the matter was all settled a long time ago when the permanent secretary to the Treasury, Sir Terry Burns, cleared the Paymaster General and said that there was no conflict of interest. That is false and it is also a fiction, as I shall touch on in a minute. But first I return briefly

[Mr. David Heathcoat-Amory]

to the charge of hypocrisy: the huge and growing gap between what the Labour party in opposition said it would do and what it now does in government.

My right hon. Friend the Member for Penrith and The Border, in his powerful and able speech, mentioned the Labour party document, "Tackling Tax Abuses". It could hardly be clearer. It is utterly explicit. It promises

"to take action against the persistent few who, at the expense of everyone else, shelter their wealth overseas".

That was backed up by the Chancellor at the last Labour party conference before the election, when he said:

"A Labour Chancellor will not permit tax reliefs to millionaires in offshore tax havens."

He is the Chancellor now, the Paymaster General is a millionaire, and Guernsey is an offshore tax haven, so why is the Chancellor permitting it? The answer is that they were all words before the election and the Paymaster General is no ordinary millionaire; he is a new Labour millionaire and a Minister.

Mr. Cranston: Will the right hon. Gentleman give way?

Mr. Heathcoat-Amory: The hon. Gentleman has already spoken, and I shall touch on some of what he said.

Now that the Labour party is in a position to deliver on that windy rhetoric, it has done nothing except set up a review. The hon. Gentleman referred to some 200 measures planned by the Treasury. We shall be asking where that information comes from, because if it is another leak from the Treasury, about which the rest of us have not been told, that will also be the subject of an inquiry.

The hon. Gentleman and the hon. Members for Erewash (Liz Blackman) and for Wolverhampton, South–West (Ms Jones) were wrong about the previous Conservative Government and the one before that. We used every Finance Act to block up unjustified tax avoidance loopholes. My right hon. Friend the Member for Penrith and The Border gave examples of that. I do not think that those three Labour Members were in the House during those years, so they clearly know nothing about it.

We have nothing in principle against offshore trusts. We do not declare unrestricted warfare against overseas trusts in the way that the Labour party has. That would be stupid, unrealistic and wrong. However, we do take action when the wishes of the House of Commons are being circumvented, and we did so.

Contrast that with what the new Labour Government are doing. They are attacking not the big offshore fat cats, such as the Paymaster General, but the little man, the small savers. They used their first Budget last July, within weeks of taking office, to conduct a £5 billion raid on ordinary pension funds. It was the Paymaster General who announced the abolition of the most popular and successful savings vehicles of all time—TESSAs and PEPs. A £50,000 limit is good enough for small savers, but, meanwhile, those big offshore trusts about which we heard so much before the election are so far untouched. That is not because the Treasury does not know about the subject. The Paymaster General knows all about offshore trusts. There is a clear, continuing and glaring conflict between his private interests and his public duties.

Yesterday's report by the Parliamentary Commissioner for Standards observes that the existence of the Orion trust

"might 'reasonably be thought by others' to be a source of potential influence."

That is the situation that paragraph 109 of the separate code of conduct for Ministers warns against. It says:

"Where there is any doubt it will almost always be better to relinquish or dispose of the interest but Ministers should submit any such case to the Prime Minister for his decision."

The Paymaster General has not relinquished or disposed of his interest, as required by the code. He did not submit it to the Prime Minister for his decision. He has broken the ministerial code and should now resign.

There is another charge. Again, it was ably described by my right hon. Friend the Member for Penrith and The Border, so I shall merely summarise the facts rather than going into great detail. We have not been told the truth. The Paymaster General has a family trust in Guernsey. His family are the sole beneficiaries. It is called the Orion trust, but we now know that that is a short title for the Robinson Family No. 1 and No. 2 trust. We were not told that at the start, but the information has subsequently come out. The trust was founded in 1996 with money from the mysterious and generous Madame Bourgeois. Of course, she did not set up the trust, because she had died two years before. Her executors set it up. One of her executors was the Paymaster General.

The purpose of the trust in Guernsey is simple—to avoid tax. There is no other reason for setting up a family trust in Guernsey. To succeed in avoiding United Kingdom taxation, the trustees, who are professional appointees doing what they are told, have to be seen to be entirely independent. They are not. The Paymaster General has said—and we believe him—that he suggests investments to them from time to time, and they act on those suggestions. He suggested that they bought 12 million shares in his company, TransTec—and they did. He suggested that they bought the shares that he wanted in Coventry City football club—and they did. If that is not influence, what is?

That is why the link between the Paymaster General and his family trust is under investigation by the special compliance unit of the Inland Revenue. That is an awkward position for a Treasury Minister. How can the Inland Revenue do its job properly when the object of its investigation is serving in the Department to which it reports?

The Treasury made the problem a great deal worse in its press release dated 8 December 1997, which included the solicitor's letter asserting that the trustees of the Orion trust

"are not controlled, or their decisions influenced, by him in any way".

That is not what the Paymaster General is now saying. That statement, issued on Treasury notepaper, is clearly untrue. A misleading statement from a Government Department must be corrected. We expect the Financial Secretary to correct it.

The Paymaster General threatened to sue the newspapers for making similar revelations. They have not retracted their statements. He did not sue. That was another bluff.

The Government's final throw is to claim that the issue does not matter, because it was all settled in a discussion between the Paymaster General and Sir Terry Burns.

It was not. Sir Terry Burns was not told about the link between the Orion trust and the Paymaster General. He was not told that it buys shares on the Paymaster General's suggestion. My right hon. Friend the shadow Chancellor is awaiting a further letter from Sir Terry Burns to clear that up. In the meantime, perhaps the Financial Secretary will admit the truth about that interview.

In any case, as the ministerial code makes clear:

"It is in the end for Ministers to judge (subject to the Prime Minister's decision in cases of doubt) what action they need to take".

The Government should stop hiding behind civil servants and face the fact that the Paymaster General broke the rules. He did not break the rules of the House—we are not asking him to resign as a Member of Parliament—but the ministerial code, which applies to all Ministers of the Crown. That is why he has to resign.

I am leaving the Financial Secretary plenty of time to answer the debate. If she has an alternative explanation, let us finally have a full disclosure of it. The Government have recently published a White Paper called, "Your Right to Know". It has the usual photograph of the Prime Minister and so on. The foreword says:

"Openness is fundamental to the political health of a modern state."

I agree with that. If the White Paper is not to be yet another piece of breathless hypocrisy from the Government, let them deliver on their fine aspirations. Let us have a full disclosure of all the facts from the Financial Secretary now, a full admission of the hypocrisy, a full description of the conflict of interest—which undoubtedly exists and continues—and an admission that there is a central falsehood; a difference between what the Paymaster General is saying and what the Treasury press release of 8 December last year said. Finally, let us all agree that the issue can be settled only by the Paymaster General's immediate resignation from office.

12.16 pm

The Financial Secretary to the Treasury (Dawn Primarolo): This was supposed to be a debate on tax avoidance and offshore trusts. The right hon. Member for Penrith and The Border (Mr. Maclean) spent five minutes on tax avoidance and loopholes and 35 minutes restating the innuendo and the points that the Conservatives have already made against my hon. Friend the Paymaster General. The Opposition cannot stomach the fact that they made a complaint to Sir Gordon Downey—the complaint that they have outlined again this morning—and the report says:

"We agree that there is no case for saying that Mr. Robinson breached the rules of the House."

No case—and yet still they persist with their allegations.

Then they make snide comments and direct us away from the debate by making points against other Ministers. I am surprised that the Conservatives want to bring up the poll tax again. I am happy for them to remind the country that they introduced that unfair tax, they wasted £14 billion and they had to change the legislation. They do not want scrutiny of that.

As the Minister responsible, I am replying to a debate on tax avoidance. *[Interruption.]* Conservative Members can laugh and ridicule as much as they like. The facts stand for themselves—let us move away from the innuendo. As my hon. Friend the Member for Dudley, North (Mr. Cranston) has said, the general anti-avoidance regulations, on which the Tax Law Review Committee has published an excellent report, could have stood some debate from Conservative Members—but they did not want to know. As the hon. Member for Twickenham (Dr. Cable) said, there are important discussions to be held about the difference between loopholes and evasions—something which the Conservatives do not apparently appreciate as they slip into continual allegations. As my hon. Friends the Members for Erewash (Liz Blackman) and for Wolverhampton, South-West (Ms Jones) have made clear, the Government are pursuing a coherent policy in this regard. It is quite simple: the official Opposition do not have a policy. They want to keep making personal attacks instead of dealing with the issues.

Dr. Julian Lewis (New Forest, East): Will the Financial Secretary give way?

Dawn Primarolo: I shall finish this point, and then give way to the hon. Gentleman. It is encouraging that some Conservative Members have a new-found interest in tax loopholes, but it is regrettable that they did not take action to deal with them when they were in government. Perhaps the hon. Gentleman will explain why.

Dr. Lewis: The hon. Lady's line of defence seems to be that the Government are against tax avoidance in general, but in favour of it in this case.

Dawn Primarolo: I have not started the line of defence yet; I have not started explaining all the action that the Government has taken to counter tax loopholes.

This debate, secured by the right hon. Member for Penrith and The Border, a former Conservative Minister, has initiated discussion of the Government's policies, how they have been implemented to tackle tax avoidance, and how we shall meet our manifesto commitments to close tax loopholes, as the hon. Member for Twickenham said. The debate allows me to set out what the Government have already done to root out tax loopholes, to explain why we have had to act as a result of the Conservatives' failure over 18 years, and to signal the direction in which the Government intend to go.

Mr. Maclean: It is very courteous of the hon. Lady to give way. I understand that she will wish to do so rather than try to answer the questions that I have put to the Paymaster General. May I ask her for her personal opinion? She has furiously defended her role concerning the poll tax, and I admire her for saying so. Does she personally agree with the Deputy Prime Minister, when he said on "Breakfast with Frost":

"You may argue that the politician has said one thing and perhaps done another"?

Does she share that view?

Dawn Primarolo: Does the right hon. Gentleman agree with the chairman of the Conservative party, when he said on television:

"I'm sure that Geoffrey hasn't done anything illegal"?

[Dawn Primarolo]

Perhaps Conservatives should make up their minds about the allegations. One Conservative Member has accused the Paymaster General of evasion. Evasion is illegal.

Mr. Ian Bruce *indicated assent.*

Dawn Primarolo: The hon. Gentleman confirms it. He must substantiate it outside the Chamber and not seek protection in order to make an allegation without supplying the truth.

Mr. Bruce: The hon. Lady knows that I said that that charge had been made against the Paymaster General. Does she agree that, since we understand that he is being investigated by the Inland Revenue, he should resign from his job because, effectively, he is being investigated by his own Department?

Dawn Primarolo: I caution the hon. Gentleman on two points. First, he should look up the difference between avoidance and evasion to ensure that he understands the seriousness of his allegation. Secondly, the allegation that the Inland Revenue is investigating the matter was made in the same newspaper article in which it was said that the Paymaster General had offshore trusts in Bermuda. Opposition Members should not believe everything that they read in the press. They should base their allegations on fact.

Mr. Heathcoat-Amory *rose—*

Dawn Primarolo: I shall give way in a moment.

This debate is about Government policy. Conservative Members do not want to hear about Government policy because they know that they do not have a leg to stand on. I shall get it on the record.

Mr. Heathcoat-Amory *rose—*

Dawn Primarolo: I shall not give way at this stage. I shall give way to the right hon. Gentleman before I conclude my remarks.

In July, we took action in a series of significant areas where we found exploitation of tax loopholes. In the Budget, we ended abuses of corporation tax, value added tax and the pay-as-you-earn scheme. That action will raise £1.5 billion over five years and relates to points that hon. Members have made about the importance of the security and integrity of the tax system.

Dividends on shares which are trading assets are now treated as part of the holder's trading profits. That will yield £500 million up to April 2001. Conservatives did not do anything about that when they were in government. They are telling us today that they are committed to such action, but they did not do anything about it. They were too busy trying to explain why their colleagues were taking cash for questions to look properly at the tax system.

On acceleration of capital allowances, finance lessors can no longer use subsidiaries to gain advantage. New rules counter arrangements under which unused past allowances were transferred to the lessor through a sale and leaseback, as was so under the previous Government. They did nothing about it, yet they now tell us that they have a new-found commitment to root out tax loopholes. I am glad that they are late converts. Perhaps we shall see much more committed support of the Government's policy.

Provisions on company purchase schemes counter certain company tax avoidance schemes where a company's owners sell the company to avoid paying accrued or anticipated corporation tax liabilities. That will yield £300 million before 2001. Conservatives did not do anything about that. They did not think that it was important. They were not committed then to rooting out tax loopholes, but, apparently, they are now.

The Government have moved on PAYE avoidance.

Mr. Heathcoat-Amory *rose—*

Dawn Primarolo: I shall finish this point and then give way.

The Government have already acted on second-hand goods margin schemes, cash accounting schemes, capital goods schemes and scope of insurance premium tax, in their first Budget, and are now developing their policy.

Mr. Heathcoat-Amory: Will the Financial Secretary answer just one of the questions that we put to her, rather than trying to answer the questions that she would have liked to be asked? She has referred to our statement that the Paymaster General is under investigation by the Inland Revenue because of his link with his family trust in Guernsey. She obviously knows—because she has made reference to it—whether that is so. Will she tell the House whether the Paymaster General is being investigated? If he is, he must resign immediately. If he is not, will she assert that beyond doubt?

Dawn Primarolo: The right hon. Gentleman knows that he is merely repeating press speculation. That is typical of Conservative Members' innuendo and allegations. They are interested only in smears.

I have described what the Government have done so far, but I want to talk about the work that we are developing. The Inland Revenue has been carrying out a wide-ranging review of tax loopholes, to which the hon. Member for Twickenham referred.

Mr. Burnett: Will the hon. Lady give way?

Dawn Primarolo: I am short of time; I cannot give way.

Action in several such tax areas will be announced in the Budget. Customs and Excise are also re-examining and improving its procedures for finding, reporting, preventing and countering tax loopholes. We are also looking at the question of general anti-avoidance regulations, and draft regulations on this important issue will be published this year for consultation.

The Government have already said—most recently, the Chief Secretary to the Treasury said so in the House last week—that the present tax treatment of offshore trusts is being considered in a wide-ranging review of areas of tax, as the Chancellor announced in his Budget statement. Hon. Members will recall that a number of steps were

taken in 1991 to deal with such issues. They were inadequate, delayed matters and did not work properly. It is regrettable, but that is the case. The Conservatives cannot wear the badge of honour as the party that reduces tax loopholes. They have never done that and they are not committed to it.

The Government are committed to detecting loopholes, to deterring people and to preventing them from using loopholes. Tax rates in the United Kingdom are now low in comparison with those in many other countries, and by curbing tax leakage we shall help to keep them that way.

Conservative Members do not want to engage in a proper debate about tax avoidance. They name a debate and then use it to smear. I hope that the next time they choose such a debate, they come here with information about what is possible, with a better understanding of their appalling record and with more support for the Government's action to close tax loopholes.

Carbon Monoxide Poisoning

12.29 pm

Mr. Fraser Kemp (Houghton and Washington, East): I thank the House and Madam Speaker for giving me permission to introduce a debate on a crucial issue—carbon monoxide poisoning. There is probably no Member of the House who will not at some time in his or her parliamentary career have a constituency case involving a needless and tragic death resulting from that insidious form of poisoning. Carbon monoxide is often referred to as the silent killer because it is a poison which is tasteless and odourless. It is the evil killer of a huge number of people every year.

As with many such debates, I raise the issue in the House because a young girl from my constituency, Anne Brennan, who was 20, died of carbon monoxide poisoning in rented accommodation two years ago while studying at Durham university. Another constituent who lived in Washington, Glen Halliday, also died of carbon monoxide poisoning five years ago.

I had the privilege of meeting the parents of Anne Brennan recently, and spoke to them yesterday to talk about the issue and about my raising my concerns in the House. I beg the indulgence of the House while I read from a letter they sent me, and I ask the House to listen carefully:

> "We were obviously saddened and devastated by the death of our daughter Anne. She was a gifted girl who had vitality and a great love of life, she was a talented singer and artist, she helped underprivileged children"

in the north-east. Apparently her real ambition, declared in writing, was to become a Member of Parliament.

The letter continues:

> "We know nothing can replace Anne and our lives were torn apart with her passing. What we are determined to do is help prevent other families having to suffer a similar loss. We urge the government to do anything it can to ensure her death was not in vain."

Although Anne's parents have had to cope with that tragedy, they still want to see some good come out of it, so that she will not have died in vain.

I must tell the Minister that I realise that there are no easy answers and no quick fixes. None the less, we must realise that there is a real problem. The CO-Gas Safety charity, to whose work I pay tribute, estimates that, between September 1995 and November 1997, about 134 deaths resulted from carbon monoxide poisoning, as well as about 800 near misses.

I ask the Minister to bear in mind the following points when she responds, because, although there are no easy answers, there are a number of points that the various Departments could take on board.

The first important point is about individual responsibility and increasing awareness. We must ensure that people are aware how carbon monoxide poisoning can occur, and that they check ventilation systems and ensure that gas appliances, in particular, are checked regularly so that their users are not put in danger.

The blame does not lie with gas appliances alone. Carbon monoxide poisoning can also be caused by fossil fuels. Coal-burning and wood stoves can often result in that form of poisoning. Publicity and trying to make people aware of the facts are therefore important. We must also consider the resources available through

[Mr. Fraser Kemp]

the Health and Safety Executive, and ensure that it has the necessary back-up to investigate solutions to the problem.

Following the denationalisation of British Gas, the position of that company and of Transco should be examined, and the major gas companies need to exercise greater responsibility. All gas users pay a standing charge of £32.92 a year, and a small proportion of that could go towards trying to solve the problem.

I am reliably informed by the carbon monoxide safety campaign that Transco, one of the British Gas businesses, has no equipment for tracing carbon monoxide. That is a bit like asking someone to investigate radioactivity without supplying a Geiger counter. We need to think about the support that gas companies have.

Another problem is that a company's representatives will turn up and say that they have solved the problem by turning off the gas, whereas many carbon monoxide poisoning deaths occur through leakages from nearby houses and flats. The gas companies must exercise greater responsibility.

Landlords should be licensed to ensure that they fulfil their statutory responsibility to see that appliances are checked by a registered Confederation of Registered Gas Installers company. That would improve safety. It is worth pointing out that in this country even dog kennels are licensed; landlords should be, too.

People should consider installing detectors, because if about £30 had been spent, my constituent need not have died. For £30, one can buy an audible alarm that also switches off the gas supply in the house; greater emphasis should be placed on that. We should talk to manufacturers, house builders and local authorities about the possibility of installing detectors. That would go a long way towards saving people's lives.

Public health is an important area, because of the role of the medical profession. The symptoms of carbon monoxide poisoning are often similar to those of flu, so when people go to the doctor the symptoms are often misinterpreted. The medical profession needs to think about the ways in which doctors and others who work in accident and emergency departments can be trained to identify the symptoms. One great danger is that if symptoms are misinterpreted and diagnosed as flu, the advice is often to go home, wrap up warm, close the windows and keep the heating on—which, by definition, is exactly the wrong thing to do if there is a leakage of carbon monoxide.

I congratulate the Minister for Public Health, although she is not the Minister who is to reply to the debate, because she has met campaigners and looked into the issues.

Penalties, too, are important. The installer, if I can dignify him with that name, who installed the appliances in the flat in which Anne Brennan lived, was fined £4,000. That is not a sufficient punishment for the British legal system to give for an action that resulted in the death of a young girl.

I ask the Under-Secretary of State to pass on to the Home Secretary my suggestion that we reconsider the penalties involved. They should fit the crime, and in many cases a charge of manslaughter should be considered by the Crown Prosecution Service and other legal authorities. Such crimes are serious, and must be thought about.

Mr. Kevin McNamara (Hull, North): Does my hon. Friend agree that the Health and Safety Executive needs to be far more vigorous in following up incidents? In many more cases, a charge of involuntary manslaughter, or even voluntary manslaughter when there is negligence, should be used. There should be better co-operation between the police and the HSE, so that what happened when one of my constituents died does not happen any more. Only when the coroner was forced to bring in a verdict of manslaughter was a criminal case brought—and even then the landlord got away with autrefois convict.

Mr. Kemp: I agree that co-operation between the authorities is important. The judge at the trial following Anne Brennan's death said at the end that those involved were lucky to get away without facing a charge of manslaughter. I agree, and I believe that the Crown Prosecution Service and other legal authorities should be vigorous in ensuring that the full weight of the law comes down on such people. That is the one way in which we will make people sit up and listen, including dodgy landlords who take large amounts of money from, in particular, students and other young people.

Carbon monoxide poisoning, however, does not affect only young people. It is no respecter of status, class or sex. We must be rigorous. We must send out the message that those who do not accept the statutory responsibilities that the House has laid down in the past will experience the full weight of the law, and that if gas appliances, in particular, are not regularly checked, they will face manslaughter charges. People are dying at a rate of about one a week. As I said at the beginning of my speech, I suspect that every hon. Member will, at some point in his or her parliamentary career, have to meet the parents of a constituent who has died from carbon monoxide poisoning—as I had to meet the parents of a young and talented girl who had died from it. Penalties, then, are important.

What are the answers? I have raised the issue of public health, and the need to ensure that members of the medical profession are aware of the problem. I have also mentioned the licensing of landlords, and the responsibility that should rest with the major gas companies. I do not believe that those gas companies have fulfilled their responsibility as well as they should have in recent years. Talking to householders and manufacturers is also important. The Under-Secretary of State for the Environment, Transport and the Regions who is present today, but I am sure she will agree that this subject is also covered by the Home Office and the Department of Health. There should be more co-ordination between those Departments: they should sit down together, along with members of the carbon monoxide safety campaign, to find a sensible way of ending the problem, and they should take advice.

I am not going to stand here and say that we can solve the problem completely. Inevitably and tragically, there will always be deaths from carbon monoxide poisoning. I believe, however, that we can reduce the number of deaths—that there need not be roughly one death a week

as a result of this insidious form of poisoning. People go off to sleep, and that is it: lives are ruined, and families experience tragedies.

I urge my hon. Friend the Minister to take what action she can, especially to improve public awareness. We can produce legislation, and legislation is critically important to ensuring that landlords and others fulfil the responsibilities laid down by the House; but it is also necessary for individuals to be aware of problems caused by, for instance, blocked flues, and to ensure that appliances are checked regularly.

Mr. McNamara: That is the landlord's responsibility. Most of the cases that I have encountered have been due to the negligence of landlords, who have stated incorrectly—in fact, they have lied—that their appliances have been inspected.

Mr. Kemp: I agree. Knowing that we were to have this debate, a neighbour in my constituency—I was at school with him—telephoned me. He is a CORGI installer. He told me that it was possible for people to obtain certificates fraudulently, and to put them on appliances.

My hon. Friend is right. The tragedy is that such deaths tend to occur in rented accommodation. They can happen anywhere, and we need to ensure that people know that, and that detectors are available; but the fact is that landlords letting cheap accommodation, and often ripping people off, are not prepared to fulfil their responsibility. We should send out a clear message that we will not tolerate the present position, in which vulnerable people—many of whom must rely on rented accommodation, because no other option is available—die of carbon monoxide poisoning every year, or suffer the consequences of such deaths.

I thank the House for giving me the opportunity to speak. I know that my hon. Friend the Minister will say that there are no easy answers, but I feel strongly that we need co-ordination and tough legislation, and that we must make people—especially those in rented accommodation—aware of the dangers. I urge my hon. Friend to respond to all my points, but, in particular, to my point about the need to convey publicity and information about the dangers of carbon monoxide poisoning.

12.44 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I congratulate my hon. Friend the Member for Houghton and Washington, East (Mr. Kemp) on securing the debate, and on bringing this important public safety issue before the House. In the time available, I will try to answer his concerns; if I am unable to do justice to all of them, I will, of course, be happy to meet him or write to him to discuss any outstanding matters.

This is a sad debate, and I wish that we did not have to have it. Regrettably, however, carbon monoxide poisoning claims lives, and maims. My hon. Friend has mentioned the tragic cases in his constituency, and all hon. Members will want to join me in sending sympathy to families and friends who have lost loved ones from this needless cause.

I want to use this opportunity to emphasise the Government's commitment to reducing needless deaths and suffering. The Government—supported by the Health and Safety Commission and its Executive—have taken, and will continue to take, action to reduce the incidence of gas-related carbon monoxide poisoning. As I shall explain, there is co-ordinated activity across Whitehall Departments to tackle carbon monoxide poisoning issues more widely. I am anxious to consolidate our strategy further, and hope soon to meet Ministers in other Departments to discuss it.

Gas can be inherently dangerous. If it can get out, it will; when it does, it has the potential to do massive damage, and to claim lives beyond those immediately close to the source of the leak. That is why there have been specific health and safety regulations covering the installation and use of gas appliances since 1972. They were originally introduced, and have since been updated regularly, to establish a stringent safety framework, essentially to ensure that domestic gas appliances are safely installed by competent people. A strong and effective legal framework is vitally important, given that more than 19 million homes in Great Britain use natural gas, which, over the years, has become the preferred fuel for heating and cooking.

Changes to the law have been made since 1994 to allay public concern about the number of deaths caused by gas-related carbon monoxide poisoning. My hon. Friend quoted the figure of 134 that had been given to him by Co-Gas Safety, along with the figure of 800 for near misses. We are aware of the cases in which deaths have been caused. The Co-Gas figures may include, for instance, suicides, and are not as reliable as our statistics. I am sure my hon. Friend will agree, however, that even one death from carbon monoxide poisoning is one too many.

As I have said, changes have been made. The rented sector has been a particular target, as about a third of all fatalities have occurred in it. I agree to an extent with what my hon. Friends the Members for Houghton and Washington, East and for Hull, North (Mr. McNamara) said about the private rented sector. We intend to concentrate particularly on that sector, but we must remember that two thirds of fatalities occur in the owner-occupied and social housing sectors.

In the private rented sector, certain landlords, including those who let property on short leases, are required to ensure that gas appliances that they provide for their tenants to use are safe and properly maintained—only by competent gas fitters. In addition, landlords are required to arrange annual safety checks of those gas appliances, including the flue, to keep a record of those checks and to provide a copy of the record for their tenants. A particular aim of the law is to protect vulnerable tenants at the cheaper end of the rented sector, such as students and young people in digs.

In owner-occupied property, anyone doing gas work—including home owners—must, by law, also be competent. Home owners, too, have been exhorted to get their gas appliances checked for safety once a year, and the Government have included in their publicity combustion appliances fuelled by means other than gas, which are equally capable of causing carbon monoxide poisoning. There has been much publicity in recent years on a full range of carbon monoxide poisoning issues, and we are taking new initiatives.

Any law is effective only if it is properly enforced, and the Health and Safety Commission and the HSE continue to give high priority to enforcing gas safety

[Angela Eagle]

provisions and prosecuting when serious breaches of the law occur and there is evidence to justify criminal proceedings. Breaching gas safety law is a criminal offence, so it is only right that those who flout the law and put the lives of others at risk should have the book thrown at them.

The HSE has achieved a good conviction rate of more than 80 per cent. in gas safety prosecutions. I am encouraged by recent signs that the average fine imposed by the courts for breaches of health and safety law has been increasing, but I think that there is a long, long way to go. It surely cannot be right that someone can be fined only about £2,500 for putting human life at risk—or, indeed, destroying it—by failing properly to observe health and safety law, including gas safety regulations.

Mr. McNamara: In the Murphy case in my constituency, of which my hon. Friend the Minister is aware, it was not until after the coroner's inquest that any action was taken by the police for manslaughter. That put my constituent at grave financial disadvantage, as he had to finance all his proceedings with no help whatever from the public purse, and we found that the police had no duty of public care in the matter. It is a matter of the emphasis that the police and the Health and Safety Executive are prepared to put on the issue. In this case, we found them most reluctant to prosecute.

Angela Eagle: The Health and Safety Executive has the duty to take prosecutions under safety law, but the Crown Prosecution Service decides whether manslaughter charges are justified. There are encouraging signs that the CPS is beginning to take the issue more seriously. Recently, there was finally a prosecution following a death by carbon monoxide poisoning that resulted in gaol sentences for both the installer and the landlord; but I have considerable sympathy with my hon. Friend's contention that that does not happen often enough.

The fines are too low. Too many employers and duty holders such as landlords see the derisory sums as a necessary business expense. To my mind, the present level of fines handed down by the courts does not act as a strong enough deterrent. I want the courts to impose punitive sanctions: punishments that fit the crimes committed, as my hon. Friend the Member for Houghton and Washington, East said. We are taking up the matter with the Home Secretary and the Lord Chancellor.

Larger fines are, of course, not the only sanction: imprisonment, or the threat of it, must surely concentrate minds. The HSE refers appropriate cases to the Crown Prosecution Service when there has been a death, so that manslaughter charges can be considered. I welcomed the outcome of the recent prosecution in Stafford Crown court brought against a landlord and a gas fitter in the tragic case of Sonja Hyams, a student at Keele university, who died from gas-related carbon monoxide poisoning.

The prosecution resulted in custodial sentences of two years for the landlord and 15 months for the gas fitter. That is the first time that custodial sentences have been imposed for failure to ensure the safety of gas appliances in rented accommodation. Personally, I do not think that the sentences imposed were anywhere near long enough, but let them nevertheless serve as a lesson to those landlords and unregistered gas fitters who think that they can ignore the law.

Carbon monoxide poisoning has the potential to affect the lives of millions in this country, and national publicity about the dangers is important. Great efforts have been made to raise public awareness of this silent, invisible killer. I do not limit my remarks to the strides forward made by Government and Government agencies: I include pressure groups such as CO-Gas Safety and Carbon Monoxide Support, which do good work in raising awareness. I have met members of CO-Gas Safety, and I am very much looking forward to meeting Debbie Davis of Carbon Monoxide Support soon.

The Health and Safety Commission and the HSE have run several high-profile publicity campaigns about the dangers of gas-related carbon monoxide poisoning, including national television and press advertising, and direct mailing of publicity material to vulnerable groups such as students and to university accommodation officers, landlords, general practitioners and other health professionals. The message about the dangers of carbon monoxide poisoning has also reached the 19 million gas consumers in Britain. The Department of Trade and Industry has also run campaigns focusing on the dangers of carbon monoxide poisoning from all carbon-based fuels.

Independent research for the HSE has shown a significant increase in awareness among the public about the dangers of gas-related carbon monoxide poisoning, as a direct result of the publicity campaigns. I welcome the fact that the Health and Safety Commission's provisional figure for fatalities from gas-related carbon monoxide poisoning in 1996-97 has fallen to 21; previously, it averaged 30.

I should like to think that the legislation and publicity measures that I have described have been responsible for the welcome reduction in the number of fatalities, but there is no room for complacency and we must continue to hammer home the message about the dangers of carbon monoxide poisoning.

It is tragic when anyone's life is cut short, but what makes deaths from carbon monoxide poisoning even more distressing is the fact that many can be prevented. The Government are determined to continue to keep the dangers of carbon monoxide poisoning in the forefront of the public's mind. To that end, I have three important announcements to make this morning.

First, on gas-related carbon monoxide poisoning, the Health and Safety Commission and the HSE are renewing their publicity, advertising the dangers in the regional press so as to target attention in parts of the country where the greatest risk occurs. The publicity also continues to promote the HSE's gas safety advice line, which has been operating for four years and deals with about 50 to 100 calls a day.

Secondly, my Department is today publishing a new advice leaflet about the dangers of carbon monoxide poisoning from all forms of combustion appliance. The leaflet stresses the need for all forms of combustion appliance, such as coal and oil fires, to be properly installed only by competent engineers, and for regular maintenance and safety checks. It has been produced in close co-operation with the Departments of Trade and Industry and of Health.

Thirdly, the Department of Trade and Industry, in conjunction with gas suppliers, is about to mail 19 million domestic customers again with a leaflet about carbon monoxide dangers.

This is a co-ordinated attack by the Government on carbon monoxide poisoning caused by whatever fuel source; I urge the public to heed our warnings. A central message is that carbon monoxide poisoning—the silent, invisible killer—does not respect age or housing type; nor, indeed, does it respect fuel type. Anyone—and I mean anyone—can be affected.

There are a number of simple steps that consumers can take to protect themselves, and our publicity makes those clear: ensure that gas and other solid fuel appliances and flues are installed and maintained only by competent people; get flues and chimneys swept regularly, ideally annually; and always ensure that rooms are adequately ventilated.

The gas suppliers are supporting this attack, but the industry at large has a bigger role to play. The Government and the HSE have paid out a massive amount of taxpayers' money to provide national publicity on carbon monoxide poisoning. We do not have endless funds, and it is not the Government who create the risk, so I hope that those operating in the liberalised gas market will play a fuller part in promoting gas as a safe fuel for people to burn in their homes. I look forward to industry initiatives in that respect.

Causes of carbon monoxide poisoning can include poor installation of an appliance or shoddy maintenance work afterwards. There have been some complaints about lack of competence by CORGI-registered gas installers: some wide of the mark and some justified. I shall meet the chairman and director general of CORGI later this week to review its work.

To provide gas consumers with the assurance that they deserve, the HSE has required CORGI to introduce a new, nationally accredited certification scheme for individual gas-fitting operatives. The new scheme, which comes on stream this year, will require all gas fitters to be assessed against nationally agreed standards for competence in the areas of work that they propose to undertake, and they will be reassessed every five years.

The new scheme will promote consistency in standards of competence among gas fitters, and provide further reassurance to the public that the person who arrives at their home to carry out gas work is competent to do so.

My hon. Friend the Member for Houghton and Washington, East mentioned the causes of gas-related carbon monoxide poisoning, and the HSE has established an industry working group to consider them. It includes industry representatives, and has made useful progress in identifying sources of information on such incidents. It is now exploring ways in which that information can best be used. Linked to that important work, I understand that British Gas Research and Technology has initiated an industrywide research project to consider a range of gas safety issues, including carbon monoxide poisoning. The HSE is actively supporting that project, and British Gas Research and Technology is working closely with the executive's group. I warmly welcome that initiative and believe that its outcome can be influential in securing a better understanding of the causes of gas-related carbon monoxide poisoning and the further preventive measures that can be considered.

I assure my hon. Friend and the House that the Government and the Health and Safety Commission will do all we can to reduce further the incidence of carbon monoxide poisoning. I hope that I have begun to give that assurance to my hon. Friend today.

HMP Maze

1 pm

Mr. Jeffrey Donaldson (Lagan Valley): I welcome the opportunity to raise the issue of recent incidents in the Maze prison in the House, and I thank Madam Speaker for affording me that opportunity. Recent weeks have seen a serious decline in public confidence in the Prison Service in Northern Ireland as a result of recent events at HMP Maze, which is in my constituency, as is Maghaberry prison. In 1997, we had at least three serious lapses of security at the Maze prison. The first was the discovery of an IRA escape tunnel in March; the second was the escape of the IRA prisoner, Liam Averill, in early December; and the third was the murder of the Loyalist Volunteer Force prisoner, Billy Wright, on 27 December. Those incidents represent serious breaches in security at the Maze prison.

Following the discovery of the IRA escape tunnel in March, a senior civil servant in the Northern Ireland Office, John Steele, was tasked to conduct an internal inquiry. He produced a report, but unfortunately it has never been published. The Minister must tell the House whether the recommendations of that report have been fully implemented and whether they were fully implemented before the escape of Liam Averill and the murder of Billy Wright. If not, why not? Will the Minister give a commitment to the House that the Steele report will be published so that public representatives can examine its recommendations?

Liam Averill was an IRA prisoner who effected his escape from the Maze prison during one of the Christmas parties held in December. I understand from sources in the prison, which have been corroborated by several other individuals, that the governor held discussions with the so-called officers commanding—OCs—of the paramilitary groupings in the prison. Those discussions concerned the arrangements for the Christmas parties. We have evidence of that in an interview with Liam Averill, published in *Republican News* after his escape. He said that, shortly before he made his escape, he was approached by a member of the IRA staff in the prison and asked if he wished to take part in an escape. He claimed:

> "I was told that a successful bid could be made through the Christmas parties for prisoners' children."

How did the IRA know in advance that such an escape could be effected at the Christmas parties, unless it was aware of the relaxation in security that would facilitate an escape?

There undoubtedly was a relaxation in security. None of the women and children who attended the parties was searched when entering the prison. No proper searches were carried out of the gifts that those people brought in for the prisoners. That is a significant breach of security, because it enabled individuals to enter the prison without being searched and facilitated Liam Averill's escape. The IRA knew in advance that that would be the case, or the escape would not have been attempted. How did the IRA know? Did the governor discuss those terms with the OCs of the paramilitary groupings? We need to know the truth about that. If the governor's decision to relax security facilitated the escape of that IRA prisoner, serious questions must be asked about his judgment.

I understand that search equipment—similar to that used in airports—which was installed in the Maze prison was not switched on and was not used by the staff.

[Mr. Jeffrey Donaldson]

What is the point of having such equipment if it is not used? How were two pistols, used in the subsequent murder of Billy Wright, smuggled into the Maze prison? The search procedures at the prison must be inadequate if pistols can be smuggled in. I also understand that the governor attended the Christmas party at which Liam Averill made good his escape. He therefore escaped under the nose of the governor himself.

In the circumstances surrounding the murder of Billy Wright on 27 December, one of the fundamental issues which must be addressed is the decision of the governor to place Irish National Liberation Army prisoners and LVF prisoners in the same block. Neither of those groups observes a ceasefire at present. They are both engaged in violence and it is extraordinary that the governor should decide to put those two factions together in the same block. Last night on BBC television, the governor confessed that that had been a naive decision. However, the governor's staff advised him against the decision and, at a governor's meeting, senior staff urged him not to proceed and to take steps to separate the two paramilitary groupings. They were a lethal cocktail and a serious incident was waiting to happen. I submit that the decision to house those prisoners in the same block was a major factor in facilitating the murder of Billy Wright. It was not naivety on the part of the governor: I suggest that it was incompetence. The governor, Mr. Mogg, has wide experience in prisons and has served in prisons in England. I cannot understand why someone with his experience and knowledge would take such a decision.

I also believe that the Minister knew of the situation before the murder of Billy Wright. We know that the Prison Officers Association raised the issue of INLA and LVF prisoners being housed in the same block at a meeting with the Minister, but no action was taken to rectify the situation. I hope that the Minister will be able to explain to the House why no action was taken by the governor or by him in the light of the concerns expressed by prison staff.

Last night on television, the governor said that he had talked to the LVF and INLA prisoners and accepted assurances from them that there would be no trouble. It is extraordinary that the governor of a prison should take assurances from prisoners and give them greater credence than the advice of his senior staff. The position of the governor of the Maze prison has become untenable. Given the serious situation which has developed in Northern Ireland, I submit that the governor has no alternative but to resign. If he has any integrity left, he will do so quickly.

Mr. Ken Maginnis (Fermanagh and South Tyrone): Does my hon. Friend agree that, despite his obvious culpability in this matter, the governor of the Maze prison was also subject to pressure from the Director of Security and the Director of Prisons? Should not their position be examined because they, too, are in an untenable position? The catalyst, which was the murder of Billy Wright, is now spreading throughout society and jeopardising the political process that we have all worked so hard to keep in place.

Mr. Donaldson: I thank my hon. Friend for his intervention. There are two issues with regard to the involvement of the Northern Ireland Office in this sorry affair. First, why is Governor Mogg only a part-time governor in the Maze? Why is he also a director of prison operations in the Northern Ireland Office? The Northern Ireland Office tells us repeatedly that the Maze is a special case because it is a high-security prison. Why did the Northern Ireland Office appoint a part-time governor to a high-security prison? Who took that decision and why?

Was the management of the Maze prison given political direction as part of the so-called confidence-building process? Was it told to relax security measures to create an air of confidence among the prisoners during the political process? Did political direction from the Northern Ireland Office contribute to the relaxation of security, which facilitated the escape of an IRA prisoner and the murder of Billy Wright?

May I deal with the events on the day of Billy Wright's murder? I have already asked how it was possible, given that the Maze is supposed to be a high-security prison, for the INLA to have smuggled two firearms into the prison, but that was not the first time the INLA had achieved such a feat. The same prisoners who murdered Billy Wright had already smuggled a firearm into Maghaberry prison some months earlier and used it to hold a hostage for several hours. The fact that those prisoners were then transferred to the Maze and were able to repeat the exercise raises serious questions about the prison management's competence and the security measures in place. I hope that the Minister can reassure us on those points.

Were the INLA and LVF prisoners given a copy of the visits rota on the morning of Billy Wright's murder? If not, how did the INLA prisoners know that Billy Wright would receive a visit that morning? I understand from Billy Wright's father, Mr. David Wright, that Billy Wright normally took visits not on Saturday mornings but on Saturday afternoons. Indeed, Billy Wright never had visits on Saturday mornings. Who decided that that visit should take place on a Saturday morning and why?

At about 9.30 on the morning of Billy Wright's murder, someone in the Maze prison ordered the prison officer manning the observation tower overlooking H block 6 to leave his post and report for other duties. That event was significant because the observation tower overlooks the scene where the murder took place. Had a prison officer been in the tower, he would have seen the INLA prisoners cutting the wire, making their way on to the roof and crossing over into the yard where Billy Wright was subsequently murdered. The fact that no prison officer was in the tower enabled the INLA prisoners to move undetected on to the roof and into that yard.

Who made the unprecedented decision to remove the prison officer from the observation tower and why? He would not normally have been removed from the observation tower, because that H block housed both INLA and LVF prisoners.

Mr. William Ross (East Londonderry): My hon. Friend will not be aware that, during yesterday's proceedings of the Public Processions (Northern Ireland) Bill *[Lords]* in Standing Committee B, the Minister said that my allegation that Billy Wright was in an INLA part of the prison was fundamentally untrue. The Minister said that he was in a segregated wing of a separate block. In reality,

he was in another leg of the same H block, so the Minister appears not to know exactly where Mr. Wright and INLA prisoners were.

Mr. Donaldson: I thank my hon. Friend for his intervention.

Many serious questions must be answered about security and management at the Maze prison. The events surrounding Billy Wright's murder require a stringent inquiry. Many people in Northern Ireland wonder whether it was a series of coincidences and mishaps or pure incompetence on the part of prison staff, but many others suspect that there was collusion. If those suspicions are to be removed and public confidence restored, we need to know how Billy Wright was murdered and why there were serious breaches in security. Public confidence must be restored and the Minister has an uphill task to achieve that.

Those responsible for the prison management—the governor, the Director of Prisons in the Northern Ireland Office, the head of the Northern Ireland Prison Service and the Minister—must reflect on those matters. They must reflect on their judgments, particularly the decision to house INLA and LVF prisoners in the same block.

Mr. Andrew MacKay (Bracknell): Does the hon. Gentleman accept that, the moment Mr. Wright was murdered, I called on behalf of my party for an urgent independent inquiry, which is the only way in which confidence will be restored? Does he share my concern that the distinguished public servant conducting the inquiry will not be regarded as totally independent because he is part of the Prison Service, the Home Office and the Northern Ireland Office? Would it not be helpful to have a further inquiry under a completely independent chairman and to publish its report in full? This is not a matter of seeking recriminations; we want to clean the slate, find out exactly what has gone wrong in the Maze and put it right. It does not necessarily matter whose fault it is. Many of us might be to blame, but we must ensure that it does not happen again and that prisoners are kept under a proper regime in the Maze.

Mr. Donaldson: I agree that we need a full independent public inquiry into the running of the Prison Service in Northern Ireland. Although I do not doubt the competence of those carrying out the in-house inquiry, there is a complete lack of public confidence in the inquiry. The Minister must deal with that.

The Minister must also say why the governor of the Maze is only part time. Should we not have a full-time governor rather than someone who wears both a policy and a management hat? We need to know the truth behind the escape of the IRA prisoner, Liam Averill. Why were the visitors to the Christmas party not searched? Who took those decisions and why? Most important, we need to know the truth behind the circumstances of Billy Wright's murder within the Maze.

Mr. Maginnis: Does my hon. Friend think that the incident will have great repercussions throughout the whole administration in Northern Ireland, given that the people who direct security policy in prisons are also the people who advise on the emergency provisions Acts, the Parades Commission and the Police (Northern Ireland) Bill—the most flawed Bill ever to go to a Committee of the House? Is it not time that we took that issue on board when considering future security administration in Northern Ireland?

Mr. Donaldson: I thank my hon. Friend for his intervention and hope that the Minister will note his remarks. I hope that the Minister can today allay many of the concerns felt by the people of Northern Ireland about the Prison Service, the competence of those who run the service and those in ministerial positions who have ultimate responsibility for prisons in Northern Ireland.

1.19 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I congratulate the hon. Member for Lagan Valley (Mr. Donaldson) on having obtained this Adjournment debate. In the time available after all the interventions from Opposition Members, I might not be able to deal with all his points, but I shall do my best.

The hon. Gentleman mentioned the Steele report and it should be put on record that the decision not to publish that report was taken by the previous Government. The incoming Government took on board the range of measures set out in the report, which specifically dealt with a tunnel escape attempt and set out various means of avoiding such escape attempts in future. I shall comment on those measures later.

The hon. Gentleman made several strong criticisms of the operational regime at the Maze and in respect of recent incidents, including the escape of Liam Averill and the murder of Billy Wright. Unfortunately, many of his accusations and the conclusions he draws from them are based on, as yet, unsubstantiated allegations made by a number of sources, some of them anonymous. That is not to say that I am dismissing them out of hand—far from it. There can be no question but that the escape of Liam Averill and the murder of Billy Wright were extremely serious breaches of security. Those incidents have cast considerable doubt on the effectiveness of the security arrangements that were in operation at the prison at the time and, as the hon. Gentleman said, they have seriously damaged public confidence in the management and control of the prison.

Let me assure the hon. Gentleman that I share each and every one of the concerns that he raises. I can equally assure him that all the points that he makes are taken very seriously indeed. Later in my speech, I shall return to the way in which the Government are dealing with them. However, before I do so, it is important to place the Maze prison and those who are held there in proper context.

I have said this before, both in the House and elsewhere, but it is worth repeating: the Maze is unique. There is no other prison anywhere in the democratic world that has such a concentration of terrorist murderers or those convicted of terrorist-related crimes—more than 500 dedicated terrorists who consider themselves to be not criminals, but prisoners of war. It should also be remembered that 29 prison officers have been killed and innumerable numbers threatened, along with their families, over the past 25 years or so. That is the reality not mentioned by the hon. Gentleman.

Mr. Donaldson: As many of the murdered prison officers were constituents of mine, let me make it

[Mr. Donaldson]

absolutely clear that we deplore those murders. We have nothing but the utmost admiration for the prison officers who serve in the prisons of Northern Ireland and nothing in what I have said is intended as a criticism of them. My remarks are a criticism of management and of those in political control in the Northern Ireland Office; in no way are they a criticism of the prison officers who serve in the Maze prison.

Mr. Ingram: Of course, I fully understand the hon. Gentleman's point, but he did not mention the Maze prison's uniqueness; nor did he try to place what happens in that prison in context or acknowledge the pressures on serving officers resulting from having to deal with those difficult prisoners. That creates unique and difficult conditions which run throughout the management of the prison, from bottom to top and from top to bottom. That reality should never be ignored by those who comment on events and the regime at the Maze.

Given those conditions, the attendant security and control problems are understandably and uniquely complex and difficult when balanced against the need to maintain a humanitarian regime. Those who are charged with the management responsibility of undertaking such a challenging role are regularly faced with the need to make difficult and sensitive decisions about security at the prison. That is an unenviable task which they have to perform on our behalf.

That situation is what the Government have faced since taking office last May and what previous Governments faced in the years before that. It is why the Government have put in place a progressive programme of tightened security measures, including twice daily head counts; cell fabric checks; a comprehensive search of cells and the blocks; control of materials available to prisoners; the installation of enhanced closed circuit television coverage in the blocks; and the scanning of all visitors along with other management measures, with more to come.

It is not the case, as the hon. Gentleman maintains, that security has been relaxed since May. The opposite is true, as the measures I have described prove. Of course, the matter does not rest there. In the light of the most recent, extremely serious, breaches of security, my right hon. Friend the Secretary of State has commissioned a full, rigorous and independent inquiry into events at the Maze. She has also asked Her Majesty's chief inspector of prisons to carry out a full inspection at the Maze prison when the inquiry team has completed its work and reported its findings. Both those reports will be published and copies placed in the Library of the House.

The inquiry is well under way and its report is expected soon. I understand that the hon. Member for Lagan Valley has taken the opportunity to put his views directly to the inquiry team and I have no doubt that what he has already submitted and what he said to the House today, if that differs from his submission, will be fully considered by the inquiry team. However, as the inquiry is not yet complete, I am sure the hon. Gentleman will understand why it would be inappropriate for me to respond today to his detailed points.

I am, of course, only too well aware of the considerable speculation about what actually happened before, during and after the circumstances that led to the murder of Billy Wright. However, as the hon. Gentleman knows, that murder is the subject of a Royal Ulster Constabulary investigation and I must take care not to prejudice the outcome of that investigation and any criminal charges which may flow from it. The hon. Gentleman clearly has his own views on what went wrong, or what seemed to go wrong, on that occasion and in relation to the escape of Liam Averill.

The hon. Gentleman may well have obtained his information from sources inside the prison—sources who may have identified or commented on real or perceived shortcomings in security procedures generally within the H blocks. I hope that, if he has not done so already, he will encourage those who gave him that information to speak frankly to and co-operate fully with the inquiry team.

Mr. Donaldson *indicated assent.*

Mr. Ingram: I see the hon. Gentleman nodding, which is good, as such action will help the inquiry team in its investigation. His sources should give the same evidence and views to Her Majesty's chief inspector during his investigation. It is clearly in the public interest and certainly in the interests of the Prison Service that all relevant information is made available to the inquiry team and to the inspector.

I have listened carefully to the hon. Gentleman's views on the matter of attributing responsibility and accountability for the serious security lapses. I am aware that, in response to public concern, there have been calls for the resignation of Ministers and officials. My right hon. Friend the Secretary of State has already made it clear that resignations or dismissals are not an issue. The causes of the problem to which the hon. Gentleman refers will be clearer when we have the inquiry team's report and the report of Her Majesty's inspector of prisons. It would be wrong to prejudge or to speculate about what will emerge from that inquiry and that inspection; but, I repeat, those reports will be published and I have no doubt the hon. Gentleman and other Opposition Members will return to the subject at that time.

Let me make it clear that the Government inherited the regime at the Maze. The hon. Member for Bracknell (Mr. MacKay) should reflect on what the Governments he supported did during their 18 years of administration of that prison and on what they bequeathed to the present Government. Before issuing demands for full and independent public inquiries, he should remember that the decision not to publish the Steele report was made by a Conservative Government.

Since May, we have put in place a range of improved security measures. The most recent events have all too graphically highlighted that complacency is not an option and that security needs to be reassessed constantly and changes made where appropriate. The independent inquiry and the inspection to be carried out by Her Majesty's—

Mr. Deputy Speaker (Mr. Michael Lord): Order.

Iraq (Sanctions)

1.30 pm

Mr. Harry Cohen (Leyton and Wanstead): I thank Madam Speaker for granting me this important Adjournment debate.

It looks like we are building up to another military conflict in the Gulf. It has even been suggested that it will be in a couple of weeks' time, when Ramadan is over, in order to assuage Arab sensitivities.

I am opposed to any renewed war. Can the Minister of State, my hon. Friend the Member for Leeds, Central (Mr. Fatchett), tell me what the war aim would be this time? Would it be compliance with the United Nations resolutions? While Saddam Hussein stays in power, that compliance would not be worth the paper an agreement was written on. He has little incentive to comply because the United States has publicly stated that sanctions will remain in place—and largely unaltered—while he remains in power. Perhaps the war aim would be to remove Saddam Hussein from power, or even to kill him. How many Iraqis would it be acceptable to kill this time around? President Bush ended the previous war because more than 100,000 Iraqi soldiers were killed in a turkey shoot, yet the allied armies were nowhere near Baghdad. How many British and US troops could be killed in such an operation? Saddam Hussein might escape anyway.

Perhaps the war aim would be to bomb Baghdad or even to raze it to the ground. As the *New York Times* has said, the targets would be difficult to choose without assuming enormous civilian casualties. Would it be our intention to occupy Iraq and install a puppet Government? The activities of the IRA would be like a tea party compared with the terrorism that our occupying forces would face in such circumstances. If the Government are travelling along with the Americans towards another war that could kill thousands of Iraqis and some of our people, they should spell out the war aim without blandness or obfuscation.

Richard Butler, the chief UN arms inspector, visited Iraq earlier this week, and said:

"It is about disarmament. Iraq must comply with the UN."

That is not so. As I have pointed out, the US has issued clear and categorical statements that it will never agree to lifting sanctions while Saddam Hussein is in power. There is, therefore, no incentive for Iraq to comply because the sanctions will not be lifted anyway. It is all about pretexts for further conflict and not about compliance.

Let us consider the composition of the UN inspection teams. One consists of 16 members—nine from the US, five from Britain, one from Russia and one from Australia. Scott Ritter's team, which provoked the current dispute, consists of six Americans and three Britons. On Saturday 17 January, *The Guardian* reported:

"China and France have put forward lists of their own experts to take the place of US and British inspectors."

Can my hon. Friend tell me why that offer has been rejected? The paper also went on to report:

"The Russian defence minister, Igor Sergeyev, offered his country's surveillance aircraft to take the place of American U2 spy-planes, but the offer was turned down yesterday by his US counterpart, William Cohen."

I do not believe that Iraq can insist on a deadline for the completion of weapons inspections, but it is legitimate for it to ask when those teams will complete their work. Surely the American answer to that is that that work will never be completed while Saddam Hussein is in power. Whether Iraq complies or not makes a marginal difference to the western approach to it. The US will veto or undermine any attempt to ease the sanctions against Iraq.

We should remember that those inspections are being carried out in the name of the UN, but I remind the Minister that the US has still not paid its $800 million dues to that organisation. Sanctions are a form of economic warfare which, for ordinary people, can be almost as devastating as the military version. In 1919, US President Woodrow Wilson described sanctions as

"a quiet but most lethal weapon that exerts a pressure no nation can withstand."

The sanctions were imposed on Iraq following a devastating war and they are the most draconian and lethal form of economic warfare in modern history. More than a million people have died as a result of sanctions-related problems. Many of those victims have been children and those deaths still occur.

On 26 November 1997, UNICEF issued a press release on Iraq, which stated:

"The most alarming results are those on malnutrition, with 32 per cent. of children under the age of five, some 960,000 children, chronically malnourished—a rise of 72 per cent. since 1991."

Philippe Heffinck, UNICEF's representative in Baghdad, states in that press release:

"What we are seeing is a dramatic deterioration in the nutritional well-being of Iraqi children since 1991. And what concerns us now is that there is no sign of any improvement . . . It is clear that children are bearing the brunt of the current economic hardship. They must be protected from the impact of sanctions. Otherwise, they will continue to suffer, and that we cannot accept."

On 28 November, UN Secretary-General, Kofi Annan, produced a detailed report on the impact of sanctions. He, too, quoted nutritional surveys that confirmed the high level of malnutrition among children and adults in Iraq. He said that the general level of malnutrition among infants had not improved. He also reported:

"The current food ration . . . and, in particular, its composition fall far short of meeting the nutritional needs of the Iraqi population. This is particularly valid since nutritional security is contingent upon a host of interrelated factors, such as safe water and available medicine, which are grossly inadequate at the moment. The current ration, even if it is distributed completely and in a timely manner, cannot address the chronic malnutrition and energy deficiency in adults. In order to improve the current serious situation, an enhanced ration is required.

In the health sector, United Nations observers regularly report an exceptionally serious deterioration in the health infrastructure: a high infant mortality rate and high rates of morbidity and mortality in general . . . Inputs under the resolution in the health sector will remain of limited impact if other related areas, such as proper treatment of water supply and sewage, electricity, improved quality of food rations and critical environmental problems, are not adequately addressed."

The Secretary-General also reports that the supply of drugs is inadequate and says:

"As for supplies to treat acute respiratory disease and diarrhoea, associated with 50 per cent. of mortality among children under five, deliveries have been grossly insufficient."

He concludes:

"The population of Iraq continues to face a serious nutritional and health situation and there is an urgent need to contain the risk of a further deterioration . . . The slow and erratic pace at which humanitarian inputs arrive in Iraq has been very unsatisfactory."

Ann Clwyd (Cynon Valley): My hon. Friend knows that I disagree with him on this issue, although I agree

[Ann Clwyd]

with him on most others. He must be aware that under the present sanctions regime, up to 70 per cent. of the oil production is allowed to be sold, which is similar to the amount that was sold before sanctions were imposed. Is it not the case that Saddam Hussein has had considerable resources at his disposal which he could have used to alleviate the suffering of his own people? He has chosen not to do so and instead he has decided to continue to build weapons of mass destruction.

Mr. Cohen: I will deal with that point as part of my speech, but let us deal with the suffering first, on which I am afraid my hon. Friend and some other hon. Members seem content to turn their back. The House should not turn its back on it.

Margaret Hassan of Care International said:

"There isn't a hospital we go into where we don't see severely malnourished children. It's a spiral of deprivation and this is being manifested through malnourishment."

She reports that medical shortages are reflected throughout the country and says:

"I've seen a child that was severely burnt and they didn't even have paracetamol to give that child."

I have received a letter from Felicity Arbuthnot, a journalist who has just returned from her 10th visit to Iraq since the war. It is a moving letter which deserves to be put in full on to the official record. Part of it will be published in the *New Internationalist*. I shall read one paragraph to give the House a flavour of it. Felicity Arbuthnot says:

"By 1993, doctors in Iraq had discovered a new diagnosis. Women too malnourished to breast feed and unable to buy milk powder (a can then as now exceeds the average monthly professional's salary) fed their babies on sugared water or sugared black tea. These babies become chronically malnourished, hugely bloated and almost all die. Doctors call them 'the sugar babies.'"

She says that this embargo-related child mortality is comparable to

"the genocide of Pol Pot in the name of 'we the people of the United Nations.' Does Britain's new 'ethical' foreign policy really include supporting genocide"?

Mary Robinson, the new UN High Commissioner, spoke at Oxford university on 15 November last year. She said:

"How can you expect me to condemn Human Rights abuses in Algeria and China and elsewhere when the United Nations themselves are responsible for the worst situation in Iraq? It's part of my job to bring to public consciousness the incredible suffering of Iraqi society."

The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, Central justified the sanctions in a letter to Mr. Richard Wilkins of Bow as highlighting

"the terrible excesses of Saddam Hussein's regime."

Mr. Wilkins replied:

"Surely the opposite is the case? Sanctions make it impossible for Iraqis and the world to say what suffering is caused by the regime and what is attributable to sanctions. They have clouded the issue in a way which is potentially dangerous. Furthermore, are we to accept the suffering and death of the people of Iraq merely to 'highlight' the wickedness of the regime? It is shocking that this appears to be part of the matrix of Government decision making in this matter."

I think that Mr. Wilkins is right in that argument and that my hon. Friend the Minister is wrong.

The oil-for-food deal is supposed to be $2 billion every six months, but, as Kofi Annan made clear, some essential humanitarian supplies have not been approved while others have not arrived. The deal simply does not meet the minimum needs of the Iraqi people. Only once in the 12-month operation of the oil-for-food deal have the Iraqis received the full monthly ration planned under the accord. In any case, the complete ration is full of carbohydrates and poor in protein, and usually lasts less than three weeks.

In the United Nations sanctions committee, the United States has almost singlehandedly blackballed scores of contracts on minor points for no apparent reason. Thirty per cent. of the money in the oil-for-food deal is siphoned off in reparations and goes to pay many exaggerated claims. For example, United States oil companies are greedily claiming millions and Iraq has no option if it wants the food money for its people.

The programme serves the US, as it mutes humanitarian concern while continuing to deny Iraq access to its oil wealth to solve its social and economic problems. However, the United States has blocked real humanitarian improvements to the programme, even those suggested by other Security Council members, the United Nations Secretariat, the World Health Organisation and the Food and Agriculture Organisation. It has blocked, with the tame accord of our Government, the proposal to double the oil-for-food programme.

I hope that my hon. Friend the Minister will not, in simplistic soundbites, heap all the blame on Saddam Hussein, tyrant that we all know he is. The west also has choices in this matter and it has chosen the cynical game of targeting children and the sick. It may not have intended that initially, but it is now locked into it by American political will. It is morally wrong and our ethical Government should abandon their support for it.

I read to the House one last quotation.

"In the case of Iraq and other repressive regimes . . . it is clear that many of the problems arise from a small elite who hold power within the economic, social and particularly military strata of the country. Therefore, where the international community has expressed disapproval of the actions of these regimes, it is the elite whom sanctions should target. This would improve the sanctions instrument, both for moral and humane reasons—those who are responsible should face the consequences—but also for practical reasons, since elites are able to cushion themselves from the deprivations suffered as a result of blanket sanctions, and the regime is unlikely to change.

My view is therefore that the UN should examine alternative sanctions instruments, such as suspending international air links into and out of the country concerned, freezing assets held in overseas bank accounts and a ban on the granting of visas for overseas travel, study etc. These measures might hit people who are not members of the regime, even perhaps the opposition, but they would not increase the suffering of the millions of innocent citizens as blanket trade and economic sanctions do."

That letter was written on 3 December 1996 by the now Secretary of State for International Development. I agree with her. It is time that the west stopped its war on Iraqi children.

1.46 pm

Mr. Tam Dalyell (Linlithgow): Four years ago, like every other visitor to Baghdad, I was taken to the Amariya and I saw the result of the use of cruise missiles.

When one sees carbonated bodies against concrete, it is easy to understand the effect on people of a missile attack by the world's most sophisticated weapons. Before any proposal of that nature goes ahead, that matter ought to be discussed fully in the House of Commons.

1.47 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): I congratulate my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) on the way in which he introduced his debate. I fully respect his humanitarian concerns and his long record of achievement in that respect. Therefore, no part of my response will question his personal integrity. However, there was one element that should have been in his speech. Given his concern for justice and equity, which has been so much a part of his political career, I am a little surprised that it was not in his speech.

Whenever we discuss Iraq, we need to recognise the nature of the regime that has existed there in recent years. The regime led by Saddam Hussein is the most brutal dictatorship that has existed. It has turned regularly against its own people. Let us put on record, so that my hon. Friend's speech can be seen in a broader context, some of the events that have been rightly attributed to Saddam Hussein. This is a regime which has used chemical weapons against its own people. It is a unique regime—viciously unique—in that respect. It is a regime which turned against the marsh Arabs seven years ago, literally slaughtering thousands of people. It is a regime which turned against the Kurds in northern Iraq, again slaughtering tens of thousands of people. It is a regime which, as we have seen recently, executed more than 1,000 prisoners simply because they did not wholly and totally support Saddam Hussein. The regime has an abuse of human rights record that is sadly second to none. It attacked without any provocation one of its neighbours, Kuwait, and caused it personal, humanitarian and environmental damage that, again, is without precedent in the middle east.

My hon. Friend's humanitarian concerns are well known, but let us not forget Saddam Hussein's record in his treatment of his own people and of other people in the middle east. It would not be any exaggeration to say that any one part of that record shows Saddam Hussein to be a criminal, who has gone against all known and understood human values. His record is clear.

My hon. Friend argued that sanctions have not worked. I know that that was his argument because he would not argue against sanctions in principle. He and I are long supporters of sanctions in certain circumstances and he had a tremendous record in arguing for sanctions in relation to apartheid in South Africa. I congratulate him on his stand on that issue. The question is one not of principle, but of whether the sanctions have worked to achieve the objectives.

Let us consider the record, in particular that of the United Nations Special Commission in Iraq, which was heavily criticised by my hon. Friend. We are dealing with a dictatorship which has not only the record to which I have referred, but is capable of developing weapons of mass destruction: nuclear, biological and chemical weapons. One does not have to take more than a cursory glance at the daily *Hansard* to know that my hon. Friend has rightly fought a strong campaign for the disarmament of all those weapons.

Saddam Hussein had all that capacity: nuclear, biological and chemical. That weaponry was a threat not just to the middle east, but, as we know from the dictator's record, to his own people in Iraq. I do not believe for a moment that my hon. Friend would wish that arsenal to be in the hands of someone so evil and so reckless. UNSCOM's work has been able to rid Iraq of more weapons of mass destruction than the whole of the Gulf war achieved.

I am sure that my hon. Friend does not demur for a moment from that objective—the need to get rid of those weapons. He need only talk to people in the other regimes in the middle east. If UNSCOM were withdrawn and were not allowed to do its job, other regimes and peoples in the middle east would not sleep easily while Saddam Hussein had an arsenal and the capacity and will to use it.

Once a dictator has tasted blood, as Saddam Hussein did in Kuwait and against his own people, the ruthless wish to hold on to and to extend power will come through again and again. Every dictator throughout history has shown that insatiable thirst. The policy of appeasement—saying that UNSCOM is not working and therefore we must withdraw it—is immensely dangerous for the middle east and for the people of Iraq. UNSCOM must be allowed to get on with its work. We have made that abundantly clear and we will continue to do so.

My hon. Friend is a strong advocate of the United Nations and he is right to be because the UN features in the aims of our political party. We share a socialist commitment towards international organisations. If we allow the UN to be undermined by this dictator, we might as well say that that is the end of the objectives that we share with the UN. A defeat on these issues would be a devastating blow to the UN's legitimacy and credibility.

My hon. Friend referred to the end of sanctions. I was surprised by one or two of his arguments. The position is simple: compliance brings the end of sanctions—no more, no less.

Mr. Cohen: The United States has never said that.

Mr. Fatchett: My hon. Friend says that the US position is different. It is on the record that the United States has said that compliance means the end of sanctions. I suggest that if my hon. Friend wants to make a real contribution to the middle east, he should send Saddam Hussein a copy of any document urging him to comply with sanctions because all we ask is that Iraq gives up its capability in nuclear, biological and chemical weapons, a point to which my hon. Friend has referred time and again and on which he has campaigned.

My hon. Friend argues that our approach does not include a concern for the people of Iraq and that we have turned our back on them. Let us again consider the record. Since 1991, the United Kingdom has unilaterally contributed more than £94 million in direct aid to the people of Iraq. We are involved in mine clearing and, through Save the Children Fund, we are working with children on water and sanitation projects. We are involved in aid to Iraq and we are trying to make a contribution towards the well-being of the ordinary people of Iraq.

[Mr. Fatchett]

My hon. Friend says that sanctions have been imposed against food and medicine. That is factually incorrect. There are no sanctions on food and medicine and we must not fall into the trap of believing other people's propaganda. If we consider the resolutions, we find that it is not true that there are sanctions on food and medicine.

My hon. Friend says that the oil-for-food approach is not working; I give him three facts to take away from this debate. First, the approach is not working because Saddam Hussein rejected it in August 1991 and has subsequently looked for every opportunity to divert resources towards not the people of Iraq, but his own programme of weapons of mass destruction. My hon. Friend is dealing with a dictator who kills his own people. Does my hon. Friend honestly believe that Saddam Hussein will give greater priority to Iraq's people than to his programme of weapons of mass destruction?

Secondly, we know where some of the money has gone. There is no more hideous element in the stand-off with UNSCOM than the dictatorship's claim, while thousands of Iraq's people starve, that it cannot allow UNSCOM into 71 presidential palaces. Is my hon. Friend, a keen supporter of equity and justice, going to say that one dictator needs 71 presidential palaces? Surely, on the resolutions argument, he should be saying that the money should be spent on the people of Iraq and not on the vanity and palaces of Saddam Hussein.

Thirdly, it is the United Kingdom which has taken an active part in ensuring that we open the process of oil for food. We want the system to work. A UN report will be published on 30 January on the matter. If we can make the system more efficient and get more money to Iraq's people, we shall do so. It is not our objective to damage the ordinary people of Iraq, but we can help them only if the Iraqi dictatorship allows it and does not divert the money towards its own purpose—to the elite groups to which my hon. Friend referred—and towards the weapons of mass destruction programme.

We debate Iraq on many occasions. I have no hesitation in concluding this debate by saying that there is no greater single humanitarian concern for Iraq's people than that they should have a change of Government and of approach in Iraq. If we can bring openness, pluralism and democracy to Iraq, we shall make the single greatest contribution to its well-being. If Iraq looked after and cared for its own people and was not going to threaten its neighbours, that would be a real humanitarian contribution. That is part of our ethical foreign policy and that is the objective towards which we work. We are not going to appease; we are going to stand up for our principles. That is the popular and sensible way in which to make progress.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Welsh Assembly (Site)

1. **Mr. Paterson:** If he will make a statement on the consultation process for determining the site of the Welsh assembly. [21961]

7. **Mr. Wilkinson:** If he will make a statement on the consultation process for determining the site for the proposed Welsh assembly. [21969]

The Secretary of State for Wales (Mr. Ron Davies): I issued a consultation paper on 8 December which invites the people of Wales to comment on the location of the National Assembly for Wales. There have been several hundred responses so far. The consultation period ends on 30 January and I expect to be able to announce a decision by early March 1998.

Mr. Paterson: How much will this embarrassing consultation period cost? From which budget will the money come? Will schools, roads or the farmers suffer?

Mr. Davies: I am grateful for the hon. Gentleman's continuing interest in this matter. I assure him that I have had a very positive response from the people of Wales and that the consultation process, far from being an embarrassment, is a very positive exercise in which the Government consult the people of Wales. I believe that the fact that I have received several hundred responses shows a real interest throughout Wales in this matter.

The costs of the consultation exercise will be met out of the Welsh block grant, so there is no suggestion of any additional costs. Given the hon. Gentleman's continuing interest in Welsh affairs, I know that he will be disappointed to know that I have not yet received a bid from North Shropshire.

Mr. Wilkinson: In view of the dignity, size and appropriateness of Swansea town hall, an historic building which has been under-used lately, will the right hon. Gentleman significantly and seriously take into account its very real merits, especially in view of the cost-effectiveness of this solution compared with new build?

Mr. Davies: I am grateful for the hon. Gentleman's serious contribution. I acknowledge the fact that I have received a submission from Swansea and the fact that the bid from Swansea has been based on very effective use of the existing buildings and on widespread public support. However, it would not be appropriate at this stage for me to express support for any of the submissions because this is a genuine consultation period. I intend, as soon as possible after 30 January, to publish a full list of the submissions. I hope fairly shortly after that to produce a shortlist and have a brief consultation period so that, when we take a final decision, it is based on the fullest possible consensus.

Mr. Alan Williams: While avoiding any direct comment on the merits of any site, may I ask for an assurance from my right hon. Friend that, when the time comes for him to make his announcement, it will not be lost in, say, his annual Welsh day debate speech, but that he will make a specific statement at the Dispatch Box so that all hon. Members with an interest have an opportunity to ask questions?

Mr. Davies: My right hon. Friend is a renowned and avid campaigner for a yes vote—the yes vote being for Swansea, if not for the assembly itself. There is a genuine consultation process. I cannot give my right hon. Friend the assurance that I shall make a specific statement at the Dispatch Box. However, I can assure him that there will be a genuine process of consultation on the shortlist and that I hope to ensure that, when the final decision is taken, all hon. Members have the opportunity to be involved and will be able to question me on the basis of that decision.

Ann Clwyd: My local authority area is delighted that my right hon. Friend has opened up the process to consultation, particularly since the greatest swing since 1979 in favour of an assembly took place in the Rhondda Cynon Taff local authority area. He will know that the site in Abercynon offers 17.5 acres and is ready and looking forward to the arrival of a purpose-built home for the kind of assembly that Wales needs in the 21st century.

Mr. Davies: Without wanting to stir up any controversy about the meaning of yes, yes votes, I acknowledge that my hon. Friend was a strong campaigner in favour of an assembly, and that she now leads a strong yes campaign for it to be located in the Rhondda Cynon Taff local authority area. I can confirm that I have received a submission; it will receive the closest possible consideration. I am afraid that, like all the other submissions, it will have to take its chance in due course in the proper evaluation.

Mr. Ancram: Is not the right hon. Gentleman embarrassed by the fact that, six months after bravely proclaiming in the White Paper that the assembly's headquarters would be in Cardiff, he is no further forward towards establishing where it will be—except to say that it might not necessarily be in Cardiff? Is he not ashamed of the fact that, unlike his better-organised Scottish colleague, he has started taking through legislation to establish an assembly without knowing where it will go?

Is not all this typical of the haphazard, ill-thought-out way that the Secretary of State has approached the whole issue? Does he agree that, if he had been slightly less bullying and arrogant towards his Labour colleagues, especially on Cardiff city council, the assembly might now have a comfortable home in Cardiff city hall?

Mr. Davies: The right hon. Gentleman is wrong in every respect: I am neither embarrassed nor ashamed. He has one question to answer himself. Is he suggesting that I should be prepared to pay more than the market value for Cardiff city hall? That is the question that I have put to him time after time.

I made it absolutely clear right from the start of the devolution process that I believed that Cardiff city hall was the best location for the National Assembly. However, Cardiff was not prepared to sell it at market value, and I was not prepared to pay more than the market value for the building. We are now embarked on a proper process of consultation. I am disappointed to find that the right hon. Gentleman, instead of looking back, cannot now play a constructive role in ensuring a new democracy and a prosperous economy for Wales.

Mr. Rhodri Morgan: Without commenting on particular locations during the consultation period, may I ask the Secretary of State to agree that one of the difficulties of the early years of the Welsh assembly might arise if the bureaucracy of the Welsh Office to be transferred to work for the assembly remained at a distance from where it met? The worst outcome of all would be if meetings between Members of the Welsh assembly and the civil servants serving it had to take place in a lay-by on the M4.

Mr. Davies: My hon. Friend is tempting me into stating a preference as between Cardiff and Swansea, and I have no intention of doing so. Whatever the eventual location of the assembly, I want to ensure that, by using the most modern information technology, it will be possible for assembly representatives and the people working for them to be in contact with all the people of Wales, not just those in lay-bys on the M4.

Post-Chernobyl Restricted Land

2. **Mr. Baker:** What is the acreage of land in post–Chernobyl restricted areas; and how many farms lie within that land. [21962]

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): I am pleased to announce that I have been able to authorise the lifting of restrictions on some farms in Wales with effect from today.

The area of land under restriction in Wales is now approximately 530 sq km—that is 131,000 acres, for those of us who were in school before 1970—affecting about 148 whole farms and parts of 211 others.

Mr. Baker: Many hon. Members will be pleased by that news but, after 12 years, great inconvenience to Welsh farmers and £8 million in the sheep compensation scheme, is not the lesson to be drawn that any country that relies on nuclear power is foolish in its energy policy, and all countries would be better off with an energy policy without nuclear power?

Mr. Griffiths: Obviously, there are lessons to be learnt from the Chernobyl disaster, and those are being learnt across the world. I am pleased to say that today's announcement means that, whereas after the disaster 23 per cent. of land was affected, the figure is now only 3 per cent.

Mr. Llwyd: My constituency was probably the worst affected by the Chernobyl fallout of any in the United Kingdom. That was largely because of the inactivity of the Ukrainian authorities. How does the Minister square that with the fact that the same hill farmers are now in a dire state due to the inactivity of his Government?

Mr. Griffiths: I am sure that the hon. Gentleman did not mean that. He knows that just, before Christmas, an aid package was announced by my right hon. Friend the Minister for Agriculture. Of that money, about £12 million will come to Wales, and about half of it is specifically targeted towards farmers in the upland areas. Although we can always argue about how much is needed, at least that money will help farmers in the upland areas of Wales.

Mr. Llew Smith: Does the Minister accept that one of the lessons to be learnt from that tragedy, in which a plant some 2,000 miles away affected land in Wales, is that we should bring an end to our increasing dependence on nuclear power, and concentrate instead on more cost-effective, environmentally friendly energy forms?

Mr. Griffiths: I am sure that my hon. Friend realises that the entire Government are acutely aware of the need for the highest standards of safety, not just for nuclear power, but for other forms of power. I wonder whether, in expressing his concerns, he is implying that the National Assembly for Wales should take direct responsibility for those matters.

Welsh Assembly (Cost)

3. **Mr. Ian Bruce:** If he will make a statement on his latest estimate of the cost to public funds of the Welsh assembly. [21963]

Mr. Ron Davies: The financial memorandum to the Government of Wales Bill contains the latest estimates of the cost of the National Assembly for Wales. I estimate that the capital cost of establishing the assembly will not exceed £17 million, and that the annual running costs will be between £15 million and £20 million. I do not expect the assembly to yield any overall increase in public expenditure.

Mr. Bruce: As we are still scurrying around trying to find out where the assembly is to be set up, how can the Minister be sure that what he promised in his White Paper in July will be delivered? That was the basis on which people narrowly voted for the assembly.

Mr. Davies: The hon. Gentleman may be scurrying around, but I assure him that the Government are not. We have a well-prepared consultation exercise, which will ultimately deliver an appropriate home for the assembly. That was not the most imaginative question that the hon. Gentleman has asked in the House. We first produced the figures in July in the White Paper; we fought a referendum in September on the basis of those figures; we had a Second Reading debate in December on the basis of those figures; and the Government of Wales Bill is now in Committee, and the figures are the same. The hon. Gentleman, like his colleagues in the Conservative party, always wants to look backwards. I urge him and his colleagues to concentrate on the task ahead—building an assembly that is truly representative, efficient and effective, and that brings new democracy to Wales.

Mr. Hanson: Will my right hon. Friend confirm that the cost of running the unelected quangos in Wales under the previous Administration was far higher than the cost of running the assembly will be under the new Administration? Will he also make it clear to the House that many former Tory Members of Parliament, such as the Conservative whom I replaced in 1992, and the Conservative whom my hon. Friend the Member for Cardiff, North (Ms Morgan) replaced at the last election, are now willing to stand for a devolved Parliament? Should not the Conservative party accept the result of the referendum?

Mr. Davies: My hon. Friend is correct. About one third of Welsh Office public expenditure is now accounted for by the quango state. The abuse of patronage associated with that did much to ensure that Wales was made Tory free at the last general election. I confirm that it is also my understanding that two former Ministers in the Welsh Office, Mr. Rod Richards and Mr. Gwilym Jones, both of whom lost their seats in the general election, are now seeking election to the assembly. They at least understand that the world has moved on. It is a pity that the remnant of the Conservative party in the House of Commons has not come up to date, as they have.

Mr. Evans: I speak as the remnant of the Conservative party—I assume that the Secretary of State was referring to me. He will be delighted that we in the Conservative party are looking forward. However, as we look forward, it seems as though the whole assembly machine is rolling backwards. Three months ago, we knew where the assembly was going—now we do not. Three months ago, we knew the majority who were in favour of the referendum. Now there are massive question marks as to what the majority is. Will the next fudge and fumble be over the budget contained in the White Paper? Page 30 of the White Paper clearly states that the set-up costs are between £12 million and £17 million, and that the running costs are between £15 million and £20 million, but pages one and 30 clearly state that the assembly headquarters will be set up in Cardiff.

The Secretary of State has reversed, possibly, one of his decisions. What guarantees do the people of Wales have that he will not reverse his decision on the assembly's budget?

Mr. Davies: I am afraid that the hon. Gentleman really does not understand the developments that have taken place over the past couple of months. The figures were made quite clear in the White Paper—I am glad to see that he is studying them. Those figures were endorsed in the referendum. I made it quite clear during the referendum that the figures contained in the White Paper were the basis on which the assembly will be established. We produced a financial memorandum, which was debated at great length in the House in December. There is no reason to believe now, or at any time in the future, that we have any intention whatever of moving from those figures.

Health Service

4. **Ms Lawrence:** If he will make a statement on the percentage cash increase for the health service in Wales in 1998–99. [21965]

Mr. Win Griffiths: Provision for the NHS in Wales in 1998–99 will be £2,455.3 million—a cash increase of £113.8 million, which is an increase of 4.9 per cent. over 1997–98.

Ms Lawrence: I thank the Minister for that information. Does he agree that the internal market, introduced or imposed on the NHS in Wales by the Tories, has set hospital against hospital and has completely failed patients in Wales? I welcome the move to abolish the internal market with the publication last week of the White Paper, "Putting Patients First", not least because it appears that that will save £50 million, which is currently spent on red tape, put it back into front-line patient care and restore co-operation, in place of competition.

Mr. Griffiths: I thank my hon. Friend for that question and for pointing out the very important step taken last week with the publication of our White Paper on abolishing the internal market in Wales. We estimate that it will save us about £50 million over the lifetime of a Parliament, which will go directly to patient care. By delaying the eighth wave of fundholding doctors, we have been able this year to put another £2.5 million into the health service. A great deal of that will go towards helping overcome the winter crisis and, of course, improving our cancer services.

Mr. Dafis: What are the projected deficits for the trusts in the Dyfed Powys area for the current year and for the next financial year? How much will be saved by the reconfiguration exercise in which the Secretary of State is currently involved? In my view, it will not be much. Is he prepared to say that those deficits can be recovered without serious additional money or cuts in services, in terms of quality or accessibility? If he is prepared to say that, does he expect anyone to believe him?

Mr. Griffiths: The hon. Gentleman will know that, right now, the Dyfed Powys health authority is in consultation with trusts in its areas about how it will deal with its estimated deficit this year of about £7 million. Obviously, it is for the trusts and the health authority to come forward with plans to deal with it. I shall be very interested in the outcome of those proposals, to see whether anything else is required of the Welsh Office. That is the position.

Mr. Rowlands: I warmly welcome the abolition of the internal market, which is hugely wasteful of health resources, but will my hon. Friend ensure that some of the savings will go into services in the Rhymney valley, which all recent surveys have demonstrated are woefully inadequate?

Mr. Griffiths: I assure my hon. Friend that I am very much aware of the underfunding of the health service in the Rhymney valley, which has been something of a

problem for a number of years. The Gwent health authority is keen to make up for that, even if it has not been able to do so in the past year.

Hill Farming

5. **Mr. Luff:** What recent meetings he has had with farmers or their representatives to discuss the economic viability of hill farming in Wales; and if he will make a statement. [21966]

Mr. Ron Davies: As part of the 1997 autumn review into the economic conditions in the hills and uplands of Wales, I met representatives of both farming unions in Wales on 27 October. I also met representatives of both the unions again on a number of occasions last month and this month, and most recently yesterday. Hill farming receives substantial support. The Government announced a package of further support for livestock farmers on 22 December, which will provide significant additional help for Welsh hill farmers.

Mr. Luff: I am glad to hear that the Secretary of State is in regular dialogue with Welsh farmers, but, bearing in mind the catastrophic effect of the strength of sterling on sheep and beef farmers, and the fact that the costs that the Government are imposing on beef farmers in 1998 will exceed the help available in the assistance package announced before Christmas, will he take the opportunity in his reply to show that he understands the seriousness of the situation facing Welsh hill farmers and accept that further action may be necessary?

Mr. Davies: I agree that severe problems face upland farmers not only in Wales but throughout Britain, not least of which is the legacy of the BSE crisis, which the Government also face, which has hit Britain in recent years. BSE has cost the farming industry and the British taxpayer billions of pounds and I shall take no lectures from a supporter of the previous Government, whose incompetence in handling BSE has given British agriculture the biggest crisis that it has faced this century.

Mr. Edwards: In view of the deep frustration felt by the farmers of Monmouthshire, many of whom came to the House yesterday, will my right hon. Friend work with his ministerial colleagues to ensure the clear and accurate labelling of meat products in supermarkets and that action is taken against sub-standard beef imports, and will he do all in his power to ensure that the beef ban is lifted?

Mr. Davies: The lifting of the ban at a European level is at the heart of the Government's strategy on the matter. I assure my hon. Friend that I am in close and regular contact with my right hon. Friend the Minister of Agriculture, Fisheries and Food on the matter. I have met representatives of the Welsh farming unions and shall continue to do so and, in conjunction with them, we are developing our own strategy, which I hope will bring a distinctive Welsh response to the distinctive problems of Wales.

Mr. Livsey: Will the Secretary of State please take note of the catastrophic situation in the sheep industry? The market price of lamb has collapsed and exports are difficult. Will the right hon. Gentleman do everything he can to obtain the lifting of the specified risk material restrictions on lamb carcases so that they can be exported whole to France and treated there, which will greatly assist the situation?

Mr. Davies: I understand the nature of the crisis facing agriculture, particularly in the hon. Gentleman's constituency where the problems are severe, and I shall continue to work with the farming unions and the Ministry of Agriculture, Fisheries and Food to put in place a range of responses to attempt to meet the problems of not only the livestock sector but agriculture generally. I listened with care to the representatives of the hon. Gentleman's constituency.

Mr. Ancram: When will the Secretary of State stop posturing and wake up to the seriousness of the crisis in agriculture and the rural economy in Wales? Does he not realise that the nightmare is not cyclical, that it affects all sectors and that it is largely caused by the high rate of the green pound, which itself is caused by successive interest rate rises under this Government? Can he not see that support is desperately and urgently needed now, and that, unless proper compensation arrangements are triggered, he and his colleagues will be seen for what they are—the Government who could not care less about the countryside and the people who work and live in it.

Mr. Davies: I am afraid that the right hon. Gentleman has got it completely wrong again. If there is any posturing, it is coming from him. He supported the previous Government for 18 years, during which they failed to put in place any long-term restructuring of British agriculture, failed to achieve reform of the common agricultural policy and presided over the disaster of BSE. The problems caused by the collapse of the beef industry as a result of the incompetent handling of BSE by the Conservative Government lie at the heart of the crisis currently facing British farming.

New Deal Programme

6. **Ms Julie Morgan:** When the new deal programme will begin in Wales; and if he will make a statement. [21968]

8. **Mr. Ruane:** When the new deal welfare-to-work programme will begin in Wales; and if he will make a statement. [21970]

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): The new deal for 18 to 24-year-olds started in the south-west Wales pathfinder area on 5 January 1998 and will be extended to all parts of Wales from 6 April 1998. The new deal for unemployed people aged 25 and over will start in June 1998. The new deal for lone parents is being piloted in Cardiff and the Vale and will be extended to all parts of Wales from April 1998 for newly registering lone parents and from October 1998 for lone parents already registered. The programme for people with a disability or long-term illness will start from late spring 1998.

Ms Morgan: I thank my hon. Friend for his reply. Will it be possible for lone parents to take advantage of some of the options available to 18 to 24-year-olds under the

new deal—options that are not open to them under the lone parent initiative—particularly the employment and training option?

Mr. Hain: I pay tribute to the commitment and energy shown by my hon. Friend on that subject. Nearly one third of those interviewed in Cardiff and the Vale have been helped into jobs and others have been helped into training. We are determined to help lone parents in Wales, not attack them as the Tories did.

Mr. Ruane: I welcome the £190 million for Wales in the new deal. Does my hon. Friend agree that an attack on poverty—indeed, a war on poverty—is needed in Wales? After 18 years of Tory rule, Wales has the worst housing in Britain, the worst health in Britain and the lowest pay in Britain, as well every fifth household not working.

Mr. Hain: I agree with my hon. Friend. The Tories condemned millions of people to despair. Labour is mobilising billions of pounds from the excess profits of the privatised utilities to bring hope, opportunity and the dignity of work. What a contrast between the people's party in government and the fat cats' party, which is so degenerate that it was willing to take more than £1 million from a Hong Kong drugs baron.

Mr. Ieuan Wyn Jones: Does the Minister accept that an additional problem to unemployment in rural areas is depopulation? What assurances can he give not only that will the new deal provide jobs for young people but that they will have opportunities to have those jobs in their communities, raising the economic profile of those areas?

Mr. Hain: I am conscious of the problems of the rural areas of Wales. We shall make special efforts to ensure that opportunities are available to everyone who wishes to take advantage of them in rural areas such as that represented by the hon. Gentleman.

Mr. Brady: Does the Minister believe that the new deal will reduce unemployment in Wales? If so, by what time or what year does he believe that the savings to the welfare budget will exceed the cost of the new deal programme?

Mr. Hain: Yes, I believe that the new deal will reduce unemployment in Wales. That contrasts with the pathetic and shabby record of the Tory party, which consistently pushed people off the claimants register into a jobless ghetto. The new deal will bring more jobs to young people and to the long-term adult unemployed. That will relieve the burden on the welfare bill and give more resources to education and health, which the Tory Government cut, cut and cut.

Mr. Barry Jones: How many places and how much money will come to my constituency from the new deal? Does my hon. Friend agree that the new deal will also attempt to tackle the drugs culture and petty crime from which many of our communities suffer?

Mr. Hain: I expect several hundred job opportunities to come to the people in my hon. Friend's constituency, especially the young unemployed. I also expect that to make a start in tackling the increase in the drugs culture, over which the Conservative Government presided, that has left many of our communities in terrible despair.

Welsh Assembly

9. **Mr. Nicholls:** What meetings he has had with representatives from local government in Wales regarding the Welsh assembly. [21971]

Mr. Ron Davies: I have had three formal meetings with leaders of the Welsh Local Government Association at which the Welsh assembly was discussed. The first was on 2 June, when we discussed progress towards the White Paper. The second was on 28 August, when the WLGA publicly confirmed its support for the assembly. The third was on 15 December, when I and the association signed "A Framework for Partnership in Wales", which sets out the way in which relations between central and local government in Wales will be conducted.

Mr. Nicholls: Does not the right hon. Gentleman realise that the concerns expressed about the way in which the various counts were conducted are not merely vague rumours? Does not he understand that when members even of his own constituency party who, after all, would have approved of the verdict that resulted, are so concerned that they take up with the counting officer their concerns about the way in which the result was handled, the only way to restore confidence is to have an independent judicial inquiry? What is the right hon. Gentleman concerned about? Is it the fact that, if there were a re-run, he would not win a second time?

Mr. Davies: I assure the hon. Gentleman and the House that the representations that were made to the counting officer in Caerphilly have been properly and fully answered. If the hon. Gentleman has any questions whatever, he should put them and I shall ensure that they are properly answered. I hope that he will stop sneering and trying to blight by innuendo public servants who have served the public interest in Wales well.

The hon. Gentleman asked about local government and the relationship between regional and local government. I refer him to a letter that I received from a very prominent local government leader. It says:

"we are playing our part in helping to devolve power to the regions and look forward to a stronger partnership emerging between local government and the regional structures that are now being created."

That letter was written by Councillor Brian Greenslade, who is the leader of Devon county council. If the hon. Gentleman is interested in a developing relationship between local and regional government, I suggest that he looks a little closer to home than Wales.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [21991] **Miss Widdecombe:** If he will list his official engagements for Wednesday 21 January.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others.

In between, as I think the House will shortly learn from the media, I took an interesting and detailed call from a hoax caller at Capital Radio, who managed to persuade the No. 10 switchboard that he was the Leader of the Opposition.

Miss Widdecombe: Instead of wasting his time on hoax calls, will the Prime Minister take time out of his not particularly exacting day to survey the various fiascos and broken promises that have characterised the first few months of his Administration? When he considers the affluence test, the lone parents rebellion, the individual savings accounts fiasco and the odd rebuke of the Paymaster General, does he take personal responsibility for those fiascos and the Ministers presiding over them, or does he put it all down to the psychological flaws of the Chancellor of the Exchequer?

The Prime Minister: I thought that there was something of the night about that question. I shall tell the right hon. Lady what I take personal responsibility for: the extra money that we have put into schools and hospitals—[HON. MEMBERS: "Hear, hear."]—cutting VAT on fuel—[HON. MEMBERS: "Hear, hear."]—the welfare-to-work programme of £3.5 billion—[HON. MEMBERS: "Hear, hear."]—and sorting out the budget deficit and inflation left us by the Government of which she was a member.

Mr. Bill O'Brien: Will my right hon. Friend accept from me and from other hon. Members congratulations on his determination—and that of our right hon. Friend the Secretary of State for Northern Ireland and other members of the Northern Ireland team—to continue with the way forward in Northern Ireland? Will he assure me, the House and the United Kingdom that there will be no deviation from the programme that he has set to try to bring peace to the island of Ireland?

The Prime Minister: Yes is the answer to that. We will not be deflected in any way by the murders and killings that have happened over the past few days from seeking a proper peaceful and long-term settlement for Northern Ireland. One of the best reasons for not being so deflected is that that is precisely what the killers want. It would be the ultimate surrender of the democrats to the men of violence if we ended up being deflected in any way by what they have done from searching for a decent peaceful solution in Northern Ireland.

Mr. Hague: Has the Prime Minister received any hoax calls from a man claiming to be Chancellor of the Exchequer and wanting a friendly chat? While he is answering that question, will he describe what the Secretary of State for Social Security meant by affluence testing?

The Prime Minister: As my right hon. Friend the Secretary of State herself has made clear, it is important that we try to target benefits on those who need them most.

Mr. Hague: It is a pretty straightforward question. All we want to know is what the Secretary of State for Social Security meant by affluence testing. Millions of people have read her comments, and millions of people take her seriously—God help them—so millions of people want to know what the phrase means. Does it mean means testing, or does it mean something else?

The Prime Minister: I have just explained what it means. It means getting help to those who need it most. We have inherited a situation in which, as even the Conservative party now accepts, the welfare state is not working, spending is up and poverty is up. We shall sort out, yet again, the mess that we inherited.

Mr. Hague: We want welfare reform. As I have told the Prime Minister, we shall support it if it is according to certain principles. What we want to know is when the Government will decide where they are going on welfare reform. The Secretary of State for Social Security talks about affluence testing, an unnamed Minister briefs the Sunday papers that the Prime Minister has ruled that out and the Deputy Prime Minister is put in charge of the committee on welfare reform because the Prime Minister thinks that the Chancellor has lost his marbles and cannot be in charge of it. Now, the Prime Minister cannot define affluence testing. What is affluence testing, and is it an option?

The Prime Minister: Welfare reform is already going on; £3.5 billion is being spent on the welfare-to-work programme, yet the right hon. Gentleman has nothing to say about that. Welfare reform is going on at the moment in relation to student finance. What has he got to say about that? Nothing. The truth is that he has a few sixth form debating points, but nothing serious to say about anything.

Mr. Hague: In a Government in which Ministers do not know where they are going on that subject, the Prime Minister really is the first among equals now. When will Ministers realise that when they run such stories people take them seriously? They are in government now; they are not playing fantasy think tank any more. When Ministers play silly games—promoting one scheme and knocking down another Minister's scheme—families are left not knowing where they stand, people with pension entitlements are uncertain of where they stand and disabled people are left feeling betrayed. It is not a case of sixth form debating points; people are worried about what the Government propose and they want to know—they want to be told—where the Government stand. When will the Prime Minister publish the Green Paper that was promised before Christmas?

The Prime Minister: I had better and shorter questions from the hoax caller. It is utterly absurd to talk about betrayal of the disabled. As a matter of fact, the Government have put £200 million more than the previous Government into helping disabled people off benefit and into work. It was the Conservative Government who cut £2 billion from the bill for the disabled—and who was the Minister who introduced the regulations? The present Leader of the Opposition. As for his saying that it is time that we realised that we are in government, all I can say, after that question, is thank heavens we are.

Mr. Hague: It is not unreasonable to ask when the Green Paper will be published—the Green Paper that it was said would be published before Christmas. This Government

have put a tax on people's pension funds, are putting a tax on people's savings, are introducing huge rises in council tax and have presided over five mortgage rate rises; and now they want to tell people that they will test them on how affluent they are. Does the Prime Minister accept that it is not unreasonable to ask when the proposals will be published, and when the Green Paper will be produced?

The Prime Minister *rose—*

Hon. Members: When?

Madam Speaker: Order. May we have a little quiet?

The Prime Minister: Last week, the right hon. Gentleman was trying to tell me that he supported our welfare reforms.

First, let me say that the mortgage rises have had to be made because of the inflation that we inherited from the Government of which the right hon. Gentleman was a member. Having been advised by the Bank of England to put up interest rates, they failed to do so.

Yes, we have cured the budget deficit. We have done it without raising income tax rates at all, and at the same time we have managed to put more money into schools and hospitals—as we said we would. That is the difference between a Government who keep their promises and the last Government, who broke them.

Barbara Follett: My right hon. Friend and I may differ in our hopes for the outcome of the Stevenage v Newcastle match this Sunday, but will he join me in welcoming the report produced this morning by the numeracy task force? *[Interruption.]* Through its emphasis—*[Interruption.]*

Madam Speaker: Order. Just a moment. The hon. Lady will be heard in the House. Just keep quiet and listen to the questions.

Barbara Follett: Thank you, Madam Speaker.

Through its emphasis on mental arithmetic, daily maths lessons and whole-class teaching, the report will ensure that we reach our national target of three quarters of 11-year-olds in the standard set for their age.

The Prime Minister: Yes. It is extremely important for us to raise standards of literacy and numeracy among 11-year-olds. At present, about half do not reach the required standards. We have introduced a programme that focuses particular help on ensuring that that is done. If it is done in the way we believe it can be done, over the next few years there will be a significant rise in the number of 11-year-olds who attain the required standards. If they attain those standards, when they enter secondary schooling they will be far better able to cope than they are now.

Mr. Ashdown: Is the Prime Minister aware that what he calls a patriotic alliance across parties on Europe in the national interest already exists? It consists of the Confederation of British Industry, the Trades Union Congress, the ex-Chancellor of the Exchequer and his Conservative friends, and the Liberal Democrats, and it believes—as it appears the Government do not—that we ought not to rule out the possibility of a referendum on a single currency in this Parliament if that is in the nation's interest. Will the Prime Minister join us?

The Prime Minister: I have made clear the reason for the Government's position. We believe that, because of the economic conditions that exist and, in particular, the fact that currently there is not convergence between Britain and the main European economies, it would not be wise for us to be in the first wave of European monetary union, but the principles that we have set out are very clear, they are right, I believe that they are supported by the vast majority of people in the country and I think that there is widespread support for them across the political spectrum.

Mr. Ashdown: I ask the Prime Minister to answer the question, which is whether he rules out a referendum on a single currency during this Parliament. Either that can be done in the national interest or it can be done according to the electoral timetable, but it cannot be done on the basis of both.

I do not, of course, expect the Prime Minister to agree with the previous Chancellor of the Exchequer but, even given the tensions between them, I do expect him to agree with the present Chancellor—and he has said that nothing should be ruled out in this Parliament. Does the Prime Minister agree?

The Prime Minister: As I was explaining to the right hon. Gentleman, it was for reasons of the national interest that we made our decision in relation to monetary union and it is because it was in the national interest that we reached that view.

Mr. Leslie: Does my right hon. Friend agree that anyone who is truly serious about welfare reform will welcome the Government's moves to introduce a national minimum wage, which would target help on those who are in work but on the lowest incomes and give them the protection that they really need?

The Prime Minister: My hon. Friend is right. A national minimum wage both helps people on very low pay and means that the taxpayer does not end up subsidising them to such a vast extent as happened under the previous Government. Some £3 billion a year or more goes towards subsidising low pay. A minimum wage is part of any decent civilised society and it exists in countries with lower unemployment rates than Britain—notably the United States and Japan. I very much hope that, as the Conservatives appear to be changing their minds about many things, they will change their minds about this as well.

Q2. [21992] **Sir Geoffrey Johnson Smith:** Is the Prime Minister aware that it is difficult for people to have any confidence in the Government's handling of pensions, especially in view of what he has said today and of the swingeing pension tax that has been imposed, which affects not only thousands of individuals throughout the country but local authorities? East Sussex faces a bill of £800,000 to £1 million. Will he make a commitment to the House that those who qualify for pensions in the future will not have their pension reduced or withdrawn? The best way to encourage people to take out a second-tier pension is to give that firm commitment today.

The Prime Minister: Our proposals on pensions will help people. For example, the stakeholder pension

proposed by the Department of Social Security will help many people gain access to second pensions that they cannot get at the moment. It is precisely to encourage people to take out pensions that are properly regulated and secured—as they were not under the previous Government—that we have introduced our proposals. I do not believe that the proposals will have an adverse effect on pensions.

Mr. Peter Bradley: Is my right hon. Friend aware of Conservative Members' failure to take the opportunity in an Adjournment debate this morning to condemn the wrongdoing perpetrated in Westminster by Shirley Porter? Is he aware that, in the House on 9 May 1996, the then Prime Minister, the right hon. Member for Huntingdon (Mr. Major), and the then Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer), pledged that once the matter had been through the courts and those involved had been found guilty they would unreservedly condemn the malefactors? Will my right hon. Friend condemn the malpractice and invite those right hon. Members' successors—the Leader of the Opposition and the shadow Secretary of State for the Environment, Transport and the Regions, the right hon. Member for Sutton Coldfield (Sir N. Fowler)—to do the same?

The Prime Minister: An undertaking was given that if the findings were adverse there would be condemnation. We have never heard a word from the Conservative party, but then we never do on any such issues.

Q3. [21993] **Mr. Swayne:** Who is affluent? How does the Prime Minister intend to encourage affluence at the same time as testing for it—or is that just another hoax call?

The Prime Minister: The best way to encourage people to be aspirational and to do better is to have a steady, stable economy, which we are running; to put investment into schools, which we are doing; and to play our full part in European affairs, which we are also doing. What a contrast that is with the rabble who used to be in government and whom the hon. Gentleman now supports.

Dr. Starkey: On a recent visit to Woodhill prison in my constituency, I was dismayed to discover that more than one in three prisoners had literacy problems and even more had numeracy problems. Does my right hon. Friend agree that that underlines the importance of the numeracy task force recommendations to which he has already alluded and that additional measures need to be taken for older children and young adults who have been failed by the education system?

The Prime Minister: There is certainly a link between educational underachievement and later delinquency and crime. Indeed, reports and studies, especially in the United States, have shown the connection between good nursery education and law-abiding citizenship later in life. That is precisely one of the reasons we are making such an investment in education and why we are running the literacy and numeracy summer schools that have already had a dramatic impact in helping some children. That provision is to be increased dramatically next year. If we get to the stage at which people are reaching their full potential, we will have a far better chance of creating the decent society that we want.

Q4. [21995] **Mr. Garnier:** Will the Prime Minister give me a figure for the level of disposable income that he and the Secretary of State for Social Security have agreed constitutes affluence?

The Prime Minister: No. As the hon. and learned Gentleman knows, we are conducting a welfare review and when the proposals of that review are available they will be discussed and consulted on. The principle is to get money to those who need it most and ensure that we reform our welfare system so that we avoid what exists at the moment: spending is going up massively, but so is poverty. If we can avoid that, it will be well worth doing, but the details of the proposals will be disclosed after the review has been conducted.

Q5. [21996] **Mr. Winnick:** Is my right hon. Friend aware that I received a telephone call today—it was certainly not a hoax—from the Leader of the Opposition's office telling me about my supplementary question and asking if I would like to go to a meeting at 12.15 pm? Since the Leader of the Opposition clearly wants my advice, would it be in line with Government policy if I told him, now or at any time in the future, that the £1 million given to the Tory party by a drug dealer should be donated to a charity immediately and that the stolen £350,000 from Asil Nadir—

Madam Speaker: Order. The first part of the hon. Gentleman's question was amusing to the whole House, but the Prime Minister has no responsibility for the funding of the Conservative party.

Mr. Winnick: I asked whether it is Government policy that the Leader of the Opposition should return the money. May I ask the Leader of the Opposition—[HON. MEMBERS: "Oh."] May I ask the Prime Minister whether he agrees that it is essential that all donations above a certain figure—£5,000 should be the minimum—should be identified and that the law should be changed as quickly as possible so that drug money and stolen money may not be received by any party in the House of Commons?

The Prime Minister: I am sorry that my hon. Friend was mistaken for a Conservative by the Leader of the Opposition's office. One would think that they have so few they know who they are. The Neill committee will investigate those matters and consider what recommendations it should make. I do not have responsibility for the £1 million, but I should have thought that it should be returned. In any event, I notice that the Conservative party has still not published its accounts, despite having promised to do so six months ago.

Q6. [21997] **Mr. Greenway:** During Welsh questions, the Secretary of State for Wales told the House that, in his view, agriculture is facing its biggest crisis this century. The 650,000 people who signed the petition about the crisis in farming, which was delivered to 10 Downing street yesterday, clearly agree. Does the Prime Minister agree and, if so, what does he intend to do about it?

The Prime Minister: I certainly agree that there is a serious situation for farmers at present, which is why the

Government, before Christmas, gave several million pounds in help to them—[HON. MEMBERS: "Several?"] Actually, it was more than £80 million, which is a considerable sum. One of the biggest problems that the farmers face is not being able to export their beef, and the fault for that lies with the previous Government who gave us BSE. I understand the difficulties and we are discussing them with farmers. We will continue to do what we can, but there are no easy options and certainly no inexpensive options. This Government must consider the full range of demands that are made on us.

Dr. Ladyman: Does the Prime Minister share my concern that Saddam Hussein almost certainly now has substantial stockpiles of nerve gas and may even have the capacity to construct an atomic weapon? How can we establish an effective system of inspection that can reassure all of us that such weapons are not in his possession?

The Prime Minister: My hon. Friend raises the very reason why it is important that the inspectors can do their work. This is not merely some machismo battle between the United Nations, or the United States and Britain, and Saddam Hussein. The inspectors are there precisely because the capability of weapons of mass destruction was being developed by Saddam Hussein; he may still be developing it and it must be stopped. The UN resolutions are clear: Saddam Hussein should be allowing the inspectors in. It is not for him to dictate the terms of the inspection. The inspection must be carried out as the inspectors want so that Saddam Hussein is prevented from developing weapons of mass destruction and the world is made safer. That is an important objective for the whole of the world community to attain.

Q7. [21998] **Mr. St. Aubyn:** Given that hon. Members have the right to know whether the senior tax collector in this country is under investigation by special officers of the Inland Revenue, will the Prime Minister tell the House now whether the Paymaster General is currently the subject of an investigation by the Inland Revenue's special compliance office?

The Prime Minister: That is just a crude attempt to smear. Conservative Members know perfectly well that neither the Inland Revenue nor any other regulatory body can comment on investigations, whether or not they are being carried out. The Conservatives alleged that my hon. Friend the Paymaster General had avoided UK tax. He has avoided none. They then alleged that he broke House of Commons rules. He has not. They are continuing to do that because they know the previous Government's reputation and are determined to say that all politicians are the same. They are not.

Bloody Sunday

Q8. [21999] **Mr. Godman:** When he last met the Taoiseach to discuss matters relating to the issue of a review or a public inquiry into Bloody Sunday; and if he will make a statement.

The Prime Minister: I last met the Taoiseach on 12 December in the margins of the European Council meeting in Luxembourg and we have spoken on the telephone regularly since then, including on the issue of Bloody Sunday. I recognise that the pain and distress of 30 January 1972 still exist after 26 years; we have a duty to address that. The mass of material prepared by the Irish Government has required thorough examination by more than one Government Department. We hope to be in a position to make a statement on it soon.

Mr. Godman: Does the Prime Minister agree that to end that dreadful affair, in the interests both of the families of those killed and of wider public confidence, an inquiry should be held sooner rather than later and its overriding aim must be to uncover the truth? Does he also agree that the families of those killed neither demand nor seek revenge or the prosecution of the soldiers concerned? They demand, rightly and properly, the uncovering of the truth of that awful day, which can best be achieved by an inquiry.

The Prime Minister: I understand the strong feelings of the relatives of those killed on Bloody Sunday. I know how strongly my hon. Friend feels about this issue. Like many others, he has a long-standing interest in Northern Ireland. However, it would not be right to pre-empt the statement that we shall make. I assure him that we are investigating all the evidence submitted to us very carefully and will make a judgment based on the facts.

Rev. Martin Smyth: I understand the Prime Minister's concern to take matters quietly, calmly and logically. However, when speaking with the Taoiseach, has he asked for an apology from, and even an investigation into, those who armed and financed the Provisional IRA in the early days? Given that others are asking for an inquiry into so-called Bloody Sunday, has he had anything like an apology from those who commissioned and commanded Bloody Friday in Belfast, when innocent citizens were murdered?

The Prime Minister: Many innocent people on both sides have been murdered over the years in Northern Ireland and those who are responsible for the killing should show remorse—of course they should. That should happen whatever circumstances gave rise to the killing. We shall examine carefully the evidence that has been submitted to us. That is our duty as a Government. The hon. Gentleman will know that we are looking at how to have a proper monument to the victims of violence and the killings in Northern Ireland. We are well aware that that has happened on both sides.

Engagements

Q9. [22000] **Mr. Hammond:** Will the Prime Minister accept that there is a contradiction at the heart of the Government's employment policy? The Government propose a welfare-to-work programme that is based on the premise that lowering employment costs creates jobs, yet they are imposing a minimum wage that will increase employment costs while claiming that that will not destroy jobs.

The Prime Minister: I do not accept that there is a contradiction; I think that both have their place in a proper employment strategy. It is right that we target help on young people and the long-term unemployed and give them the skills and, occasionally, the job subsidies they

require to get into work with employers. It is equally right that we ensure that there is some floor beneath which wages cannot fall. If the hon. Gentleman says that that is inconsistent with good job creation, he can look at the example of the United States, where a minimum wage is in place and there has been enormous growth in jobs—as there has in many other countries where people simply do not see, as I do not, that job creation and decent conditions of employment are inconsistent objectives. The hon. Gentleman's view is out of date, it is wrong and it is not the view of the Government.

Ministerial Visit

Q10. [22001] **Mr. Donohoe:** When he next expects to visit Ayrshire.

The Prime Minister: I have no immediate plans to do so.

Mr. Donohoe: That is a great pity because we are currently celebrating the birth of the greatest poet in the land—Robert Burns. Perhaps next year my right hon. Friend will come up and attend one of our Burns suppers.

A more burning issue is the situation regarding air traffic control and the delay in the signing of the contract. Will my right hon. Friend use his good offices to hurry along the Departments in which the decisions are to be taken so that the contract can be begun, and begun very soon?

The Prime Minister: I hope that I shall be able to visit my hon. Friend's constituency at some point. I simply say to him that the matters to which he refers are being proceeded with at the moment. Those involved are making as much haste as they possibly can, but complicated issues have to be considered. They want to consider the issues with all proper dispatch, but with due care as well.

Point of Order

3.31 pm

Mr. Bernard Jenkin (North Essex): On a point of order, Madam Speaker. Before we discuss the Scotland Bill next week, would you consider giving a ruling on how procedures in this House will continue to operate when the Bill becomes law? That is because, depending on your ruling, the House may well consider it prudent to amend the Bill.

The Government White Paper, "Scotland's Parliament", proclaims:

"The UK Parliament is and will remain sovereign in all matters".

That would seem to imply that the Government do not intend Parliament to limit its own authority in any way by the Scotland Bill. However, the Scotland Bill does not contain any explicit sovereignty clause like the words used in section 75 of the Government of Ireland Act 1920, which are reflected in one of our amendments. Despite the provisions of the Government of Ireland Act, your predecessor in 1923 made a ruling:

"With regard to those subjects which have been delegated to the Government of Northern Ireland, questions must be asked of Ministers in Northern Ireland, and not in this House."—[*Official Report*, 3 May 1923; Vol. 163, c. 1624-25.]

That ruling led to a curious situation which, if replicated here, would be totally anomalous. We could ask questions of the Secretary of State for Defence about health facilities in Bosnia, or the Secretary of State for International Development about housing circumstances in Montserrat, but we could not ask about those matters in part of our own country. At the same time, Members of the Scottish Parliament will have the power to question cross-border bodies such as the new Food Standards Agency, which is not their responsibility or answerable to them; and they will be able to criticise their own Ministers on their attitudes and actions towards our UK responsibilities. Surely Members of this House should have the same reciprocal rights. Would it seriously be acceptable to rule that Ministers are not accountable for grants made to the Scottish Parliament in the same way as Ministers are accountable for grants made to local authorities and other public bodies?

Finally, Madam Speaker, page 297 of "Erskine May" reports that a procedures Committee ruled that you are not bound by previous precedents in this matter.

Madam Speaker: I am most grateful to the hon. Gentleman for giving me notice of this matter. He raises a most interesting point, but I am not in a position to give a ruling at the present time. The Scotland Bill is now before the Committee of the whole House, and when all the parliamentary processes are completed, I will give full consideration to the impact of the legislation as enacted on our practice regarding the acceptability of parliamentary questions. At that time I shall give any ruling that may be required, but for the moment the legislation is in the hands of the House, and it must go through the due process in the first instance.

Acquisition and Possession of Air Weapons (Restriction)

3.34 pm

Dr. Nick Palmer (Broxtowe): I beg to move,

That leave be given to bring in a Bill to amend the Firearms Act 1968 to restrict the acquisition and possession of air weapons; and for connected purposes.

This is a straightforward Bill. It has been kept simple deliberately in view of the nature of ten-minute Bills and the necessity of achieving a broad consensus.

The current law basically allows anyone to possess an airgun from the age of 14. The Bill proposes to raise the minimum age to 17. I should like to acknowledge the help of the Royal Society for the Prevention of Cruelty to Animals, the Cat Protection League, the National Canine Defence League and the British Veterinary Association in drafting the Bill and discussing how it should be formulated.

I should like to persuade the House of three things that should be the prerequisites of any new legislation. I should like to persuade it, first, that there is a problem worth addressing; secondly, that the Bill will help to do that; and, thirdly, that the Bill does not go further than necessary—I am particularly mindful of the concerns of farmers and sportsmen who have legitimate uses for airguns.

The problem is that large numbers of domestic animals are shot each year—cats, dogs, horses, songbirds and even swans. Every year, 10,000 cats alone are killed or maimed, which is equivalent to more than 30 every day. Even hon. Members who do not particularly like cats and dogs will appreciate that such attacks are causing a great deal of heartbreak to our constituents.

The police are a significant target for attacks. In the past few years, one police officer was killed and another 7,000 injured by airgun attacks. Last but not least, children and even babies are targets. In a recent case, a 14-week-old baby in a carry-cot was shot by a 14-year-old youth. Such attacks on children are usually carried out by other children. There are also frequent reports of children who suffer self-inflicted injuries, often accidental. I hope that hon. Members will agree that the problems are such that it is reasonable to seek some redress.

The second question that arises is whether the Bill will help to overcome the problem. We have overwhelming evidence to suggest that most airgun attacks are carried out by adolescent urban hooligans, who are running wild. We do not hear of farmers or sportsmen shooting at policemen, children or passing cats. The problem is a sub-culture that has developed in certain parts of our cities, which believes that it is fun and amusing to buy an airgun and take pot-shots.

When the adolescent reaches the age of 17 or older, we normally find that he—it is usually a "he"—develops other interests. Hon. Members may not necessarily approve of all those either, but such teenagers tend to be no longer interested in airguns and shooting at passers-by and passing animals. Representatives of the organisations to whom I have spoken are convinced that the Bill would make a significant impact on the problem, because we could remove such weapons from young teenagers aged between 14 and 17. To put it simply, I must ask whether we want our children to go around the streets with guns of any kind.

[Dr. Nick Palmer]

The third issue, which is perhaps the most important in this context because the Bill is dependent upon the good will of hon. Members on both sides of the House, is the legitimate concerns of farmers and sportsmen. I know that following the passage of the Firearms (Amendment) Act 1997, which I supported, many sportsmen felt that their lives had been made more difficult because of the actions of a small number of people. I have spoken to sportsmen who were worried that the Bill would be another step in that direction and another step towards the nanny state. However, when they heard that the Bill was aimed only at 14 to 17-year-olds, and when they understood that target range practice within gun clubs, in the Army and at fairgrounds would still be legal, including for younger age groups, and that the Bill contained no new restrictions on owners of airguns who were over the age of 17, I found universal acceptance that the Bill would reduce the hooligans' dependence on weaponry. They accepted that the Bill would enable the legitimate users of airguns to avoid being besmirched with accusations of hooliganism towards innocent people and animals in our cities.

Many lobbyists and other people to whom I have spoken have urged me to go further and to propose a licensing law and a presumption against licensing in urban areas. I believe that we should give this targeted legislation a chance and limit the restriction to 14 to 17-year-olds. If that proposal is accepted, I shall call for a stop on any further measures until we have had time to see the effects of the Bill and whether it alone can solve most of the problem.

In summary, the Bill proposes a reduction in the wholesale slaughter of family pets, the massive injuries to the police and the epidemic of accidents and deliberate wounding up and down the country. It is a targeted Bill, which will not inconvenience any legitimate user in clubs or on farms. I ask for House for its support.

3.41 pm

Mr. Andrew Robathan (Blaby): I am sure that the hon. Member for Broxtowe (Dr. Palmer), who spoke very well if I might say so, is well intentioned, but we are not talking about wholesale slaughter of family pets or massive injuries to the police. We might all agree that he has overstated his case. We see here the manifestation of the new Labour party's tendency to ban or restrict everything that it does not like.

The hon. Gentleman referred to those who supported his Bill, but he did not say whether anyone else wanted the restriction. Certainly, the police do not want it. The police tend to be anti-gun, but the Association of Chief Police Officers in its evidence to the Select Committee on Home Affairs in 1996 said that further controls on possession of air weapons were not required.

It is certainly not my constituents who want the measure, if my postbag is to be believed. I am pretty sure that in the past six years I have never received a letter from a constituent or a lobbying letter asking for a restriction on air weapons. I accept that a few of the hon. Gentleman's constituents may have written to him.

Let us quickly examine the facts. The hon. Gentleman brought many statistics into the argument, and the facts are more interesting. The current legislation is firm and stringent. If any person, young or old, shoots a protected bird with an airgun or any other weapon, he may be fined up to £5,000. That is a fairly serious amount of money. Anyone aged between 14 and 17 who has an airgun in his possession and is not properly supervised may be fined up to £1,000. The hon. Gentleman spoke about stopping children walking our streets with air weapons. If a child between the ages of 14 and 17 walks about with an air weapon that is not properly encased, he can be fined £1,000. Children are not allowed to have airguns on the street. It is a question of enforcement of the law, not a change in the law.

There are perhaps 4 million air weapons in the country at the moment. They are not powerful enough to qualify as a firearm. Such weapons are kept at home. How will this marvellous legislation stop people getting hold of air weapons? They probably have air weapons illegally now. A more important statistic is that, in this country, between 1 million and 4 million illegally held firearms are used in crime. That is conjecture of course, but I understand that, in 1996, the Home Office published figures that alleged that about 1.7 million illegally held firearms are used.

In October, the hon. Member for Wakefield (Mr. Hinchliffe) suggested that he wanted all airguns to be banned, and he suggested it again to the Minister of State, Home Office, the hon. Member for Cardiff, South and Penarth (Mr. Michael), at oral questions. Many Labour Members support the hon. Member for Wakefield, but the hon. Member for Broxtowe said that he particularly did not want that.

I view this as new Labour at work. It is restricting or banning anything that it does not want, saying, "As Labour does not want to do it, you shall not be allowed to do it." That is the political correctness of 1998. It is the nanny state run amok.

The Bill would stop children using airguns, yet, at the same time, because of political correctness, Labour wants to reduce the age of homosexual consent, which is a much more important matter. Many young people enjoy using air weapons for target shooting. I did it as a boy and I was supervised. The hon. Member for Broxtowe will know that, in 1996, British disabled shooters won gold and silver medals in the Atlanta paralympics in air target shooting events and set new world records.

I shall not force the Bill to a Division because I know that the House would rather move on to other matters, but I want the public to know that not every hon. Member supports the Bill. Indeed, should it be taken any further, it will be opposed. Let those who pursue their harmless and legally recognised activities and hobbies—young, old, disabled and able-bodied—carry on so doing.

Mr. Alan Clark (Kensington and Chelsea): On a point of order, Mr. Deputy Speaker. I would have appreciated the opportunity to set some of the balance right from the Conservative Benches and to have supported the Bill—indeed, I am one its sponsors. I asked your secretary, Mr. Deputy Speaker, whether that was legitimate—I had the permission of the hon. Member for Broxtowe (Dr. Palmer) to speak on the Bill. I was told that under no circumstances was it possible for another hon. Member to speak on a ten-minute Bill and that there is no provision in the Standing Orders to do so. Now I find that my

hon. Friend the Member for Blaby (Mr. Robathan), with practically all of whose arguments I disagree, has been allowed to put his case.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I cannot allow the right hon. Gentleman to go on too long. The hon. Member for Blaby (Mr. Robathan) put his case because I called him to speak. It is as simple as that. I do not know what conversation took place between the right hon. Member for Kensington and Chelsea (Mr. Clark) and an official of the House.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Deputy Speaker. One of the reasons why the right hon. Member for Kensington and Chelsea (Mr. Clark) was able to rise on a point of order is simply that, many years ago, the practice in the House used to be that any hon. Member who opposed a ten-minute Bill, so as not to waste Parliament's time, was expected to follow his voice with his vote. The hon. Member for Blaby (Mr. Robathan) supposedly opposed the Bill, but said in his concluding remarks that he would not vote against it.

That is why the right hon. Member for Kensington and Chelsea has a case. He said that he would have liked to have his two penn'orth on the Bill and that he had been told by the Clerk's Department that he could not, yet another Tory Member has supposedly opposed the Bill, but then not really opposed it.

That is why we should get back to the old system. When it was in place, anyone who opposed a ten-minute Bill had to call out at the end that he opposed it. An anomaly has been created.

Mr. Deputy Speaker: The hon. Gentleman is an expert on the procedures of the House, and he also knows how to change the procedures. I am bound by the rules of the House as they are at present, so allow me to put the Question.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Dr. Nick Palmer, Mr. Alan Clark, Liz Blackman, Mr. Vernon Coaker, Mrs. Fiona Jones, Mr. Roger Gale, Mr. Barry Gardiner, Mr. Michael Jabez Foster, Mr. Mark Todd, Mr. Chris Mullin and Mr. Ivor Caplin.

Acquisition and Possession of Air Weapons (Restriction)

Dr. Nick Palmer accordingly presented a Bill to amend the Firearms Act 1968 to restrict the acquisition and possession of air weapons; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 6 February, and to be printed [Bill 112].

Orders of the Day

Government of Wales Bill

[2nd Allotted Day]

Considered in Committee [Progress, 20 January].

[Mr. Michael J. Martin *in the Chair*]

Clause 2 ordered to stand part of the Bill.

Schedule 1

Assembly constituencies and Assembly electoral regions

3.51 pm

Mr. Richard Livsey (Brecon and Radnorshire): I beg to move amendment No. 19A, in page 70, line 11, leave out 'four' and insert 'six'.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 188, in page 72, line 12, leave out '(where appropriate)'.

No. 187, in line 13, after 'geographic', insert 'demographic, social or cultural'.

No. 71, in line 16, leave out 'one half' and insert 'three quarters'.

No. 72, in line 17, leave out from 'by' to end of line 18 and insert

'four) either three quarters of the highest number which is less than that total number and exactly divisible by four or the number produced by adding one to three quarters of that highest number'.

Mr. Livsey: It is my privilege to speak to the amendments. The Liberal Democrats have tabled amendment Nos. 19A, 71 and 72. Amendment No. 19A, which is also supported by members of Plaid Cymru, increases the number of seats in each electoral region from four to six. That increases the number of Members sitting in the Welsh assembly from 60 to 70. Amendment No. 71 adjusts the figures in the schedule so that the number of electoral region Members is three quarters of the number of constituency Members, and that, in effect, increases from 60 to 70 the number of Members in the assembly. Amendment No. 72 provides for an increase in the number of constituencies to a number that is not exactly divisible by four, so the highest number of constituencies that is divisible by four is used in this case.

The amendments are obviously linked to the additional member system proposed by the Government—they propose to use a version of the additional member system. AMS is a hybrid based on two elements; here I acknowledge the Electoral Reform Society brief. Each constituency would elect one representative by the first-past-the-post system. In Wales, there will be 40 single-Member constituencies, matching the 40 Welsh Westminster constituencies. Additional Members will be elected from a closed party list and used to correct the disproportionate effects of the first-past-the-post element. There will be 20 additional Members, four from each of the five old European constituencies that make up the new electoral regions. In the European elections of 1999, Wales will be a single Euro-constituency.

[Mr. Livsey]

In the traditional model, as used in Germany and New Zealand, about the same number of Members are elected from the list as from the constituency element. Unlike most additional member systems, the Welsh assembly system will not have a national tabulation, but will aim to be proportional in the electoral regions. Integral to that system is the fact that each voter will have two votes, one for the constituency Member, and the other for the closed party list. One of the main arguments used against that form of AMS is the closed nature of the party list, but that is the subject of a later amendment.

The amendments have the effect of increasing the number of top-up Members from 20 to 30, and the total number of assembly Members from 60 to 70. When working up its policy on a Welsh assembly, the Labour party originally proposed 80 seats for the assembly, but eventually had to reduce that to 60—we suspect to appease old Labour Members who do not support PR.

An increased number of Members would, first, result in a more proportional assembly in terms of the percentages of votes cast for the Members elected. Secondly, the regions will feel that they have more representation in Cardiff, Swansea or wherever than they would under a 40:20 split. What is more, there need to be more Members to service all the committees adequately. I draw the Minister's attention to the comment by the Institute of Welsh Affairs to the effect that an 80-Member assembly would be needed to serve all the committees adequately.

The Electoral Reform Society briefing includes figures to show that, with more Members per region, the system would be nearer true proportionality.

Mr. Michael Ancram (Devizes): Why do we need more politicians in the Welsh assembly, when the hon. Gentleman appears—judging by the empty Benches around him—to be doing his job completely on his own?

Mr. Livsey: The right hon. Gentleman is slightly over-simplifying. I am just trying to improve what is basically a good Bill, and to make it more democratic. That should be the right hon. Gentleman's aim as well. It would certainly benefit his party if there were 10 more Members. Our concern, however, is to have slightly more representatives for north and mid-Wales. The referendum no vote was quite strong in some of those areas, and Welsh people feel that they would like to be more involved in the running of the assembly, to make it more inclusive and to allow it to take account of the higher no vote in some areas.

Mr. Allan Rogers (Rhondda): Is the hon. Gentleman suggesting some deviation from the general principle of relating the number of elected representatives to the number of people whom they represent? Does he perhaps think that Members should be elected on the basis of how many acres, or trees, or cows, or sheep they represent? I know that the Liberal Democrat party has adopted its recent position since losing power many years ago, when it did nothing about the electoral system, and now wants to reform it—but I am not sure whom the hon. Gentleman wants these Members to represent.

Mr. Livsey: I cannot take that entirely seriously. The hon. Gentleman will know that the original leader of the Labour party, Keir Hardie, also espoused proportional representation when he represented Merthyr Tydfil. Something has happened to his party's policy during the century. If representation were based on acres, there would be many more people than me standing here, as I represent the third largest constituency in Britain in terms of acres.

Our argument is that there must be enough Members to service the assembly properly and to bring greater democracy. The Institute of Welsh Affairs called for an 80-Member assembly. We do not go that far, but the IWA's arguments for a larger assembly still apply to our amendment, which calls for a 70-seat assembly.

The IWA argues that the number of committees created by the Bill requires a larger number of Members. The Bill creates at least six sets of statutory committees and bodies, all of which will require assembly Members. It is likely that the assembly itself will also have four regional committees. That is food for thought, when we consider how to use effectively the Members of the assembly to get good, decisive results from those important committees.

There are to be subject committees, audit committees and the executive committee, which is likely to consist of the chairs or leaders of those committees—possibly, if we accept other amendments, in some kind of Cabinet arrangement. We need proper scrutiny of subjects relevant to the regions of Wales, and of subsidiary legislation, for example, and a local government partnership council as well. There is much constructive work to be done by the Welsh assembly.

The arguments for increasing the number of Members are strong, as I hope that I have demonstrated. Important issues are involved. The amendment will achieve greater democracy in the Welsh assembly, and make it more efficient and more effective, in the interests of the people of Wales.

4 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I listened assiduously to yesterday's debate on clause 2. Despite the fact that the Liberals and the nationalists moved amendments, I detected an underlying triangular consensus between the Government, the Liberals and the nationalists on the electoral system and its purpose, which was to create a sense of inclusiveness and a means of expressing a plurality of views and opinions in the assembly.

I hope that that spirit of plurality of views can be extended to our present debate, that I can participate in the expression of a plurality of thought on the schedule, and that the tolerance sought for the new assembly will be extended to us.

I find the schedule and the electoral arrangements proposed in it one of the least satisfactory features of the Bill. That is not because, as the hon. Member for Brecon and Radnorshire (Mr. Livsey) suggested, we are old-fashioned people with an aversion to proportional representation. I believe that there may be a case for PR, but I have a different fear, which strangely was not expressed in any of the interesting and detailed contributions to the debate yesterday.

I fear that the electoral system proposed in the schedule, and the consequential assembly that will be created, will at best be a recipe for confusion, and at worst build in serious conflict between elected assembly Members and Westminster Members.

There should be consensus in the Committee that we desperately need an assembly that will co-operate with Westminster. We do not want to build in, through legislation or our electoral system, potential conflict. Rather, we would like the highest co-operation between the assembly and Westminster. However, I fear that the arrangements in the schedule for the method of election will build in a system of potential conflict between Westminster and assembly Members.

Whenever I have listened to or taken part in debates on electoral reform, it has been interesting to see that, somehow, politicians suspend their natural political instincts or sense. We get very involved in the loving detail about whether it is a single transferable vote or the additional member system. With the exception of my right hon. Friend the Member for Llanelli (Mr. Davies), one question was not asked very often yesterday: how will it work? What will be the political chemistry of the system that we are devising in the schedule? How will the proposed electoral arrangements work in terms of the relationships between assembly Members elected under this system and Westminster Members? If we are brewing a possible conflict between the two, we should think twice and think hard about what we are doing.

We did not ask those questions yesterday because we became wrapped up in whether STV was better than the additional member system. We did not exercise a bit of old-fashioned political sense about our own political experience, and about how the system may or may not work on the ground if we agree the schedule. By modelling two thirds of the assembly—as the schedule suggests—on the Westminster single-Member seat, one is starting to build in the first element of conflict between, for example, the Members of Parliament for Merthyr Tydfil and Rhymney, for Caerphilly, for Rhondda, for Llanelli and elsewhere at Westminster, and the assembly Member elected for an identical geographical constituency area.

Mr. Rogers: My hon. Friend has introduced a powerful point. I speak from experience. Some years ago, I was elected as the member of the European Parliament for south-east Wales, and covered 10 Westminster constituencies, across the area from the Rhondda down to Chepstow. The relative roles of the Member of the European Parliament and the Westminster Member are quite amazing. In two constituencies, which will remain nameless, when I was invited to attend a meeting, the local Member of Parliament said that he would not attend because he did not recognise the European Parliament. That was a constitutional issue, but there was an element of conflict. The second element of conflict was his assertion that a particular subject had more to do with Westminster than Europe. My hon. Friend is right to draw that potential conflict to the attention of the Committee.

Mr. Rowlands: What will happen when two Members sit for the same area and claim to speak with exactly the same voice, and have the same authority from the same electorate? What will happen if those Members have strikingly different opinions on a particular issue?

Sir Raymond Powell (Ogmore): My hon. Friend will be aware that I proposed that there should be seats for 40 women and 40 men. That would represent 40 parliamentary constituencies in Wales, which would alleviate any possibility of introducing proportional representation. My hon. Friend made a point about representation. If a man and a woman were elected for one parliamentary seat and had conflicting interests, who should speak on behalf of the constituents whom they represent? I am glad that he thought of it.

Mr. Rowlands: My hon. Friend tempts me, but at this stage in the presentation of my case I do not want to be drawn into the gender debate. I want to confine myself to the fact that the schedule may lead to the sort of conflict that I have described between the assembly Member and the Westminster Member, both elected to the same geographical constituency.

The situation is then given a bit of a twist by the interesting and curious situation of the four Members of no fixed constituency abode in each of the five European constituencies, wandering around within the European dimension, each of whom may speak for Merthyr and Rhymney, Caerphilly, Rhondda or wherever, claiming equal validity for their opinions and beliefs.

It is a curious mix. Instead of going into the minutiae of one representational system or another, let us run the system in the schedule through a couple of scenarios. It would be a good idea, and a very with-it idea, to play a devolution war game, running some of the worst scenarios through the electoral system in the schedule to see what our political instincts tell us will happen in certain circumstances.

For example, there may be a closure of a popular local school or hospital, or the reorganisation of a trust, something of which the Under-Secretary of State for Wales, my hon. Friend the Member for Bridgend (Mr. Griffiths), had vivid first-hand experience only last weekend, or a contentious opencast proposal. Whatever else, the system in the schedule will create a wonderful democratic bidding for opposition to such schemes. However much one is on the same side, in the same party or the best of friends, the system is guaranteed to lead to some kind of democratic bidding on contentious local issues of one kind or another.

Mr. John Smith (Vale of Glamorgan): But surely there is nothing unusual about that. I bow to the experience of my hon. Friend who has been in politics for much longer than I have, but that happens at every level of politics and surely that diversity has been one of the great strengths of Britain's constitution for many years.

Mr. Rowlands: I am not saying that it does not exist; I am saying that the schedule will intensify it, as a matter not simply of degree but of character. I do not think that my hon. Friend would claim to speak with the same conviction as I on, say, an opencast proposal in Merthyr and Rhymney. But if two of us claim to speak with equal validity on such an issue, the situation will be intensified in a way that we have not thought through. I am not saying that that does not exist now, but the structure in the schedule will produce a hyper-competitive system.

Mr. Rhodri Morgan (Cardiff, West): As my hon. Friend has been the Member for a Cardiff constituency, although it was a long time ago, and, since then, the Member for a valleys constituency, does his experience fit in with mine? Until 1 May this year, during my

[Mr. Rhodri Morgan]

10 years as Labour Member of Parliament for Cardiff, West, surrounded in the Vale of Glamorgan and Cardiff, North by Conservative Members—except for the brief period when my hon. Friend the present Member for Vale of Glamorgan (Mr. Smith) won the by-election—if I had had a pound for every phone call that I received from a Labour-supporting constituent in the Vale of Glamorgan or Cardiff, North, claiming that they wanted me to be their constituency Member for a particular purpose because they did not trust their Tory Member of Parliament, I would be a rich man. That is the difficulty.

In an area such as Cardiff or South Glamorgan, where there is party diversity, it would be convenient for Conservatives to be able to go to a Conservative Member of the Assembly and for Labour supporters to go to a Labour Member of the Assembly.

4.15 pm

Mr. Rowlands: That is an interesting scenario. Democracy requires competition and therefore choice, as described by my hon. Friend, but we are creating a system in which two people will claim equal right to express the opinions of the same constituency, drawing from the same well of democratic choice. *[Interruption.]* Shall I arbitrate over the discussion that has broken out behind me?

The issue did not emerge during yesterday's debates, but it seems to have needed an airing. We are hearing some interesting differences of opinion. Of course, there is competition in the current system, but the peculiar electoral structure devised for the assembly will intensify the issues and arguments. That is an inevitable consequence of a dual democratic system, which is what we are devising. We should think of institutional ways—particularly electoral systems—to minimise some of those consequences.

The consequences of what is proposed were not fully explained during the referendum campaign. The Bill substitutes a strong, accountable Executive—the Secretary of State for Wales—with a democratic assembly Executive. They are two different animals. After 30 or more years' experience of watching the Welsh Office and the Secretary of State, I appreciate that my right hon. Friend has one of the finest and most privileged jobs in the Government. Like other hon. Members representing Welsh seats, I would love to have been the Secretary of State for Wales. On many occasions, the Secretary of State has been a successful arbiter over the warring demands of those making representations to him—which includes all of us, in our different ways; we all try to put pressure on him and influence him. The last thing that we should do is change the system on the ground that the Secretary of State for Wales is not accountable. He is accountable in all sorts of ways.

We are replacing a system in which the Secretary of State is an arbiter, at arm's length from the passion in one part of the community, with a democratic alternative, which will behave more as we do when trying to persuade the Secretary of State, rather than acting as a rational Executive.

Mr. Chris Ruane (Vale of Clwyd) *rose—*

Mr. Rowlands: I shall give way in a minute, when I have finished my point.

I am not saying that the change is wrong, but we should identify the interesting and serious problems that will arise from it.

I should like to take my scenario of a school closure, opencast scheme or trust reorganisation through to the decision-making process, but first I shall give way.

Mr. Ruane: Is my hon. Friend saying that the right hon. Member for Wokingham (Mr. Redwood) was accountable to the people as Secretary of State for Wales when he refused to sleep a night in Wales? What kind of accountability is that? The man had no connection with Wales and no responsibility towards the Welsh people.

Mr. Rowlands *rose—*

The First Deputy Chairman: Order. Perhaps this is an appropriate time to tell hon. Members that they must restrict their comments to the amendments, the scope of which is a little tighter than the comments being made.

Mr. Rowlands: I should have loved to be drawn into an answer to the point made by my hon. Friend the Member for Vale of Clwyd (Mr. Ruane), but, in the light of what you have said, Mr. Martin, I shall not be. I am trying to describe the system that will arise and be promoted by the electoral system proposed in the schedule. That is—I hope—the relevance of my remarks.

The First Deputy Chairman: Order. I do not know—it depends on who is in the Chair—but there could be a schedule stand part debate. We are debating amendments to the schedule, which are far more restrictive than the scope of hon. Members' comments. Hon. Members are a wee bit wide of the amendments.

Mr. Rowlands: The amendments, as I understand them, seek to change the proposed single-member constituency arrangements. I am addressing my remarks to the fact that I think that the arrangements need changing—although I do not necessarily agree with the way in which the amendments do it. The sort of scenario that I am describing arises from the electoral structure that the schedule will create. Even if it were changed by the amendments tabled by the hon. Member for Brecon and Radnorshire, it would still lead to some of the problems that I am describing.

I shall respond directly to the comments of the hon. Member for Brecon and Radnorshire. The schedule creates a total of 100 full-time politicians representing Wales—in the assembly and in Westminster. I noticed that the hon. Gentleman read with great interest the case put by the Institute of Welsh Affairs for an even larger assembly. I do not believe that there are jobs—given the electoral arrangements in the schedule and the 40 full-time Members in Westminster—for 100 full-time politicians in Wales. Therefore, something has to go.

Perhaps the assembly should be as large as is proposed. I considered the way in which functions will be transferred to the assembly. I suspect that about a third of my parliamentary work—the proportion may be different for other Members—would be transferred to the assembly if I adhered strictly to the demarcation line. If that is so, there will be huge, compelling pressure to reduce the size of the representation of Wales in Westminster. That is an

inevitable consequence. Indeed, why should that not be so, given that we are asking everybody else in society to work harder and raise productivity, and that a third of one's parliamentary work is to be lost?

There will be pressure—sadly, even a case—for a reduction in the size of representation of Wales in Westminster, which is of considerable concern. I see everybody nodding—yet we never told the electorate at any time that it was a consequence of the proposals.

Dr. John Marek (Wrexham): I am glad that my hon. Friend spends a third of his time on work that is to be transferred. I seem to spend a third of my time dealing with the Child Support Agency, although I wish that I did not.

My hon. Friend makes an important point. Does he agree that there might be pressure for a reduction in the number of Westminster Members if the proposals go ahead, but that it ought to be resisted because we do not have enough Members to exercise scrutiny? Scrutiny is an important consideration which will be important in the assembly. We need a sufficient number of elected Members of the Assembly to scrutinise matters, and more Members—or at least the same number—in Westminster. Perhaps the proportions could be changed so that England is represented by the right proportion of Members. Nevertheless, scrutiny ought to be one of the principal questions that we address.

Mr. Rowlands: I certainly would not and do not support a reduction in the representation of Welsh Members at Westminster. What I said was that I feared that the pressure would grow. There will be a powerful rationale behind that pressure, because the electoral system that we are creating in the schedule will lead to the competition that I have described.

We shall then have to decide which type of system we want. Would it not be better to change the structure of elections to the assembly in a different way from that in the schedule? Otherwise, I suspect that we shall have to change the nature of the way in which we elect Members to Westminster.

Mr. Tam Dalyell (Linlithgow): Assuming that the Boundary Commission operates as we think it will, the Scots' numbers will be reduced under the Scotland Bill. There would be the most dreadful stoochie if the number of Scots Members were reduced but the number of Welsh Members were not.

Mr. Rowlands: I can answer that simply—

The First Deputy Chairman: Order. I point out again that we are very wide of the amendments at the moment. I ask the hon. Gentleman to try to come back to them.

Mr. Rowlands: I appreciate that, Mr. Martin, especially as you sit for a Scottish seat. I shall simply reply briefly to my hon. Friend that there is no such comparison, because the Bills are different and we can therefore make a different case. I can answer his question in simple fashion.

Mr. Dalyell: There would still be a stoochie.

Mr. Ancram: The point arises in the general context of devolution, as well as here in particular. The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said that he thought that his work load here would decrease by one third. I am surprised that he thinks that the decrease would be so large, in the case of Wales. Does he not foresee pressure growing, if some Members of Parliament here do only two thirds of what others do, not only for a reduction in numbers but for changing the status of the Member of Parliament at Westminster? Is that not another great concern for Wales? I am not saying that that is what I want to happen, but it is a problem which arises from the legislation, and we have to find a way of dealing with it.

Mr. Rowlands: The pressures will grow. That is the simple point I wanted to bring to the House. They will grow—

Mr. Livsey: Will the hon. Gentleman give way?

Mr. Rowlands: Let me answer the other point first.

The pressures will grow because of the curious structures that we have decided to include in the schedule, which introduces a dual democratic system in which two thirds of the new assembly will be elected on exactly the same constituency basis as is used for Westminster.

The point I was making is that the schedule will then have set up a competitive structure. It would be far preferable to devise an electoral structure that did not intensify the competitive element between the assembly and Westminster, but emphasised as best we can the complementary element. That has been the burden of my case, and I hope that I have kept in order, within the scope of the schedule, to argue it.

Mr. Rhodri Morgan: My hon. Friend should not be too deterministic about saying that one third of his work will probably transfer to the one or two Members of the Assembly who represent Merthyr. In my experience, by virtue of the Acts that the House has passed even during the 10 years that I have been a Member, there has been a huge increase in the volume of work, all of which would, as it happens, remain with Westminster.

The Child Support Agency, which my hon. Friend the Member for Wrexham (Dr. Marek) mentioned, is one example; the disability living allowance, dating from 1992, is another; the increasing complexity of immigration procedures is a third. All have meant a massive increase in my work load as a constituency Member of Parliament, and all that work will remain with Westminster. Furthermore, who knows what other Acts the House may pass to increase the burdens on constituency Members?

Mr. Rowlands: We all have a common experience of the increase in the work load as a result of the changes that my hon. Friend mentions. That is what we do now, and we get paid for it. It is a privilege to do that work; it is the greatest privilege of all to be the Member of Parliament for Merthyr Tydfil and Rhymney.

I am saying to my hon. Friend that, nevertheless, by the very nature of things, I spend a great deal of my time dealing with matters connected with the host of functions and responsibilities of the Secretary of State. Those will all be transferred to the assembly, which must mean that

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a distinct percentage of our existing parliamentary work load will go to the assembly. In fact, I suspect that we shall duplicate that work.

We shall not have a decrease in our work load because we shall probably all do it. Certainly, there will be at least two Members representing exactly the same patch, and I suspect that our constituents will come to both of us.

Our constituents may be doubly represented, and doubly blessed, but I think that that is potentially a huge area for competition and for Members to bid against each other in all sorts of ways on issues that arise both locally and nationally. It should make a significant difference to the role that one plays here if so many of the functions that I find myself speaking about and involved with here are transferred to the assembly.

Mr. Livsey: Surely there is no case for reducing the number of Welsh Members of Parliament here while the Welsh assembly cannot pass primary legislation or raise taxes, because it is here that those functions are carried out.

Mr. Rowlands: That is true. We are here to scrutinise taxation, to decide whether to assent to it and to produce annual legislation; but we do other work as well. I do not know whether any of my colleagues have attempted the same exercise, but I looked at what I had done over the past parliamentary year, and identified a strict demarcation line between the work that would continue to be done at Westminster and that which would be done by the Assembly. I related my constituency and parliamentary work to the functions that would be transferred. If I kept strictly to the demarcation line between Assembly and Westminster work, I suspect that a significant part of my work load would go to the assembly. I fear that people will start arguing that that will happen, and that representation here must therefore be reduced. I do not support such an outcome, but I think that we are building up pressure.

4.30 pm

The First Deputy Chairman: Order. What the hon. Gentleman is saying is very interesting, and I am enjoying listening to it, but I am obliged to ask him to stick to the amendment.

Mr. Rowlands: I apologise, Mr. Martin. I blame other hon. Members who keep intervening.

Mr. Nigel Evans (Ribble Valley) *rose—*

Mr. Rowlands: I fear that I am going to be tempted again, but I will give way to the hon. Gentleman. I hope that his question will be in order.

Mr. Evans: I will try my best.

When we look at the amendments—I hope that, by mentioning them, I will drag my question into order—we see that it is not just a case of confusion between the hon. Gentleman representing his constituency here at Westminster and the assembly Member representing the same constituency in Cardiff, Swansea or wherever the assembly will end up. There will be another four regional Members, who will say that they, too, have a right to represent the hon. Gentleman's constituents. Indeed, if amendment No. 19A is passed, there will be six additional Members. That will create enormous confusion.

The hon. Gentleman asks what he will do at Westminster. I think that he will be very busy writing to his fellow Members in Cardiff, Swansea or wherever, and dealing with their replies. There will be an enormous backlog of mail.

Mr. Rowlands: I think that I shall be in order if I reply to the hon. Gentleman.

From the outset, the burden of my case has been simple. The schedule, as it stands—I am not content with the proposed amendments—will create an electoral system that will heighten, or intensify, the competitive element between the assembly and Westminster, and I am therefore not sure that it will create a stable political relationship between them. The electoral system could bring about either greater stability or greater instability.

My difficulty is this. Either my right hon. and hon. Friends should have been bolder and gone for full-blooded proportional representation of one kind or another—the single transferable vote, perhaps—to elect the whole assembly, which would at least have been elected on a very different basis and would not have involved the present hybrid hotch-potch of constituency plus added Members; or they should have said, "We shall need to reform the nature of representation here, and the electoral system allowing Members of Parliament to be sent to Westminster from Wales." We could have had a constituency-based arrangement for the assembly and a PR system for Westminster. What we have done, however, falls between two stools. We have half adopted the combination of single and additional Members, but we have built into that system potentially competitive and conflicting electoral arrangements, which will cause conflict between the assembly and Westminster.

The Secretary of State for Wales (Mr. Ron Davies): I have listened with care to my hon. Friend's argument, and I know how strongly he feels. Does he regret that he did not argue his persuasive case for an all-embracing system of proportional representation when he and I debated the matter in the Labour party before our policy was established? If he had argued the case then as forcefully as he is doing now—who knows?—he might have won.

Mr. Rowlands: I probably do regret it. My right hon. Friend is right to chide me, in the gentlest possible way. I think that it was a gentle form of chiding. It is true that it has taken me a while to accept that we need some form of PR. Only when I was confronted by this hybrid arrangement did it dawn on me that we might get the worst of both worlds.

We have not had a proper chance to debate the subject. In our examination of the schedule, the flaws have become manifest. I do not support the amendment; but I also do not like the combination of single-member seats and added Members, which will create a dual democratic bidding system that could not lead to good government in Wales.

Mr. Dalyell: Will my hon. Friend reflect on the fact that this might be one of the unsatisfactory aspects of

having had a referendum before the parliamentary discussion? The whole purpose of the parliamentary mangle, or anvil, or whatever one calls it, is to discuss exactly such problems. If the referendum had taken place on a post-legislative basis, with the question, "Do you approve of the Government of Wales Act 1998?", it would have been easier to make satisfactory alterations.

Mr. Rowlands: That might have been so, in that before we got to the referendum we would have had more arguments in the media and much of the discussion would have gone out of society's political bloodstream. That is something which parliamentary debates can achieve.

My right hon. Friend the Secretary of State rightly chides me for not coming to these conclusions early enough to influence Labour party policy, but the suggestion made by my hon. Friend the Member for Linlithgow (Mr. Dalyell) would have been more sensible. My right hon. Friend's point is rather an historic one than one on which we can dwell now.

Mr. Gareth Thomas (Clwyd, West): My hon. Friend may recall that my right hon. Friend the Secretary of State said that he would be prepared to review the electoral system in the light of experience. Will my hon. Friend make at that stage the representations that he is making now, to lift the debate on the issue in Wales? I agree with my right hon. Friend: my hon. Friend's points could have been made during the consultation process.

Mr. Rowlands: I would not presume to be lifting the debate, but I think that we can raise the issues now rather than waiting for a review. I am suggesting that the schedule creates a potentially unstable situation, with a competitive, conflicting bidding structure between Westminster and the assembly. That situation is a direct consequence of the electoral system that we are adopting.

We should think hard about this. I fear that it may be too late to try to recast the schedule to accommodate my views, but it is worth considering. We have not considered the impact of the changes in the Bill on the circumstances in Westminster. We have not really thought through the impact of the changes that will flow from creating a dual democratic structure. We have certainly not argued it through or presented the issues and arguments to the Welsh electorate.

Mr. Rogers: I hope that my hon. Friends will not imagine that we have arrived at the additional members system as a result of a great philosophical debate or a commitment to extending democracy. The Prime Minister, then the Leader of the Opposition, visited Cardiff and it was decided that there would be an element of proportionality. Constituency Labour parties and Members of Parliament were asked to submit views. Some, such as myself, did so, and went to the Labour party executive in Cardiff, where the matter was considered.

I am not suggesting that the system should be changed, but do not imagine that it arrived through any great philosophical decision; it arrived simply because somebody asked what was the least amount of proportionality that we could introduce, and we got lumbered with this. That is the real truth of the matter, and do not let anyone suggest otherwise.

Mr. Rowlands: I appreciate my hon. Friend's observations. Incidentally, if we did not have the consultations on the matter that we should, I hope that we will consult on the selection process for candidates. However, that issue is not covered in the amendment and I shall leave it there. You may not believe it, Mr. Martin, but I am trying hard to bring my remarks to a conclusion.

Mr. Nick Hawkins (Surrey Heath): Is not it clear from the intervention by the hon. Member for Rhondda (Mr. Rogers)—

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): The hon. Gentleman has not heard the speech because he has only just come in.

Mr. Hawkins: I have heard the speech. Is it not clear that all that the Bill is about is a good—or rather, bad—old-fashioned Labour party fix?

Mr. Rowlands: I do not think that we need to listen to the remarks of an hon. Member who has only just come in. If I had realised that, I would not have given way to him. He has not had the courtesy to be here for the beginning of the debate or for most of my contribution. I shall try to come to a conclusion and this will be my third attempt to move to a peroration.

I rose to make a simple, but fundamental point. We do not want to create a competitive system between Westminster and the assembly. The schedule and the proposed electoral system will intensify the potential for competition, and that may not be in the best interests of the good governance of Wales. I hope that we will have a review of how the assembly is elected or how this House is elected, because those two issues impact on each other in a way that we have not been honest enough to acknowledge before.

Mr. Llwyd: I shall tread carefully and try to stay within the terms of the debate, but I shall also choose my words carefully because I do not wish to interfere in internal Labour party grief. The hon. Member for Linlithgow (Mr. Dalyell) introduced the West Lothian question. Yesterday, he intervened several times and introduced a new acid test—whether an hon. Member who spoke wished to stand for the assembly. That may be relevant to our debate today, because the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) spoke eloquently about the possibility of seats disappearing from the House for representatives from Wales. I unashamedly admit that I do not care if seats do disappear, because real devolution would inevitably mean that responsibilities would move from this place. As night follows day, that would make the case for a review and for fewer Welsh Members at Westminster. I do not know what there is to fear in that, unless I reverse the argument and suggest that some hon. Members might be concerned about their own jobs in this place, but I shall not get into that argument at this stage.

I wish to support amendment No. 19A tabled by the Liberal Democrats and my hon. Friends, but I shall not speak to it directly because it was moved eloquently by the hon. Member for Brecon and Radnorshire (Mr. Livsey). I was interested by the intervention by the hon. Member for Rhondda (Mr. Rogers) when he said that the Government's proposals amounted to the least proportionality that they could get away with. That must surely make the case for the amendment. The point of

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the amendment is not to increase costs, to make jobs for the boys or to make more seats for any party, but to increase proportionality. Academics and people who know more about electoral systems than most hon. Members—including me—have said that the only way to increase proportionality is to increase representation.

Mr. Rogers: The hon. Gentleman should have listened a little more closely to my words because I was explaining why we had arrived at this position. It was a form of criticism of my right hon. and hon. Friends. The Labour party has been extremely generous to its political opponents. The beneficiaries will be Plaid Cymru, the Liberal Democrats and the Conservatives, who were virtually wiped out in Wales. The Labour party has taken a dramatic step forward in the governance of this country by introducing an element of proportionality. The hon. Gentleman should not criticise the Labour party but should congratulate it on giving its opponents a lifeline.

4.45 pm

Mr. Llwyd: I was not criticising the Labour party for introducing the notion; I welcome the notion. I was speaking in support of the amendment, the case for which has been proved.

Amendment No. 188 seeks to delete the words "where appropriate". Clearly, there are always geographical considerations when we are dealing with constituencies, which are, by definition, always special. To include the words "where appropriate" makes evaluation of the geographical considerations merely a side issue, which can never be right. It should always be far more than that.

Amendment No. 188 also has a bearing on a later amendment. The schedule says:

> "The regional electorate for an Assembly electoral region shall be as near the regional electorate for each other Assembly electoral region as is reasonably practicable, having regard (where appropriate) to special geographical considerations."

The qualifying words "where appropriate" add nothing to that provision. Even if the amendment is accepted, the schedule remains deficient because other important considerations must be taken into account if we are effectively to carve out constituency boundaries.

Amendment No. 187 seeks to insert the words "demographic, social or cultural", which are important criteria. The criteria brought to bear on this issue should be no less comprehensive than those currently used in drawing parliamentary boundaries—those adopted by the boundary commission. It is a grave mistake only to play the numbers game because it produces unhappy, sometimes grotesque, results.

For example, the Wales Mid and West European parliamentary constituency referred to by my hon. Friend the Member for Ceredigion (Mr. Dafis) yesterday is an incredibly unwieldy boundary. To the north, it includes Eglwysbach, a charming little village perched on a hillside just five minutes' drive from the north Wales coast. To the south, it goes as far as Pembrokeshire and Llanelli on the south Wales coast. Thus one European constituency stretches the length of Wales, although it excludes the constituency of my hon. Friend the Member for Ynys Môn (Mr. Jones). Perhaps we could include that at some stage.

How anyone can suggest that that European constituency is cohesive is beyond my comprehension. It is impossible to manage, which may be why the Labour MEP is making such a mess of it. Unfortunately, the people of the Conwy valley have little in common with the good people of Llanelli. Both are Welsh speaking, but in terms of social outlook and cultural indices, they are quite different and there is little cohesion between the two communities. The boundary commission said that, by putting together the eight parliamentary constituencies, we would reach the magic figure of 500,000, which was all that was necessary. That was a short-sighted and unhelpful approach.

I sincerely hope that the Government will look carefully at the amendment, which is not partisan in any way. It is designed solely to ensure that we have better boundaries and, ultimately, more lasting and better representation.

Mr. Dafydd Wigley (Caernarfon): A moment ago, my hon. Friend referred to the words "where appropriate". I invite him and, through him, invite the Government to explain where it would be inappropriate to take such matters into account. If there are circumstances in which it would be inappropriate to do so, the House should know about them.

Mr. Llwyd: That is a good point and I hope that the Minister will deal specifically with it. I submit that the geography of any boundary must always be a special consideration, because we cannot start to look at any boundary without the geography. The wording is deficient and I believe, in a non-partisan way, that the amendment would improve the Bill. I hope that the Minister will respond specifically to my remarks, given that I am specifically addressing the amendment; and, in due course, we might be able to a have a worthwhile debate on the subject.

One of the strengths of Wales is the fact that the whole country is culturally diverse. We must cater as much for those whose cultural life is transacted through the medium of English as for those who live, breathe, work and transact their culture through the medium of Welsh. We are a bilingual nation, so it is important that we consider both languages equally. I am pleased that the Bill makes reference to the equality and parity of both languages. I know that that reference has been included in all sincerity and I welcome it, but such factors must be considered carefully and fully when drawing up boundaries if such boundaries are to last.

I mentioned the importance of demography and geography. We have a diverse country and some areas naturally look to others in terms of market towns, and so forth. In the northern part of my constituency, people in the Conwy valley look toward Llanrwst and Llandudno for shopping and social functions, whereas in the southern part, the people of Meirionnydd feel strongly that they are part of mid-Wales and tend to look in that direction. The Secretary of State goaded me twice during the debates in the Welsh Grand Committee—

Mr. Ron Davies *indicated dissent.*

Mr. Llwyd: I do not mean that in a pejorative sense, but the Secretary of State did try to entice me to express

a view on where Meirionnydd should be in the new powerhouse set-up; I understand that no decision has been reached yet. Being a careful person, I answered, "Yes and no". The reason is plain: we in Meirionnydd want to remain in both the mid-Wales set up and the North Wales training and enterprise council area. I hope that that helps the right hon. Gentleman—it is probably more helpful than my response in the Welsh Grand Committee.

Mr. Davies: That will, of course, be of partial help in my deliberations.

Mr. Llwyd: On a serious note, I have written to the Select Committee on Welsh Affairs, which will make submissions on the subject, and to the Secretary of State to express the overwhelming view that Meirionnydd should stay in the mid-Wales partnership where the powerhouse is concerned, but that it should be allowed to remain within the area of the North Wales TEC. That arrangement has worked perfectly well hitherto and it is the status quo, although it may be in breach of one or two current lines of thought. I urge the Secretary of State to consider that submission, because it is the best arrangement in all circumstances.

In looking at questions of demography and geography, we cannot ignore the important matter of transport links. Often, we look at a map and see that one area apparently lies well with another, but the hills and valleys of Wales mean that the view from the ground may be different. It is important that we bring into the process and take into account local feelings and preferences.

After all, the purpose of the exercise will be to draw boundaries that are acceptable to the people we are proud to serve. We must ensure that we carry their support and we can do that only by guaranteeing that they play a full part in the relevant discussions. When drawing up boundaries, it is, therefore, important that demographic, cultural and social aspects are considered as well as geographical ones.

If our efforts are to succeed, we need boundaries that will be in place for years to come, and which are acceptable to everyone in Wales. If those boundaries are imposed without proper discussions, there is a danger that people in some parts of Wales will feel—wrongly, I believe—that instead of Westminster diktat, they should read Cardiff or Swansea diktat. That is the last thing that any of us would want. That is why it is important that all possible sensibilities are noted and catered for.

In my respectful submission, the amendments are neither revolutionary nor partisan, and they would improve schedule 1. I urge hon. Members to consider them carefully and I hope that the Government will offer me some assurance that the matters I have raised will be considered.

Ms Julie Morgan (Cardiff, North): I support the amendment tabled by the hon. Member for Brecon and Radnorshire (Mr. Livsey). It is designed to improve the proportionality element of the additional member system by increasing the number of seats as well as creating more Members to handle the expected amount of work.

In Wales, the ratio will be 40:20, or 2:1, whereas Scotland obviously has a larger element of proportionality. I support AMS not only because it is fair and will probably allow all the major political parties to be represented in the assembly, but because it should also make it easier for women and black people to be elected to it. The political parties have made a commitment to that. If it were possible to have longer lists, it would make the process easier. All countries with some element of proportionality have more women participating in the political system than we have achieved.

We have already discussed how we reached the 40:20 ratio and the fact that we will have 20 additional Members as a result. We must acknowledge that there is some resistance to proportional representation. The proposed arrangements will offer Wales the experience of PR for the first time. Perhaps there is some element of truth in what the hon. Member for Montgomeryshire (Mr. Öpik) said about AMS being the system that we can get away with. It is the first step, and politics is about compromise. We put the AMS proposal to the electorate and campaigned for it in the referendum, so we must keep with it. I accept that AMS makes it more difficult to elect the number of women that want to see in the assembly. That means that responsibility for trying to achieve equal representation will fall heavily on the political parties.

Mr. Ieuan Wyn Jones (Ynys Môn): In terms of gender balance and ensuring that we have representatives from the ethnic minorities, does the hon. Lady accept that the point made by her hon. Friend the Member for Rhondda (Mr. Rogers) is fact? If the results of the general election, for example, were replicated, the parties represented on the Opposition Benches would probably be allocated a substantial proportion of the additional Members on the list. If those parties want to achieve a gender balance, they can use the regional lists. For the Labour party, however, that exercise would not produce that result. How would the Labour party achieve such gender balance?

Ms Morgan: With regional lists, it will be much easier to get more women elected to the assembly because one could have a list that went one man, one woman, and so on. That would be an easy and acceptable method to use. In the 40 seats in which the first-past-the-post system will operate, the political parties will obviously have to take action within their organisations to ensure the gender balance. The Labour party has already taken steps to do that. I hope that the other political parties will do the same for both first-past-the-post and additional Member seats. I know that Plaid Cymru and the Liberal Democrats are committed to that.

I was surprised yesterday when the hon. Member for Montgomeryshire, who is not here today, said that the Labour party was old-fashioned and unreconstructed. The Liberal Democrat party should perhaps look at its record on gender representation in the House of Commons, which is not of the best—nor is the nationalists'. We rely on them to put it right in the assembly.

The Conservative party also seems to be having second thoughts about gender balance. It now accepts that it is a good thing to have the population as a

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whole represented in the House of Commons. We look forward to seeing what it will do when the assembly is set up.

5 pm

Mr. Rowlands: I am following my hon. Friend's remarks with interest. If we cannot achieve gender balance through schedule 1 and the electoral system and will, therefore, have to rely on party devices, will my hon. Friend support maximum consultation with the parties?

The First Deputy Chairman: Order. Perhaps we can get back to the amendments. A brief comment on gender balance is in order, but it is not relevant to go into it in depth on this group of amendments.

Ms Morgan: I think that I have made the point that I wanted to make on numbers. It was particularly in relation to gender balance that I wanted to take up the point made by the hon. Member for Brecon and Radnorshire.

Mr. Desmond Swayne (New Forest, West): The Committee should be aware that the effect of amendment No. 19A is to make a frightful situation worse, albeit not half as bad as the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) would make it with his recent conversion. The amendment would increase the number of representatives who effectively represented no one but the party hacks who had placed them on the list.

Yesterday, a great deal of attention was given to examples from Bavaria and Baden-Württemberg. I ask members of the Committee to consider the effects of the voting systems in those places on representatives and the quality of their representation. I have visited those places and it is instructive to witness the level of anxiety about, for example, economic and monetary union, and open hostility to it. If, however, one speaks to the elected representatives, one finds that they do not represent that deeply held anxiety and hostility. The fact is that they owe their election not to the voters, but to the hacks who put them on the list.

The First Deputy Chairman: Order. I have appealed to almost every hon. Member who has spoken. Hon. Members must speak to the amendment. What the hon. Gentleman is saying has nothing to do with the amendments. We are talking not about accountability to a party, but about representation and how many seats there should be. Perhaps the hon. Gentleman could examine the amendment.

Mr. Swayne: Thank you, Mr. Martin. The amendment would increase the quantity of inadequate representation and would, therefore, give the assembly, from its inception, a democratic deficit.

Mr. Rogers: In opposing the amendments, I congratulate my party on introducing its proposals. My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said that there would be conflict if two Members represented one constituency.

Mr. Llwyd: Will the hon. Gentleman give way?

Mr. Rogers: May I speak first? That is the trouble with these gogs.

I have thought seriously about what my hon. Friend the Member for Merthyr Tydfil and Rhymney said. At the beginning, I went along with him, but, on reflection, I believe that his fears may be unjustified and that the two representatives will find a method of working together.

When I was a Member of the European Parliament—the Under-Secretary, my hon. Friend the Member for Bridgend (Mr. Griffiths), will remember this example—the Davignon plan on steel production was introduced. The European apparatchiks decided to reduce the amount of steel production in this country and the Tory Government decided to cut it over and above what the European Commission had suggested. That introduced both a Westminster and a European dimension to the discussion. As my hon. Friend the Under-Secretary will graphically remember, there were differences between the Members of the European Parliament and hon. Members, but progress was made.

We must remember that, with these amendments, we are talking about constitutional development. This country's constitutional development has been dynamic. If there are points of conflict, they are often the areas where there is more dynamism and where there can be change. On reflection, therefore, the fears of my hon. Friend the Member for Merthyr Tydfil and Rhymney may not be justified, although I imagine that there will be people with small minds who do not particularly want to act in the interests of the people they represent and who will look for that democratic extra in all situations, which does their electors a disservice.

I have criticised some of the Labour party's proposals on the government of Wales for sincere and specific reasons, but it ill behoves Opposition Members to criticise the Labour party. Whether they agree with its proposals or not, what is proposed is a dramatic step forward in the government and constitutional development of this country.

We have had discussions in the Labour party. The hon. Member for Brecon and Radnorshire (Mr. Livsey) talked of old Labour. Like my right hon. Friend the Member for Swansea, West (Mr. Williams), I like to consider myself classic Labour rather than old Labour. As a democratic party, we have differences of opinion. There was an extensive debate in the Labour party on proportional representation and the number of seats that should be in the assembly, which the amendments address—I mention them before you bring me back to order, Mr. Martin—and we came up with proposals.

The Tories never did. In fact, if the Tories had not mismanaged Wales for 18 years, we would never have had this Bill. As for the Liberals, they were never in favour of such a proposal when they were in power. It was only after they lost power that they wanted proportional representation. Plaid Cymru would catch at any old straw. It is a rag-bag of political ideas—a little bit of this and a little bit of that—and contains the odd journeymen of Welsh politics who box and cox for any position.

The Labour party has made specific and clear suggestions. I do not particularly believe in the extension of proportionality, but it is an honest position. I am going to support it because it is the only game in town. It also has some distinct advantages.

My reservations about the conflicts that my hon. Friend the Member for Merthyr Tydfil and Rhymney said might arise were wiped out as he developed his argument and I considered the situations that he spoke of.

Under the system proposed in the Bill, there will be points of conflict in matters such as education, housing and transport and in the division of the budget—the dispersal of moneys to local authorities. We have not introduced to the equation how local councillors will fit in with their assembly man or woman, Member of Parliament and Member of the European Parliament.

Opposition Members are always bleating about democratic accountability. They will have it coming out of their ears in three or four years' time—it will be pouring out of Wales—so I do not understand why they want to amend decent proposals from Labour Members.

Mr. Robert Syms (Poole): I oppose amendment No. 19A. The law of diminishing returns would apply to the assembly. The greater the number of politicians representing Wales, the worse representation people will get: constituents will not get the representation that they deserve.

The creation of another two Members in each multi-Member area would multiply the problems caused by the Bill. As the Bill stands, a constituent with a problem will have a choice: to write to their Member of Parliament—who already represents fewer electors than an hon. Member from elsewhere in the United Kingdom, perhaps 56,000 electors—to write to their Member of the European Parliament, to write to the assembly Member for their constituency or to write to four other assembly Members with some interest in their constituency. Amendment No. 19A would increase the number in the latter group from four to six. The law of diminishing returns would apply. The biggest problem that most assembly Members will have when a constituent comes to see them with a problem will be working out whether the constituent has come to see them only or whether he or she has written to other assembly Members and who else has taken up the case.

We all know from experience that some people come to a Member of Parliament when they have tried everyone else or when they have tried neighbouring Members of Parliament. Sometimes their problem is insoluble. Some individuals in Wales may be given a wonderful opportunity. If the Bill is passed as it stands, such people could visit seven individuals with their problems; if amendment No. 19A is passed, they could visit nine individuals. That is a gross over-representation.

Mr. Ron Davies: While the hon. Gentleman is reflecting on democratic accountability, will he explain how he feels about the present system, in which about one third of a budget of £7 billion is accounted for by the unelected quango state, in which about 100 unelected public bodies, known as quangos, are entirely immune from accountability and scrutiny and in which nearly 1,000 people are appointed to quangos by the Secretary of State without accountability or scrutiny? While the hon. Gentleman is reflecting on how disgruntled constituents should seek redress in a democratic system, will he explain how they can get redress in the present undemocratic system?

Mr. Syms: The argument that I was making had more to do with the structure of the system—the number of representatives. If we had a first-past-the-post system—an issue which the House disposed of yesterday—we would have fewer problems with accountability and fewer Members running round tackling problems. Of course the Secretary of State is accountable to the House and to the many Welsh Members in the Chamber and Members of the United Kingdom Parliament, many of whom do an excellent job. Wales has not been especially badly represented in the Chamber over the years; it has had many outstanding Members of Parliament.

The key point is that one must look at any constitutional proposal as much from the point of view of ordinary constituents as from that of political parties and Westminster institutions.

Mr. Richard Shepherd (Aldridge-Brownhills): I am astounded by the Secretary of State's extraordinarily denigratory regard for his fellow hon. Members from Wales. They are directly accountable to the constituencies. If he felt that it was appropriate, all those powers could be exercised by Welsh Members of Parliament and there would be direct accountability to the electorate for the disposal and dispersal of those powers. I do not understand the point of the right hon. Gentleman's intervention.

Mr. Syms: I thank my hon. Friend for his intervention and return to opposing amendment No. 19A. If I did not, the Committee would not make progress.

Mr. Davies: For the sake of accuracy, let me make it clear that I was making no criticism whatever of hon. Members who represent Welsh constituencies. My criticism was of the system and of previous Secretaries of State, who have wielded an enormous power of patronage in a way that was unacceptable, bordering on the corrupt. Our parliamentary system has proved inadequate in hauling those to account.

Mr. Syms: I thank the Secretary of State for his further contribution.

An increase from seven to nine in the number of representatives from multi-Member areas would diminish the quality of representation because Members who represent constituents will fall over one another's feet trying to tackle similar problems and to take up problems with civil servants and local government. I do not believe that the quality of representation will improve if the number of Members increases. If I had a choice—which I do not—I would have reduced the representation in terms of additional Members, but the Committee disposed of that matter yesterday.

The key point is that accountability will be confused in some areas. Although hon. Members have said that it is up to the good will of the Members who represent an area to work together where possible—I am sure that there is a good local interest in representatives from particular areas having conventions to work together—there will be a great deal of confusion, which will diminish representation.

In the nature of the system that will be produced, different political parties will represent different areas. Although that will give diversity—and perhaps competition, which would be a good thing in one or two parts of the Principality—it will cause problems in terms of Members dealing with constituents.

The amendment is not useful. I prefer to stick with what the Government have proposed and if there is a Division I shall vote against amendment No. 19A.

5.15 pm

Dr. Marek: The hon. Member for Poole (Mr. Syms) has completely forgotten a large chunk of our purpose in this place: scrutiny. Three thousand statutory instruments pass through the House each Session. I wonder how many he has read in his time in the House.

I shall try to speak to the amendments. You have been very generous, Mr. Martin, in allowing the debate to range slightly wide. I do not intend to seek to catch your eye in the stand part debate and I hope that I shall not cause you to call me to order.

Yesterday's discussion was important because the Secretary of State has a job to do and he must get right the interaction between primary and secondary legislation. We are looking for him to do something about that. I fear that in this discussion—we are up against the guillotine at 7 o'clock—we can do nothing about that.

I have sympathy with the amendments. I would have preferred a national assembly with more than 40 or 60 Members—a single transferable vote assembly or whatever. That would have made it easier to take into account gender balance, and scrutiny would have been easier. However, I fear, for the reasons given by my hon. Friend the Member for Rhondda (Mr. Rogers), that we have 40:20 and must put up with it.

I am afraid that it was partly necessary to drag some sections of the Labour party kicking and screaming and make them accept that a simple first-past-the-post system was not good enough and that an element of proportional representation was needed. I do not know whether it was the minimum that we could get away with.

There was a further problem. The enemies of the Bill were saying that the assembly would cost a lot of money; we have all read it in the newspapers in Wales. As a result, there was pressure on the Secretary of State to make the assembly as small as possible. There was pressure not to have 50 Members or STV, which caused us to end up with 40:20. This is not my ideal, but I shall support the Secretary of State this time. I can assure him that if he argues, "We have this now; we cannot start taking it all to pieces and looking at it again and because of practicality we must stick with it," he will have my support in the Lobby if the House divides on the amendment.

I shall be brief because we have many amendments and clauses to debate. There is a measure of agreement. My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said that although he did not originally believe in the proposed system he had come round to saying and thinking that a measure of proportionality was right. There may be opponents of proportionality in the Committee, but they are not standing up and speaking in the debates. I believe that we are going in the right direction. In any case, I suggest that the national assembly itself can consider the matter once it comes into being. I regret that there is nothing we can do about the amendments at this point. They have my sympathy, but we should now move on to the other parts of the Bill.

Mr. Hawkins: I support what my hon. Friends the Members for Poole (Mr. Syms) and for New Forest, West (Mr. Swayne) said. By means of the amendment, the Liberal Democrats and Plaid Cymru are trying to make a bad situation worse. Last night, the Committee decided, contrary to our wishes, to pursue this lunatic experiment with proportional representation. I predict that the Labour party will rue the day it did this, because one day, in Wales and in Scotland, Labour's opponents in the nationalist parties will come to dominate the assemblies and will press for full independence for Wales and Scotland. That, however, is a debate for another day.

Mr. Paul Flynn (Newport, West): Does the hon. Gentleman recognise—there is an early-day motion about the democratic deficit in Wales—the glaring unfairness in Welsh politics which led to a party that won a considerable number of votes at the election sending no representatives to Parliament? Does he realise that PR will give the fringe parties in Wales, such as the Greens and the Conservatives, some chance of representation?

Mr. Hawkins: The hon. Gentleman has not been here for most of the debate, but I can tell him that my opposition to proportional representation is absolute. It is a disastrous system which has been abandoned by many countries in Europe where it has been tried and found wanting.

My hon. Friend the Member for Poole was right: the people we are here to represent will be confused by the new system. More bureaucratic obstacles will be put in their way and they will not know who to approach. Scrutiny will suffer, too. The way Parliament has always scrutinised primary and secondary legislation will be diluted. I whole-heartedly oppose this attempt by the Liberal Democrats and Plaid Cymru to increase confusion.

Sir Raymond Powell: I oppose amendment No. 19A. I take it that the Liberal Democrats have ulterior motives for supporting it. They are supposed to be in bed with the Government on this and many other matters, but it looks today as if they will find no support for the idea of 10 extra seats in the assembly. I for one will oppose them.

I sympathise with the views expressed by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on most of these issues. He referred to the opposition that there had been in the Labour party to the proposed number of seats in the assembly; he referred especially to proportional representation. The latter was discussed over a long period by my party—for many years, in fact. I suspect that your Scottish colleagues, Mr. Martin, have also discussed PR and the correct representation for a Scottish Parliament at great length and in great detail.

As my hon. Friend the Member for Merthyr Tydfil and Rhymney mentioned, there was at one time agreement on the first-past-the-post system for the Welsh assembly. Some years ago, some of us formed the all-party first past the post system group; we believed in first past the post for all manner of elections in this country. That view was held by quite a number of colleagues who are now Ministers.

Some time later, I was notified that a new agreement had been reached at a conference held in Llandudno: an agreement to go for proportional representation. Possibly some of us should have given up our other duties to participate in that discussion—but we did not. Perhaps my hon. Friend the Member for Merthyr Tydfil and Rhymney was among those who failed to do so. In any case, the

whole idea was changed by a democratic decision. That is not to say that Members of this House who objected to PR were entirely convinced. I do not know of any form of election in this country, in local government or anywhere else, in which PR is used. I believe that the Committee may come to regret the fact that the system is to be introduced for a Welsh assembly.

Still, I am a democrat and a decision has been reached. That decision has been referred to time and again in these debates and in the White Paper. I am therefore considering opposing the amendment and supporting the Government's moves to introduce a system which was, after all, voted for in the referendum and promised in the White Paper—although I harbour some reservations about the manner of its introduction.

Another good point made by my hon. Friend the Member for Merthyr Tydfil and Rhymney was that so many responsibilities are to be taken away from Members of this House and given to the Welsh assembly that our work load here may well be reduced—possibly by 25 per cent. or more. I do not know whether that will mean a reduction in the number of seats in Parliament, but all the documents on the subject that I have read suggest that it will. Indeed, the Bill itself hints at a reduction in the number of parliamentary seats and even in the number of assembly seats. A reduction in the number of seats for Members of Parliament in Wales would mean a reduction in the number of seats in the assembly. People who have studied the work of the committees proposed for the assembly conclude that the numerical strength that is currently suggested would be insufficient to cover the work load already designated to the committees.

The committees would experience difficulty, but we, too, would find it difficult to agree to the number of parliamentary seats being reduced. If that happens—it could also happen in Scotland—there will be numerous objections from hon. Members.

Mr. Dalyell: With reference to Scotland, dare I use the word "stoochie" again? There has been great trouble about the proposal that after the assembly has been in operation for some years, the membership should be reduced from 129 to about 112 because of the alteration of seats here in Westminster. No one would wish it on an assembly that it should be set up and, after a decade, have the number of seats reduced. That would create awful stoochies.

5.30 pm

Sir Raymond Powell: My hon. Friend is right.

The Institute of Welsh Affairs has produced a pamphlet on an effective national assembly, in which it refers to the key amendments to the Government's proposals in the Bill. On the size of the assembly, the pamphlet states in the third paragraph of the section on determining the total number of Members:

"The consequences for the size of the Assembly (and indeed for the membership of the Scottish Parliament) are serious if those numbers are reduced. For automatically the number of constituency members has to be reduced since that is tied to the number of parliamentary constituencies for the time being. Further, the number of additional members must also be recalculated to maintain the ratio of 2:1 (Schedule 1, para. 8) in the case of the Assembly. So a reduction of 4 Welsh MPs results in a loss of 6 members from the Assembly, without any legislative action."

The constitution working party of the IWA was set up to examine all aspects of the Bill. I respectfully suggest that the pronouncements in such a paper should be studied carefully by the Secretary of State and the Welsh Office.

During the election campaign, I expressed my views on the introduction of proportional representation.

Mr. Ron Davies: I am grateful to my hon. Friend for giving way. I have read carefully the report of the Institute of Welsh Affairs. I must make it clear to my hon. Friend that there is no provision in the Bill that would reduce the number of Members in the Welsh assembly. He is quite wrong to draw that conclusion.

Sir Raymond Powell: With all due respect to my right hon. Friend, I read out a paragraph of the document produced by the Institute of Welsh Affairs.

Mr. Gareth Thomas: I have some difficulty understanding my hon. Friend's point. The Bill contains no provision to reduce the number of Westminster representatives. Perhaps he could expand on that point.

Sir Raymond Powell: I can only repeat what I quoted from the IWA document. If my hon. Friend reads it, he will reach the same conclusion. I am merely arguing against the Liberal Democrat amendment and expressing the views that I expressed during the referendum campaign. I voted no because of the proposal to introduce a PR system. We will regret that in the future. I repeat that that was the only reason I voted no.

I am a devolutionist at heart. I voted for devolution in 1978 and I campaigned for devolution at that time. We should look back at what was suggested in the Wales Act 1978, not only on the question of representation, but on the powers. We were not prepared to extend the powers that are now proposed. My hon. Friend the Member for Merthyr Tydfil and Rhymney was a member of the Government at the time. He will recall what it was proposed that we extend to Wales. The main issue at the time was the extension of local government and the formation of unitary authorities.

Unitary authorities have been introduced in Wales. That is not the issue. Now, a Welsh assembly is proposed with a membership of 60. I proposed that there should be 40 men and 40 women representing 40 parliamentary seats—a man and a woman for each seat—but that was thrown out. My suggestion was not even supported by the women in Wales, who at one time advocated equal rights for women. They did not support my proposal to give the assembly 80 seats. If my proposal had been supported, we would have encountered the difficulty outlined by my hon. Friend the Member for Merthyr Tydfil and Rhymney—whether the man or the woman would represent the constituency.

The question now is who will represent the Ogmore constituency, say, in an assembly. We will elect the Member of the Assembly for Ogmore, who will participate in selecting the four Members to serve the region—each of

[Sir Raymond Powell]

the five regions will be represented by four Members—but who will represent the views of the constituents? Will it be the Member of Parliament, one of the Members representing the European seats, or the Member of the elected assembly? How will constituents' views be expressed? Where in the Bill is there any such demarcation?

Mr. Evans: I begin by taking the Secretary of State to task for something that he said earlier to the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), when the hon. Gentleman suggested an alteration to the electoral system that would mean that proportional representation applied to all constituency seats, rather than some of them. The hon. Gentleman was told that if only he had made such representations earlier, matters might have been different because of his persuasive argument.

Surely, however, that is what the Committee stage is all about. By the logic and strength of my argument, and my magnetic personal charm, I hope to persuade the Secretary of State to accept some of my views. Surely it is not all done and dusted, and we will not be told that any suggestions that we make now should have been brought to the Secretary of State before the Committee stage. I hope that he meant something different by what he said to his hon. Friend, and that he will consider all the ideas presented in Committee with the aim of improving the Bill, as we all want to do.

Mr. Ron Davies: The hon. Gentleman knows that I am a very firm advocate of inclusive politics and am always prepared to listen to views that have been expressed. I merely invited my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), as he has reflected long and hard and is advocating proportional representation, to reflect on whether he had followed the right course of action in not making representations at the time, some 18 months ago, when invited to do so.

I find the hon. Gentleman's arguments very persuasive, but not enough to change my mind. In the league of persuasiveness, I am afraid that my hon. Friend is at the top, and the hon. Gentleman is right at the bottom.

Mr. Evans: I am delighted to hear that I am at the bottom. If there were a basement, no doubt I would be in that as well.

Dr. Marek: We must have a bit of sanity here. When has legislation ever been changed as a result of debates in this place? It does happen, but it is almost as rare as seeing the proverbial pig flying in the sky.

Mr. Evans: It is an early bath for all of us if that is the case. I would rather hope that debates in the House give Ministers opportunities to amend their own legislation, as do debates in Committee, as we have seen from the amendments. I shall make my contribution brief so that we discuss as many amendments as possible.

Mr. Rowlands: One of the additional problems is that, having had a referendum, it is harder for those of us who then change our minds to argue the case, because, quite rightly, the Government can say that these matters were put very clearly to the people before the referendum. We also have to work out the curious chemistry between referendum politics and parliamentary representative politics of the kind that we are debating.

Mr. Evans: I agree. In many ways it is almost as though the referendum is being used as an instrument of coercion. We have to get the right balance, or we could not accept the amendments that are before us. The White Paper clearly stated that we would present to the Welsh public an additional member system, 40 constituencies, and the top-up of 20. That was clearly explained in the White Paper.

We must also take into account the fact that only one in four Welsh people supported the proposals. Therefore, as the Prime Minister himself said on the steps of No. 10 Downing street, we have to listen to what the Welsh people have said and bend over backwards to meet their concerns. I hope that that is what this process will be about.

As far as I am concerned, the amendments that we are considering could be termed the welfare-to-work amendments, or the job creation scheme. Not content with having just 60 politicians, the amendments tabled by the Liberal Democrats and Plaid Cymru say that we should have 70—an extra 10. One of the arguments that we used during the referendum campaign was whether the people of Wales want their money spent on 60 more politicians or on services, and we heard the message.

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): The hon. Gentleman mentioned welfare to work. If he wanted to be flippant about it, this is the best designed scheme to get it working for all the Tories without seats in Wales. We know that some of them want to get back on the bandwagon.

Mr. Evans: The Government's generosity knows no bounds. What they are doing is superb: to include all these special measures and to take all the extra effort to ensure that my former colleagues will be given some worthwhile work in Wales. When the elections to the assembly take place, not only my former colleagues but many other Conservatives will be standing and no doubt will not only win on the additional member system but, after what the Government have done in the past several months, will represent the constituencies themselves. No doubt some of them will sit alongside Conservative Members of the Assembly.

That brings me back to what the hon. Member for Merthyr Tydfil and Rhymney was talking about—constituency Members sitting at Westminster, a constituency representative sitting in Cardiff, Swansea or wherever, and regional representation on top of that. That will lead to massive confusion for the elector. It will also lead to massive confusion and conflict, as the hon. Gentleman said, between Westminster Members of Parliament and Members of the assembly, and the additional Members—whether there are four or six—if we go down the route suggested by the amendments.

5.45 pm

Because of all the various tiers, who will know which body does what? Within those bodies will be the pick and mix of politicians, so who will do what? It will be extremely confusing for electors, as they will have to write to their Westminster Member of Parliament, their Member of the Assembly and their regional Members. I suspect that that will be great news for PC World, which will sell many more computers so that electors can write to everybody, but it will not be such good news for the quality and clarity of representation that people get. I believe that people in Wales are currently well represented by their Members of Parliament—*[Interruption.]*—as they were under previous Administrations as well. The only thing that would, perhaps, clear up the problem of the conflict would be a dual mandate, whereby the Member of Parliament sat in Westminster and in the assembly, but that would be extremely difficult if one were to take his or her position at Westminster and in the assembly seriously.

The Liberal Democrats and Plaid Cymru argue that this will lead to fairer representation. The word "fair" is being tortured in the Chamber to defend various devices that are of benefit to the Liberal Democrats. Yesterday, it was the single transferable vote. The Liberal Democrats say that it is a fair system, but it would really benefit them more than anybody else. Who will benefit most from the system suggested by the Liberal Democrats and Plaid Cymru—the minority parties?

Mr. Flynn: The Conservatives.

Mr. Evans: No. The Conservatives would benefit under the system proposed by the Government, but if we were to go further and stretch the additional representation, the system would, of course, benefit the Liberal Democrats and Plaid Cymru, but it is all done under the guise of fairness. We have to scratch the surface of fairness, Sir Alan, to find out exactly what the minority parties are doing. They are looking not simply for fairer representation but better representation, so we have to take it all with a pinch of salt.

As far as the other amendments tabled by Plaid Cymru are concerned, we have to be very suspicious about going down the route that they suggest. Perhaps we will have to use different criteria for the regions that will be represented by additional members.

Mr. Llwyd: What the hon. Gentleman just said is absolute nonsense. The matters contained in the amendment are considerations that are normally applied by the Boundary Commissioner in any event.

Mr. Evans: It would not be the first time that I have spoken nonsense, Sir Alan, and I suspect that it will not be the last.

Plaid Cymru is trying to use the system to get better representation for themselves. At the moment, each of the European constituencies has just one representative in Brussels. Under the system that we are considering, there will be four. The arguments that the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) is using to suggest that there should be changes in the system falls down completely. After all, certain constituencies are more difficult than others in terms of terrain and for social and cultural reasons.

The same applies to the boundaries. We have to take the good with the bad. The White Paper and Library papers mention population. At least there is some equality of representation, which we should consider very carefully so that the differences between the areas are not as massive as they are in some parliamentary constituencies. For example, in 1992, the Isle of Wight had a population of 90,000 and some places in Scotland had 46,000. The disparities are hardly as bad as they are in parts of Wales. We have to be careful about that.

The European boundaries may not be ideal, but at least they give some equality of representation to the people who live in those areas, and with the additional representation of four extra Members the system will be fine.

With regard to the whole gamut of the additional member system, why are we putting the cart before the horse? Lord Jenkins of Hillhead currently heads a committee considering proportional representation. It seems a little hurried to put forward this system before hearing what that committee has to say. Had we waited, some form of consensus might have been reached, although perhaps not from the Conservatives, who although they will benefit from the system suggested by the Government, cannot support it.

Mr. Gareth Thomas: I speak in opposition to the amendments. It is an interesting fact that, when the assembly elections are conducted on 1 May 1999, it will be the first occasion in the British isles when a system of proportional representation is used. That is an interesting and challenging departure.

I cannot pretend that the system devised by the Government, to give legitimacy to the Welsh assembly and to ensure that all political parties have a stake in it, is entirely logical or coherent. At times, politics is neither logical nor coherent. However, the Government have devised the best in the circumstances, given the political asymmetry of Wales and the real danger that, had the Government decided on a first-past-the-post system, legitimacy would have been taken away from the assembly in its early years.

Credit should be given where it is due. It would have been in the Labour party's interests to insist on a first-past-the-post system in order to replicate the sort of electoral results which meant that Wales became, in that much used cliche, a Tory-free zone. But that is not the purpose behind what on any view must be regarded as an altruistic attempt to grapple with the electoral and political geography of Wales.

Mr. Bernard Jenkin (North Essex): The hon. Gentleman said that proportional representation had never been used before in the British Isles, but it is today used in Northern Ireland for the election of Members to the European Parliament. It was originally established as the electoral system for the Stormont Parliament, although the Stormont Parliament itself changed that, much to the consternation of the Government at the time.

Mr. Thomas: I am grateful to the hon. Gentleman for correcting what was undoubtedly an error on my part. I hope that the Committee will forgive me. None the less, it is a constitutional innovation for the United Kingdom to introduce a system of proportionality in domestic

[Mr. Thomas]

elections. One would have to concede that it is not the most elegant of solutions, but it is a workable solution which can be reviewed in the light of experience. As my right hon. Friend the Secretary of State said, he intends to review the electoral system in the light of experience, and that is an important concession.

Mr. Llwyd: I do not want to embarrass the hon. Gentleman unduly. He has apologised most profusely once to the Chair. Perhaps he would like to apologise again. Local elections in Northern Ireland have been conducted by proportional representation for the last eight, nine or 10 years.

Mr. Thomas: Yes, I took on board what the hon. Member for North Essex (Mr. Jenkin) said in its entirety. I am grateful to the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) for clarifying that point.

The Government produced a White Paper which set out the electoral system in detail and it would be wrong for the Government to depart from the regime that has been put to the people of Wales in a referendum. We should not forget that there is a real anxiety in Wales that the assembly will be expensive. We have to meet that anxiety, and to propose a further increase in the number of representatives would be counterproductive because it would be expensive. The assembly should conduct itself according to the number of Members available. I anticipate that the committee structure will not be too unwieldy. It should reflect the fact that the assembly will have to work in partnership with the House and that the assembly will be taking a strategic view of issues in Wales generally.

I congratulate the Government on their proposals for the electoral system. It is a genuine attempt to put flesh on the bones of the idea of inclusive politics; of a partnership between the people of Wales in order to give democratic legitimacy to an innovation for the British constitution.

Mr. Rhodri Morgan: It is a pleasure to follow my hon. Friend the Member for Clwyd, West (Mr. Thomas) and the hon. Member for Ribble Valley (Mr. Evans), who made the extraordinary admission, which I have never heard before, that it was not the first time that he had spoken nonsense. That is not to say that other Conservative Front-Bench spokesmen have not spoken nonsense; it is just that this is the first time it has ever been admitted from the Front Bench, and very welcome that was.

The amendments are important because they all relate to the issue of how the legislation will ensure that the Welsh assembly has what one could call a healthy degree of opposition. No one wants one-party control. The majority party will probably be the Labour party for most of the time, although one can never predict something as unpredictable as democracy. But on the basis of the past 70 years, that is likely.

I think that hon. Members on both sides of the House will accept that the Government intend to try to ensure that there is healthy opposition. That was one of the points made by my right hon. Friend the Prime Minister during his visit to Wales as Leader of the Opposition which was referred to earlier by my hon. Friend the Member for Rhondda (Mr. Rogers). He would not have used the sort of Anglo-Welsh dialect that I am using, but he said that there must be a tidy degree of opposition in the Welsh assembly or people will fall into lazy ways.

I think that we would all accept that democracy needs challenge to work in a healthy way. The first person to make that point was my right hon. Friend the Secretary of State in the Brangwyn hall in Swansea about four years ago in a speech which was either famous or notorious, according to one's point of view, when he referred to the culture of arrogance which we have seen from time to time in certain local authorities where Labour has ruled virtually unchallenged for the past 70 years.

A frisson ran round the Brangwyn hall in the Swansea Guildhall—perhaps a name which I should not mention these days—because there were councillors present who knew all too well what my right hon. Friend was talking about. It is to ensure that that culture of arrogance does not occur that the Government have decided to go for 2:1 proportional representation, using the additional member system.

Yesterday, we accepted that AMS would be the principle on which proportional representation would be based, so we are not arguing about that tonight; only whether the split should be 4:3 or 2:1. In addition, there are certain other amendments, including amendment No. 187 from Plaid Cymru. The issue is whether 4:3 is better than 2:1. People have said that the Scots have gone for 4:3 so why should Wales go for 2:1? In a way, it is all based on what I understand to be the intention of amendment No. 187, which, on my reading, is perfectly sensible. I do not think that we are going to divide on it.

The 2:1 split was chosen in preference to a 4:3 split or some other ratio giving even less of a proportional element because of the geographical, social and economic considerations of Wales. The special circumstances of Wales are similar to those of Scotland in some ways. The Prime Minister was undoubtedly impressed by the definite commitment of Scotland to a 4:3 split and a 129-seat Parliament with a large number of people on the list. Some of the same dangers of Labour domination are also relevant in Wales.

6 pm

We need a stronger Conservative Opposition in Wales than we are ever likely to get by ordinary means. In my first 10 years in the House, people used to say that the situation in Wales and Scotland was rather like what would happen if Kent, Hampshire and Sussex were a separate country—there would be no Labour representation. I am not sure of the exact numbers, but the 1997 Labour landslide has produced a healthy Labour representation in those counties. Indeed, it is possible that Labour has a majority there. I do not know whether any Conservative Members can correct me on that. The situation must be pretty close to equality.

Unfortunately, although Labour landslides such as those in 1945, 1966 and 1997 give us—albeit only every 30 years—a healthy Labour representation in the wealthier parts of the home counties, that does not occur for the Conservatives in Wales. Even at their high point in 1983, they never came anything like as close to a majority or parity as Labour has in the wealthiest parts of the home counties.

We want to ensure healthy opposition. How far should we go to ensure that? Should we go beyond a 2:1 split of first past the post and additional member system? As a top-up system, the additional member system is the firmest guarantee of proportionality. The compensation is that we do not need to go beyond a 50 per cent. top-up—one third of the total membership. People can easily understand a 2:1 ratio. An election in a bad year for Labour could result in 30 Labour seats and 10 each for the Conservatives, the Liberal Democrats and Plaid Cymru—or perhaps some other division, such as 12, 10 and eight. In theory, it is therefore possible that Plaid Cymru, the Liberal Democrats and the Conservatives could join together—it is unlikely, but it could happen if Labour were doing something really stupid—and overthrow Labour control. That is what we want.

Mr. Syms: The mixture of first past the post and the additional member system could result in Labour, with a small majority, losing by-elections when its Members unfortunately died or moved, while the weaker parties appointed Members under the additional member system when the same happened to them. That is not entirely fair. An Administration could lose control, having been originally popular enough to win the first past the post seats.

Mr. Morgan: That confirms what I have said. We are trying to construct a fair political system for Wales, where the Conservatives have never won a majority. It is probably fair to say, given how things have gone since 1983, that they will never win a majority there. The pendulum in Welsh politics does not swing sufficiently far to bring the Conservatives into power, even in years such as 1983, just after the Falklands war.

The 2:1 split addresses that problem. We have been fair to the Conservatives and to ourselves, as the likely dominant party. We want a system under which, if the likely Labour majority does something stupid, the other three parties, which might just be coming close to a majority and perhaps need only one Labour rebel, could overturn the party in control. I do not know how that could be described as objectionable. It is a healthy democratic answer to the almost unique circumstances of Wales, where Labour is far more dominant than in Scotland, because the nationalist party is far weaker than that in Scotland in its overall proportion of the vote.

We want to construct a democratically healthy system under which, if Labour does something stupid, it could be turned out of office. That is why I strongly resist the amendments, which do not recognise the magnanimity or the democratic spirit in which the schedule has been constructed, to provide healthy opposition and healthy democracy in the Welsh assembly.

Mr. Dalyell: I was delighted by the speech of my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). This has been a fascinating and educational afternoon. I should like to ask one question, prompted by my hon. Friend the Member for Ogmore (Sir R. Powell).

I have known two hon. Members for Ogmore—the late Walter Padley, who played a prominent role as a Minister in the Foreign Office and in many other capacities, and my current hon. Friend. Will future hon. Members for Ogmore be seen as anything more in their Welsh capacity than supplicants for more money? I fear that the main task of future Welsh and Scottish Members of Parliament will be perceived as trying to get more budgetary advantage for Wales and Scotland. If they fail, they will get a rough time from the Members of the Assembly and will be accused of letting them down by not getting enough lolly. Therein lie all sorts of difficulties for the functioning of a subordinate Parliament in part of a unitary state.

Because of time constraints and a promise that I made to the Whips, I shall leave my contribution at that serious question.

Mr. Win Griffiths: As my hon. Friend the Member for Linlithgow (Mr. Dalyell) pointed out, the debate has been educational and as wide ranging as possible, given the amendments, which we started considering earlier this afternoon. The amendments would increase the assembly from 60 to 70 Members. The Government believe that the appropriate size is 60, as we said in our White Paper. As some of my hon. Friends have pointed out, that has driven forward the debate. The proposal was endorsed in the referendum on 18 September. Fiddling about with the numbers at this stage would move too far from the referendum proposals.

Mr. Wigley: I note that the Minister says that he does not want to move from the proposal at this stage. If the assembly finds it difficult to get the right balance of membership on committees and comes back on that issue, will the Government be prepared to listen?

Mr. Griffiths: Of course we shall listen to what the House and the assembly say when it is in operation. That was going to be my closing remark. The fact that I am jumping to it immediately does not mean that I shall sit down now. There are other issues to take into account.

We have decided on a 60-Member assembly with a 2:1 split. There have been calls for more Members because of the committees that the assembly will need to establish. That was one of the strong points made by the hon. Member for Brecon and Radnorshire (Mr. Livsey). However, we have looked at the issue closely. There will be a group to advise us on the standing orders for the assembly. We are sure that we can get a razor-sharp focus in Wales that will not require large, cumbersome committees. Sixty Members will have plenty to do. The figure strikes an appropriate balance. Obviously, it is a question of judgment, and at this time we judge that 60 Members is appropriate. Constituency representatives will have their focus, and voters will be able to relate to it. Electoral areas based on European constituencies will be familiar to voters. Therefore, there is an element of continuity in the proposals and, at the same time, significant change in the move to proportional representation.

My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) raised a number of practical points about potential conflicts. He and my hon. Friend the Member for Rhondda (Mr. Rogers), a fellow former Member of the European Parliament and—coincidentally—a fellow former Vice-President of the European Parliament, described conflicts that might emerge in the early days. It is fair to say that one is likely to find that when a new institution is given responsibilities which, to a certain extent, overlap those of an existing institution. Indeed, there has been such conflict between

[Mr. Griffiths]

councillors and Members of Parliament for a long time. That point was not raised in the debate. I feel confident that, with the passing of time, many such conflicts will be resolved as relationships develop within the parties and among the personalities.

I refer to the question asked by my hon. Friend the Member for Linlithgow. I do not think that Welsh or Scottish Members will be seen only as people who are in Westminster to argue about the Welsh or the Scottish bloc. There will be debates on issues relating to education, health, social security and defence to which Members from Wales particularly will want to contribute, because such issues will have an impact on Wales and the assembly. There will be plenty for Members from Wales to do.

I refer briefly to the amendments tabled by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd). The Government feel that the amendments are not necessary or appropriate. Some guidance on special geographical considerations is appropriate. It will not always be appropriate to take geography into account, but sometimes, when there appears to be conflict over, for example, the size of a constituency or where a boundary should be, some geographical consideration might allow the boundary commission to move away from all the other things that it has to consider.

Equally, rather than trying to specify in the Bill the sort of things that the hon. Gentleman wanted in respect of the boundary commission's work, it would be better to allow flexibility to remain. Demographic, social and cultural considerations, for example, are already in the background of the commission's work. To include such specifications in the Bill and make them drive the process forward would be far too strong a move.

Mr. Llwyd: Why should the Government bother to include geography and exclude all other aspects?

Mr. Griffiths: It is because tangible considerations such as mountain ranges, river valleys and estuaries must be taken into account. Other considerations tend to change over time.

If my hon. Friend the Member for Ogmore (Sir R. Powell) reflected accurately the publication of the Institute of Welsh Affairs, it would appear that there has been a misunderstanding of how the boundary commission works. The boundary commission can never reduce the number of seats in a boundary review. Reductions in the number of seats can come about only as a result of primary legislation. As it was agreed to reduce the number of seats in Scotland, specific provision for that has been made in the Scotland Bill. That does not apply to Wales, so such considerations do not need to be brought forward.

The hon. Member for Meirionnydd Nant Conwy expressed his preference with regard to the powerhouse and the North Wales training and enterprise council. My right hon. Friend the Secretary of State is considering his submission carefully and will make a judgment on it later.

I hope that members of the Committee accept that the amendments do not add anything to the Bill. They are not needed, and in some cases, they conflict with the referendum result. If they were pressed to a vote, the Government would urge the Committee to reject them.

6.15 pm

Mr. Livsey: I congratulate members of the Committee on an interesting debate. We have just heard a defence of the status quo, which is nothing more than I would expect from the Government. The amendments were tabled to create a more proportional Welsh assembly, so that the regions of Wales would feel more included in the process, and so that the assembly's committee system would be better served, with 10 more Members.

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) understandably wants a constructive and stable relationship between the assembly and the Westminster Parliament. He asked how that would work. We certainly believe that there is a clear delineation between domestic policy, which will be exercised by the assembly and, at the moment, is exercised by the Secretary of State and his Ministers in the Welsh Office, and macro-economic functions in the Westminster Parliament concerning such matters as defence. The hon. Gentleman referred to a dual democratic bidding. We obviously have doubts about that as well, which is why we proposed the single transferable vote system yesterday. The hon. Member for Rhondda (Mr. Rogers) mentioned the least proportional system that the Government could get away with, which let the cat out of the bag.

The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) discussed under amendments Nos. 188 and 187 the need for demographic, social and cultural factors to be considered more. We certainly support that, especially in relation to electoral boundaries. Incidentally, I welcome his statement that he wants Meirionnydd to remain the powerhouse. That is an important statement, which I hope the Secretary of State and the Minister will take into account.

The hon. Member for Cardiff, West (Mr. Morgan) rightly said that proportional representation would help to bring women and black people into the assembly—

Mr. Rogers: Get on with it.

Mr. Livsey: I am trying to sum up.

The hon. Member for New Forest, West (Mr. Swayne) talked about party lists and hacks. We addressed that question yesterday when we proposed an STV system.

The hon. Member for Rhondda said that Wales is taking a dramatic step forward, and I agree. All we are asking in the amendments is for democracy to be allowed to go a little further.

The hon. Member for Poole (Mr. Syms) said that there would be too many people and that they would be falling over each other, but Great Britain has the lowest number of elected persons in western Europe.

The hon. Member for Wrexham (Dr. Marek) toed the party line in saying that the 40:20 split was probably correct, and minimalist in terms of Members—the smallest assembly that could possibly be envisaged. Judging by that statement, I presume that he would prefer that system to go forward.

Other points were made by other hon. Members, but time is running out. The hon. Member for Ribble Valley (Mr. Evans) said that the proposal would mean 10 more politicians, and also that the Conservatives would win seats in the assembly. I am pleased that the Conservative party is on board for the assembly.

The hon. Member for Clwyd, West (Mr. Thomas) said that to introduce an electoral system involving proportional representation was epoch-making. It was rightly pointed out to him that Northern Ireland adopted such a system long ago.

The hon. Member for Cardiff, West magnanimously stated that he might be prepared to accept a situation in which opposing Labour would be allowed. He also said that the Labour party was stronger in Wales than in Scotland—yet the system in Wales is less proportional than that proposed for Scotland. I leave him with that question to ponder.

The amendments are about representation, democracy and fairness, but the questions that they raise have been aired and I do not wish to press them.

Amendment negatived.

Mr. Llwyd: I beg to move amendment No. 186, in page 71, line 31, leave out 'local government', and insert 'parliamentary'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 189, in page 73, line 7, leave out 'local government' and insert 'parliamentary'.

No. 31A, in clause 10, page 6, line 21, leave out from 'who' to end of line 26, and insert

'are entitled to vote as electors in a parliamentary election'.

No. 74, in clause 10, page 6, line 21, leave out from 'who' to end of line 26 and insert

'are entitled to vote as electors in a parliamentary election or who would be so entitled if they were not peers'.

No. 179, in clause 10, page 6, line 22, leave out 'local government' and insert 'parliamentary'.

No. 180, in clause 10, page 6, line 25, leave out 'local government' and insert 'parliamentary'.

No. 181, in clause 10, page 6, line 26, after 'constituency', insert

'which is the principal private residence of the elector.'.

No. 175, in clause 10, page 6, line 26, at end insert

'save that the Secretary of State may by order provide for the registration as electors of persons who (a) have been permanently resident in Wales at any time in the 20 years preceding the election in question, (b) are not entitled to vote in Wales at a parliamentary election, and (c) are entitled to vote elsewhere at a parliamentary election.'.

No. 182, in clause 10, page 6, line 26, at end insert

'and

(c) are not registered at that address solely by virtue of being occupants of a second home.'.

Mr. Llwyd *rose—*

The Chairman: Mr. Cynog Dafis.

Mr. Llwyd: Elfyn Llwyd, Sir Alan. I feel especially hurt because I ensured that the hon. Member for Ribble Valley (Mr. Evans) called you "Sir Alan", rather than "Mr. Alan". I shall probably never intervene again.

Now I shall try to be serious; I am afraid that the whole debate has been too exciting for me. I shall deal with the amendments as quickly as I can. Amendment No. 186, standing in the name of my right hon. Friend the Member for Caernarfon (Mr. Wigley), and in those of my other hon. Friends and myself, is designed to insert the word "parliamentary" instead of the words "local government".

The purpose of the amendment is simple. It would mean that elections to the national assembly were based on the parliamentary list of electors instead of the local government list. There are several reasons for that. First, clearly the assembly will not be a creature of local government. I hasten to add that I have no antipathy to local government. I welcome clause 110, which gives the national assembly a duty to promote the interests and needs of local government; that is sensible.

There is also the important question of avoiding duplication of work. It would be simple to use the parliamentary electors list in connection with the national assembly.

Status is another question which arises. Personally, I have never been unduly conscious of status; I believe that it is often bogus, a question more of self-delusion than of anything else. However, I suppose that it will add a certain status to the new national assembly if the parliamentary list is used. The amendment should not cause the Government great difficulty, and I would welcome Ministers' views in due course.

Amendment No. 181, which refers to the principal private residence of the elector, can be coupled with amendment No. 175. Those two amendments have slightly more content. During the referendum campaign, there was much evidence to support the view that people with second or holiday homes in Wales travelled back specifically to vote no on 18 September.

That was an attempted denial of democracy, when we consider the fact that up to 20 or 25 per cent. of the housing stock in many areas of Wales is devoted to second or holiday homes. The idea is unacceptable, whoever those people are and wherever they come from. It almost brought about a denial of the democratic voice of the people of Wales on 18 September, so I hope that proper consideration can be given to our suggestion.

I shall truncate what I intended to say. I meant to say considerably more, but I shall not dwell on it all now. The other amendment, which is also important, would enable expatriate Welsh people to vote in the election. There is no reason why they should not. It happens in parliamentary elections, and I see no reason why they should not be allowed to vote in the forthcoming elections to the national assembly.

Many Welsh Members of Parliament spend time courting Welsh expatriates and trying to persuade them to come back and invest in Wales and to set up in business there. If the amendment were accepted, we could at least say to them that they would be given the basic civil right of a vote for the main national assembly of their home country.

With those few words, I commend our amendments to the Committee.

Mr. Jenkin: The amendments, tabled by the Welsh nationalists and ourselves, go to the heart of the confusion in the Bill. They ask whether the assembly is really a form of parliament or simply a branch of local government.

If we extrapolate from the Government's proposal to use the local government franchise, the assembly seems to be just a branch of local government. We question

[Mr. Jenkin]

whether that is appropriate, especially in view of the unhappiness that we expressed about the franchise for the referendum, because Welsh people living outside Wales had no vote.

We have some sympathy with the nationalists' amendment, which would give people living outside Wales some say in the elections to their national assembly. Many people, although they may live outside Wales, remain Welsh nationals and to that extent their rights should be respected.

Perversely, by choosing the local government franchise, the Government have introduced the other quirk—the fact that people who happen to be living in Wales temporarily will be included in the franchise. That will extend to non-United Kingdom European Community nationals who may be in Wales for a limited period. They will be treated as equal citizens for the assembly elections, and we question whether that is appropriate.

I ask the Minister a simple question to which I should like a straight answer. Does he agree that we are obliged to have the provision under article 8b of the Maastricht treaty, which refers to the right of a European Union citizen

"to vote and to stand as a candidate"

in what are described as "municipal elections"? Would the national assembly elections be included in the definition of municipal elections under that article?

Mr. Win Griffiths: This has been a brief debate, but it enables us to draw out the necessary points. The Government do not want to accept any of the amendments because we believe that the question is one not of status but of allowing people who live in Wales, and who will be affected by the services provided by the National Assembly for Wales, the opportunity to vote.

That would include 38 peers and 5,010 citizens of the European Union who are currently on the appropriate register. It would also mean that the 658 overseas citizens would not be able to vote. As they would have no direct interest, because the basic primary powers of legislation would stay at Westminster, we think that using the local government register is more appropriate.

The Maastricht point was interesting, but we do not think that there is any problem in regard to a definition of what constitutes a municipal election. An election relating to the National Assembly for Wales is patently not a municipal election, whatever register is used. As for the question of the expatriate vote, and the exclusion of those who have second homes in Wales, we do not feel that we can put people who use Welsh services at a disadvantage, because the national assembly's decisions may have an impact on them. Nor do we consider that it would be useful to have any kind of expatriate vote, given the experience in the Vale of Glamorgan, where, in a parliamentary election, the expatriate vote was greater than the majority.

6.30 pm

Mr. Wigley: May I press the Minister a little further? He said that someone with a second home had an investment and an interest. Does that mean that the Government will eventually allow French citizens with second homes in England to vote in general elections, or does what the Minister said apply only to those with second homes in Wales? As for the question of expatriates, do the Government intend, in the next general election, not to allow United Kingdom expatriates to vote in United Kingdom elections? That is the logic of the Minister's position.

Mr. Griffiths: That has nothing to do with the Bill. We are considering what is appropriate for Wales in this context. I am sure that the right hon. Gentleman will be able to address all his questions to the appropriate Ministers.

Mr. Llwyd: We have had another interesting debate. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 1 agreed to.

Clause 3

TIME OF ORDINARY ELECTIONS

Mr. Wigley: I beg to move amendment No. 167, in page 2, line 18, at end insert

'but that day shall not coincide with a day designated for holding elections to local authorities in Wales'.'

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 168, in page 2, line 20, leave out 'May' and insert 'October.'.

No. 183, in page 2, line 20, leave out 'May in the fourth' and insert 'April in the fifth'.

No. 51A, in page 2, leave out lines 22 to 26.

No. 24A, in page 2, line 22, leave out 'Secretary of State' and insert 'Assembly'.

No. 58A, in page 2, line 27, after first 'the', insert 'first'.

No. 59A, in page 2, line 28, leave out 'community'.

No. 25A, in page 2, line 28, after 'State', insert

'or Assembly as the case may be'.

No. 2A, in page 2, line 29, leave out 'may' and insert 'shall'.

No. 60A, in page 2, line 29, at end insert—

'( ) for the polls at ordinary elections of county or county borough councillors to be postponed, for not more than thirteen months, to a day specified in the order,'.

No. 184, in page 2, line 30, leave out 'community'.

No. 61, in page 2, line 33, leave out first 'the' and insert 'any'.

No. 169, in page 2, line 36, at end insert—

'(5) Orders under subsections (3) and (4) shall be made by the Assembly in respect of elections subsequent to the first ordinary election.'.

Mr. Rogers: Formally!

Mr. Wigley: I shall try to ignore that embellishment from the hon. Gentleman, who suggests that the

amendment should have been moved formally. I think that he needs to hear some gog eloquence from me to be persuaded of the merits of the amendments.

My party has an interest in amendment No. 59A, tabled by mostly Liberal Members. We also support amendments Nos. 184 and 169, as well as amendments Nos. 168 and 183.

The aim of the amendments is to avoid holding elections for the assembly on the same day as the county or community elections. We believe that there are pressing reasons for that to be done, and four viewpoints support our view. First, there is the viewpoint of the electors. There is a real danger of confusion between the two campaigns. There will be campaigns for elections to the Welsh county councils in 22 counties—elections that are very important, in which local issues are at stake.

The Government have said time after time that the assembly is not meant to be seen as an extension of local government, but there will inevitably be a danger of its being seen in that way if the two campaigns are taking place at the same time. There will be a danger of confusion between the issues. Voting hours may also be a problem. Will the voting hours for the assembly be the same as those that normally apply in parliamentary elections—between 7 am and 10 pm—or will they be between 8 am and 9 pm? Electors may also be drowned in campaigning literature. How many candidates will there be? There will be the list candidates for the region, the direct assembly candidates and local government candidates, all of whom will be putting their literature through the electors' letter boxes. Will the assembly candidates' literature be sent by Freepost? Presumably, the local government candidates' literature will not. Such issues are bound to arise.

Electors will also have to sort out the 40:20 system—the added-member system. The danger is that, with all those elections taking place at the same time, they will vote with their backsides and stay at home. How will the postal vote rules operate? Will they be identical with the local government rules? If not, that will cause additional difficulties.

Secondly, there are problems from the viewpoint of the candidates. Particularly on this first occasion, some younger councillors in all parties may want to stand for the assembly, possibly in less hopeful areas. They may want to be on the Labour party list, and the chances of gaining a place on that list may be restricted. There may be Plaid Cymru candidates or, even worse, Conservative candidates, whose chances of securing a seat will be more remote. Those candidates will, however, want to put down a marker for the future.

If those people are to stand for the assembly, it will be almost impossible for them to remain candidates for local government. They cannot present themselves to the electorate saying that they will serve on both bodies. Membership of both would be incompatible, and such candidates will find themselves under pressure. In such circumstances, candidates would be in an impossible position. They would have to give up their council seats just in order to stand for the assembly, with, perhaps, no great chance of being elected. That will restrict the number of good candidates coming forward.

Mr. Shepherd: I am genuinely confused. I had assumed that the purpose of choosing local government election day was to secure a larger turnout, thus validating the assembly elections. There was a 25 per cent. yes vote—on a very low turnout—in the national referendum vote. I thought that choosing local government election day might induce more people to vote, because they were voting for something that mattered.

Mr. Wigley: Is the hon. Gentleman aware that, in a Liverpool council election just before Christmas, there was a 6 per cent. turnout? That makes our 50 per cent. turnout look very respectable.

Mr. Rogers: Will the right hon. Gentleman give way?

Mr. Wigley: But of course. How could I resist the hon. Gentleman?

Mr. Rogers: The evidence in Wales is quite the opposite. In 1979, when the parliamentary elections were held on the same day as the local elections, there was a huge turnout, and the voters were not at all confused.

What the right hon. Gentleman said a few minutes ago brought home to me the reason for the amendments. In many areas, Plaid Cymru will probably not be able to find enough candidates.

Mr. Wigley: I am happy to disabuse the hon. Gentleman immediately. We have started opening our list for those who are interested in being candidates. In the first two weeks, there were 160 names on it. We have no difficulty in that direction, whatever little local problems the hon. Gentleman may have in the Rhondda valley.

Thirdly, there is the viewpoint of the political parties. How can we ensure that the manifestos that address local issues—and may be produced within the county areas—and the manifestos relevant to the assembly are differentiated between, and are presented in a way that is clear to the electorate? There is a danger that the electorate may confuse what is being said about one issue with what is being said about the other. How will parties ensure that expenditure on the two campaigns is kept separate? If there are to be party political broadcasts, it will be difficult to get the balance right.

Fourthly, there is the viewpoint of the organisation of the elections by the returning officers and local government officers. Considerable difficulties could arise. Presumably, there will be different ballot boxes for the local government and the assembly votes, so there is a real danger of the wrong votes going into the wrong boxes; or, if they are all to be put into one box, what will be the position of voters in the constituency of my hon. Friend the Member for Meirionnydd Nant Conwy (Mr. Llwyd), where the local election results are relevant to Gwynedd or Conwy councils, the assembly constituency includes both Conwy and Gwynedd, and the added member regional vote is relevant to a seat that runs all the way down to south Pembroke and Llanelli? There will be immense confusion in trying to disaggregate the votes.

[Mr. Wigley]

That is a real problem. Those who are responsible for running elections have approached me, expressing that worry and beseeching the Government to reconsider.

Mr. Ancram: There is a simple solution: to have different coloured ballot papers. It has happened in other elections, and most people can differentiate between the colours and know which colour should go into which box.

Mr. Wigley: I am not sure whether the right hon. Gentleman followed what I was saying about Meirionnydd Nant Conwy, which will come under at least three authorities. There will have to be immense sorting out of votes before they can start to be counted and sent in different directions. When he examines the circumstances in such areas, he will find that there is much more of a problem than he thinks.

Those points were made to me not in any political sense, but by returning officers who foresee considerable difficulties. It will be especially difficult in the first round of elections to the assembly, in which we will have the additional strain of differentiating between the single seats and the regional lists; so that first round should be held on a different day from the local government elections.

For those reasons, I ask Ministers to consider the issue seriously between now and Report. They may not accept the amendments at this point, but it is a serious issue, as confusion may arise in the counting of the votes. The confusion that we are building into the system could make the little local difficulty that we had in the referendum seem small beer indeed.

Mr. Livsey: The amendments that we tabled, starting with No. 58A, are designed to delay the county council elections for 13 months and to synchronise the timing from that point, to avoid the clash of elections for the assembly and the county council.

Mr. Ancram: We believe that fixed-term parliaments should have a fixed term. Our amendments relate to the Secretary of State's power to vary the term, which is contrary to the spirit of a fixed term. I hope that the Government will reconsider.

Mr. Win Griffiths: We are well aware of the fact that, in the late spring or early summer of 1999, many people in Wales will be asked to participate in four different sets of elections: the first elections to the assembly; the county and county borough elections; community council elections; and the European Parliament elections.

We are aware of the practical difficulties, many of which the right hon. Member for Caernarfon (Mr. Wigley) mentioned, but we do not think that voters, electoral administrators or the political parties would be enthusiastic if we were to stage those important elections on three or four separate days in a short space of time; nor do we think it right to postpone elections for 13 months, because the local government elections were geared to a four-year period and they should continue on that basis.

6.45 pm

We believe that it would be more sensible and practical for some elections to be held together. If, for example, under existing arrangements, the assembly elections were to be held on the same day as the county and county borough elections, they would coincide with the community council elections, so we could have two sets of elections on two separate days. We believe that the appropriate way to do that is for the first elections to the assembly to be on 6 May, along with the county and county borough elections.

There are practical difficulties, and we will work on them, but we have to remember that in 1979 the two elections ran on the same day with no reported difficulties. On this occasion, we must also take into account the additional Members, and we are working on that.

Amendments Nos. 24A and 169 would allow for different ways of approaching orders under subsections (3) and (4) once the assembly is established. We do not believe that that is right. The amendments should be set aside.

Amendment No. 51 would permanently set the date of elections. We believe that there must be flexibility. We see no purpose in amendment No. 61A, and we believe that amendment No. 25 would cause confusion by allowing either the Secretary of State or the assembly to decide on the date of elections.

We want to re-examine amendments Nos. 24A and 169, and we ask that they not be pressed. We oppose all the other amendments and invite the Committee to reject them.

Mr. Wigley: I am grateful to the Minister for being willing to consider amendment No. 169. I hope that the Government will be willing to give the assembly the power to decide, when it is up and running. I should be grateful for any move in that direction. I urge the Minister, none the less, to hold consultations, between now and Report, with returning officers in Wales, so that all their observations can be taken on board. If he finds that there is some substance in the worries that I have expressed, especially from the organisational point of view, the Government can make the necessary amendments here or in the House of Lords. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3 ordered to stand part of the Bill.

Clause 4

VOTING AT ORDINARY ELECTIONS

Mr. Ieuan Wyn Jones: I beg to move amendment No. 54, in page 2, line 39, leave out 'is to' and insert 'may'.

The Second Deputy Chairman: With this, it will be convenient to discuss amendment No. 55, in page 2, line 41, leave out 'is to' and insert 'may'.

Mr. Jones: These are probing amendments, and I want to draw the Minister's attention to the wording of the clause, which seems to imply that for an elector to have valid votes he or she must cast two votes. Subsection (1) says:

"Each person . . . shall have two votes",

subsection (2) says:

"One . . . is to be given for a candidate . . . for the . . . constituency",

and subsection (3) says:

"The other . . . is to be given for . . . electoral region."

What happens if an elector wants to cast only one vote? Will that vote be disqualified?

Mr. Win Griffiths: As far as we are concerned, the existing drafting offers no scope to suggest that the voters could cast their two votes other than as set out in the Bill. There is no compulsion to cast two votes. They will have two votes, and it will be up to them how they cast those votes. If we receive legal counsel to say otherwise, we will look at it again.

Mr. Ieuan Wyn Jones: The difficulty we have is with the word "shall" in clause 4(1). Its normal construction implies an obligation on someone. If the clause had read "may" have two votes or that a single vote would not be disqualified, the position would have been clearer. I accept that the Minister may need to go away and think about the problem, but that point has been made to us.

Mr. Win Griffiths: I reassure the hon. Gentleman that we will consider the issue, although we do not believe that a change is needed.

Mr. Jones: Given that reply, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Livsey: I beg to move amendment No. 50, in page 2, line 42, at end insert—

'(aa) a candidate who is a member of a registered political party which has submitted a list of candidates to be Assembly members for the Assembly electoral region in which the Assembly constituency is located,'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 51, in page 2, line 43, after '(a)', insert

'a candidate who is a member of'.

No. 30, in page 2, line 45, at end insert—

'(ab) an individual who is one of the candidates on the list referred to in (a) above, or'.

No. 57, in page 3, line 2, at end insert—

'(3A) The names of the candidates of each political party standing for an electoral region shall appear on the ballot paper for that region.'.

Mr. Livsey: Amendment No. 50 is an important proposal on the issue of open lists. It would allow voters to place their vote for the electoral region for a candidate on a party list or for the party. Amendment No. 51 would allow voters to vote for a candidate on a party list, but not to vote for the party. Amendment No. 30 would allow voters to vote for the candidate on a list.

The closed lists proposed in the Bill for the electoral regions will not give the voter any feeling of involvement in the process. Political parties will have enormous powers to control the selection and ordering of candidates, a process in which the voters will not be involved. That will increase the public perception that political parties are remote and out of touch, and will leave no opportunity for voters to reject an unpopular candidate at the top of the list. My right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) called that the Tatton factor on Second Reading of the European Parliamentary Elections Bill.

In the East German unification election in 1990, closed lists were used. The top candidate on one list was exposed as a secret police informer four days before the election and too late to change the list. Electors had no choice but to vote for him if they wanted to vote for his party.

The amendments would allow some voter choice in the elections. A completely open list would place the candidates on the ballot paper in alphabetical order and allow voters to choose the candidates to be elected for each party. That would allow voters to choose candidates from within parties, and to choose between men and women and between candidates from different wings of the same party. Voter choice would emphasise the inclusiveness of the electorate and make the assembly more representative of Wales and the Welsh people.

Mr. Ancram: The hon. Gentleman said that candidates would be placed in alphabetical order. I presume that he means within their party groupings.

Mr. Livsey: I cannot answer that question at the moment, but I will research it and get back to the right hon. Gentleman. I need to look into the question in more detail and I cannot do that in the middle of a speech.

An alternative to the completely open list would allow voters to vote for a party or for a candidate. That system is used in Belgium for elections to the European Parliament. About half the voters vote for a party and accept the party list; the other half vote for a candidate on the list. It is rare for sufficient voters to vote for a candidate placed low on the list, but the provision is there and would have an effect in exceptional circumstances.

The Home Secretary is still considering allowing voter choice in the European parliamentary elections, and he has not ruled out changing the closed list system proposed in the European Parliamentary Elections Bill. If open lists were used for elections to the Welsh assembly, we would lead the way and set a precedent for elections to the European Parliament and the Scottish Parliament.

We are approaching the first-ever elections to the Welsh assembly. It is vital that we get the system right from the beginning. The people of Wales must feel that the system has been chosen for them, not to serve the interests of political parties. Let us choose a system that will allow voter involvement and increase the interest of the Welsh people in the assembly. Allowing open lists would achieve that.

Mr. Ieuan Wyn Jones: I support the amendments. Amendment No. 57 would give the Minister another option. If he wishes to reject the option of open list, or part open list, he could—as a compromise—ensure that the names of the candidates will appear on the list. The Minister will know that people traditionally like to see the names of the candidates on the list.

Amendment No. 57 does not go as far as those tabled by the Liberal Democrats and it would not mean that the voter would be able to distinguish between candidates, but at least the ballot paper would contain the names of

[Mr. Ieuan Wyn Jones]

the candidates whom the party had decided should appear on the list in a particular order. Even if the Minister cannot grant the Liberal Democrats' requests, he could accept amendment No. 57.

Mr. Ancram: The hon. Member for Ynys Môn (Mr. Jones) raises an important point because, if the system is to work, the voters must know who is on which list. However, complications can arise, as I know from my experience of the elections to the Forum for Peace and Reconciliation in Northern Ireland. I understand that each party will have 12 candidates, with anything up to 10 parties registered for the elections. The idea that 120 names could be placed on the ballot paper begins to defy the logistics of printing those papers. We got round it in Northern Ireland by having the names listed in each polling booth. That is a sensible suggestion and I hope that it will be adopted.

I understand that the hon. Member for Brecon and Radnorshire (Mr. Livsey) has now taken advice and agrees that candidates would be ordered alphabetically within party groups. The system would not make much sense otherwise. While we do not agree with the additional member system that has been proposed, for all the reasons that I mentioned yesterday, the Liberal Democrat amendment would be an improvement because it would remove pressures in parties to place candidates according to the party interest and would allow the electors some say in deciding the order of a party's candidates.

Another element that bothers me about the proposals is the potential to elect individual Members on the list. That provision is common to both the Government of Wales Bill and the Scotland Bill. However, it could create not two but three categories of Member: one would be directly elected for a constituency, a second would be elected through the party system on the additional member list, and a third would be elected as an individual for the region and would, therefore, regard himself as having a mandate within the region by direct election.

We must think very carefully before creating three categories of representatives in the Welsh assembly or the Scottish Parliament; otherwise, we will get a lot of crossed wires after the elections. Given my opposition to the additional member system, I am not sure that I can be persuaded to back the Liberal Democrat amendment, although I sympathise with it.

Mr. Win Griffiths: This debate has perhaps been the best that we have had, because everyone has tried to make a constructive contribution to improving the additional member system. The Government are not minded to accept the amendments, because we believe that they would introduce a complexity to the assembly elections that would confuse the electoral process.

However. we believe that it is important that the electorate are aware of the individuals that each party has selected to represent it on the party list. That is why we would be happy to accept the suggestion made by the right hon. Member for Devizes (Mr. Ancram). We have had discussions about the best way to achieve that; it may be to ensure that each polling booth contains, in a prominent place, the names of all the candidates on the additional member list for voters to read. As it will be the first time that we run the system, we want to keep it as straightforward as possible. The only place where there is a totally open system is in the Bavarian state Parliament, where the ballot papers are sometimes as large as our broadsheet newspapers, such as *The Guardian* or *The Times*. That is not an appropriate way to encourage people to use their vote positively.

The difficulty with the Plaid Cymru amendment is that if someone inadvertently puts crosses or numbers against the names on the ballot paper, that paper would be spoilt. We would not want that to happen.

Although there is much to think about in terms of how the additional member system can best operate—

It being Seven o'clock, THE CHAIRMAN *put the Question already proposed from the Chair, pursuant to Order [20 January].*

Amendment negatived.

THE CHAIRMAN *then put the remaining Questions required to be put at that hour.*

Clause 4 ordered to stand part of the Bill.

Clauses 5 to 10 ordered to stand part of the Bill.

Clause 11

POWER TO MAKE PROVISION ABOUT ELECTIONS ETC.

Amendment made: No. 134, in page 7, line 2, at end insert

'(and the creation of criminal offences in connection with the limitation of such expenses)'.—*[Mr. Jon Owen Jones.]*

Clause 11, as amended, ordered to stand part of the Bill.

Clauses 12 to 14 ordered to stand part of the Bill.

Clause 15

JUDICIAL PROCEEDINGS AS TO DISQUALIFICATION

Amendment made: No. 135, in page 9, line 21, leave out ', or purported,'.—*[Mr. Jon Owen Jones.]*

Clause 15, as amended, ordered to stand part of the Bill.

Clauses 16 to 21 ordered to stand part of the Bill.

Clause 22

TRANSFER OF MINISTERIAL FUNCTIONS

Mr. Ancram: I beg to move amendment No. 45, in page 12, line 39, after '(1)', insert—

'Functions in the fields specified in Schedule 2, so far as exercisable by the Secretary of State for Wales are hereby transferred to the Assembly.

(1A)'.'

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 46, in page 12, line 39, leave out from 'Council' to end of line 10 on page 13 and insert

'transfer any function exercisable by the Assembly by reason of subsection (1) to a Minister of the Crown'.

No. 47, in page 13, line 18, leave out from 'Parliament' to end of line 21.

Mr. Ancram: This is probably the most important part of the Bill. So far, we have discussed at length the

technical ways in which the assembly will be established and elected. We now come to the part of the Bill that deals with the powers that will be given to the assembly and the functions that will be made over to the assembly, which will decide and shape the qualitative nature of the assembly in the future.

We are concerned to ensure that this part of the Bill is consistent with the claim made throughout the referendum campaign that the devolution proposals for Wales would not weaken, but strengthen the position of Wales within the United Kingdom and would strengthen the United Kingdom as well. It is in that context that we shall examine the matter in detail.

The Secretary of State made available to the House yesterday—and earlier to me, for which I am grateful—a copy of a draft order. It is an example of what might be put before Parliament in the run-up to the first elections of the Welsh assembly. I understand that it is not the draft order itself, but an example of the type of order that might be proposed. I hope that to avoid wasting time in Committee, the Secretary of State will say at an early stage that this is likely to be the shape of the order in the long term. I appreciate that some changes may be made, but we do not want to spend too much time debating the nature and detail of the order if it is merely an example.

Mr. Ron Davies: I am grateful to the right hon. Gentleman for acknowledging the papers that I made available yesterday. I gave an undertaking on Second Reading that I would make the order available, and that is what I have done. I shall consult, both within Government and outside, on this matter. I intend to produce a further final draft, perhaps in the autumn of this year, to allow a period of discussion of some six months in which it can be subject to more detailed examination before it is put before the House in its final form in the early summer of next year.

Mr. Ancram: I am grateful to the Secretary of State. As he appreciates, once the draft returns to the House in order form, it is likely to be unamendable by the procedures of this House.

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): And incomprehensible, too.

Mr. Ancram: As the hon. Gentleman says, it is likely to be incomprehensible, too; it will certainly be unamendable. It is, therefore, right that we look closely at what is proposed. I am sure that my hon. Friends will want to do so during the debate on these amendments.

First, may I outline the position of the official Opposition? We regard this matter as the test of devolution within the Union. We want to be certain that, within these provisions and within what is transferred under these provisions, we are not creating a slippery slope to the future break-up of the UK or to further devolution that will weaken the bonds that tie together the various elements of the UK. We want to ensure that there is flexibility, which will allow the interests of Wales within the UK to be met as and when the need occurs.

On the latter point, we want to ensure that there is no ratchet that will, over time, move in only one direction. Having spent some time negotiating texts in my previous incarnation as a Northern Ireland Minister, I am extremely conscious of the fact that, when we use words such as "dynamic", which suggest that there will be movement, and when we tie that dynamism within a ratchet that moves in only one direction, we create a situation that is far from stable and which can act in the interest of only one group of people—those who want to see the United Kingdom broken up.

As the clause stands, the elements of the slippery slope and the one-way ratchet are present. The amendments, which we tabled in all seriousness, are intended to try to correct that. Their effect is simple. They will ensure that future transfers, after the first tranche of transfers under the order, will be by primary legislation so that this House decides whether the degree of devolution is to be increased in future. If the matter is left to the dynamics of an assembly, it is highly likely, if not inevitable, that there will be pressure constantly to take more and more power to that body. If that is done merely by unamendable order, the inability of this House to do other than exercise a simple and straightforward veto, which would create tensions within the relationship between Cardiff or Swansea and London, will be seen.

We want future transfers of functions to be carried out by primary legislation within this House. They would be major issues and we should take cognisance of the effect that such transfers would have on the integrity of the UK.

Mr. Ron Davies: I appreciate the thoughtful and considered way in which the right hon. Gentleman is approaching this matter. He suggests that he would want a major transfer of powers to be achieved by means of primary legislation but, if he reflects for a moment, he will find that that principle is perfectly compatible with the clause as it stands. A major act of devolution would require primary legislation that conferred powers to the Secretary of State or any other Minister and, in addition, enabled those powers to be subsequently transferred to the assembly by order. If there were to be such a major event, primary legislation would be required.

In that context, we should not only concern ourselves with major transfers of power, but recognise that devolution—even under the Conservative Government—was a rolling process. There were many acts of devolution and transfers of functions to territorial Departments. Now that we are to have a democratic assembly in Cardiff, there is no reason why a mechanism should not be available to transfer those powers by order.

Mr. Ancram: In what the Secretary of State has just said lies the fundamental difference between our view and his view. He is essentially saying that, because it is currently possible to transfer power and devolve administration within the United Kingdom under a unitary Government, there should be no difference when making transfers of functions and administrative power under what is no longer a unitary Government, but a devolved set of Governments. However, there is a fundamental difference because, when a transfer is made under the present set-up in Westminster, he, as the Secretary of State for Scot—Wales. I nearly made the mistake that I suspect I shall make more than once over the next few weeks. He, as Secretary of State for Wales, remains accountable to Parliament and to the Government here for what is done with those devolved or transferred administrative functions or powers because they remain within his purview. Under the proposals whereby a Welsh

[Mr. Ancram]

assembly is set up, there is a devolving of functional power away from this House—this Parliament—and his responsibility and that accountability no longer exist. Therefore, there is a fundamental distinction to be made.

It is for that reason that we regard the danger of the slippery slope with a careful eye, because we believe that if that danger exists, it will be exercised by those in whose interest it is to do so. The Secretary of State and I may have different views on what is a substantial or significant transfer, but my colleagues and I see in the way in which powers and functions can be transferred an inability for Parliament to exercise the sovereignty and degree of scrutiny that is necessary in those circumstances.

Mr. Denzil Davies (Llanelli): I should probably have looked at the clauses before now; I see some confusion in them, but perhaps I am not reading them correctly. Clause 21 states that the assembly shall exercise only functions passed to it by an Act of Parliament, be that "this Act or any future Act."

If clause 21 is all there is, the right hon. Gentleman has nothing to worry about. However, clause 22 states that transfers can be made by order. Presumably, the right hon. Gentleman intends to address that point.

Mr. Ancram: I am grateful to the right hon. Gentleman, who makes my point in a different way. If there was only clause 21, I would feel more reassured, because it suggests that transfers can be made only by Act of Parliament. Clause 21, however, refers to "this Act"—

Mr. Davies: Or any other Act.

Mr. Ancram: Yes, or any other Act. "This Act", which is the primary legislation before us now, goes on to say that under "this Act", functions can be transferred by order. That is why I seek to amend not clause 21, but clause 22, so as to ensure that where the provisions in "this Act" are exercised to transfer functions or powers, that is done not by an order, which is unamendable and largely undebatable, but by primary legislation dealt with in the House so that the full scrutiny of luminaries such as the right hon. Member for Llanelli (Mr. Davies) can be brought to bear.

Mr. Ron Davies: Let us not strain unnecessarily on this matter. It is true that clause 21, which now stands part of the Bill, refers to the transfer of functions under "this Act" and that clause 22 refers to orders made under Acts. It is the case that every order transferring powers will have its own originating Act. It was for that purpose that, in the draft order I have tabled, I list the many Acts that currently empower the Secretary of State to lay orders. Clauses 21 and 22 are therefore perfectly compatible.

7.15 pm

Mr. Ancram: I am not saying that the clauses are incompatible. It is because they are compatible that they are dangerous. What purports in clause 21 to create a requirement for primary legislation turns out, in clause 22, to require much less. That is what I am trying to cure with the amendments.

The second area, which is of equal concern, is what I earlier described as the ratchet effect. It is my view and that of my colleagues that where devolution takes place within the United Kingdom, that devolution must be capable of being amended in either direction, as circumstances require, in order to maintain the stability of devolution within the United Kingdom. The Bill, however, effectively creates a one-way ratchet.

I see nothing in the legislation—I look nervously at the right hon. Member for Llanelli in case he sees something—to allow any functions or powers to be transferred back from the Welsh assembly, either to Parliament or to the Government, should circumstances arise that require that to be done. For example, the Secretary of State, who is certainly not infallible, may make a mistake in transferring certain powers or functions. My reading of the Bill is that there is no power and no means by which those powers or functions could be transferred back to him or to any other Secretary of State.

Mr. Ron Davies: The right hon. Gentleman is rerunning last night's debate, when the Opposition attempted unsuccessfully to insert an otiose amendment asserting the supremacy of Parliament. Parliament is supreme and if, at any time, it is perceived that there is any difficulty or that powers have been vested in the assembly inadvertently, improperly or against the wishes of the Government of the day, the Government or Parliament can reverse that error.

Mr. Ancram: The Secretary of State suggests that we should seek confrontation in such cases and that is precisely what makes me nervous. He is saying that, if the House believes that the Welsh assembly has too many functions or if the Welsh assembly believes that it needs more, we should have a stand-up fight, albeit in the knowledge that this House will win. That sort of behaviour seems designed to generate friction and to create frustration in Wales directed against this House.

I am proposing in a serious amendment a means to establish a simple and clear way in which to transfer back powers when that is in the interests of Wales, the assembly and this House. That would avoid what at the moment is a one-way ratchet.

Mr. Ron Davies *indicated dissent.*

Mr. Ancram: The Secretary of State cannot deny which there is a one-way ratchet in the Bill.

We have tabled a series of simple amendments which would cure the two defects in what the Secretary of State would claim is a measure of devolution within the United Kingdom. Returning to a point I made last night, if the Secretary of State is sincere in what he says about the relationship between the assembly and Parliament, he need fear nothing in our amendments because they are consistent with that view. If he resists the amendments, as he resisted the amendment last night, that can only leave us with the suspicion that he does indeed see

devolution as being not an event, but a process—more than that, a process that is travelling in one direction only, towards the eventual break-up of the United Kingdom.

Mr. Rhodri Morgan: Surely the right hon. Gentleman realises that, in these amendments and in his efforts yesterday in respect of the name of the assembly and the declaratory statement about the supremacy of Parliament, he is displaying a very niggling spirit. With his constant references to the dangers, the thin end of the wedge and the slippery slope, he is trying to strangle the Welsh assembly and give it no room to breathe even before it starts work. That is the wrong spirit and, now that the referendum and Second Reading are over, he should get rid of that attitude of mental denial towards the existence of the Welsh assembly. He should accept that the assembly is going to happen. He should not try to diminish it, and reduce its stability and the scope within which it will operate before its first meeting.

Mr. Ancram: I accept that the assembly will be established. I have made that clear, but, as the official spokesman for the Opposition, not for the Government, it is not my job to be dewy-eyed and to say what will happen in a perfect world. It is my job to test the legislation against not the best-case scenarios, but the days when there are problems and difficulties, and when there is confrontation. Let us face it: there will be times when there will be arguments between the Welsh assembly and the House. There have already been arguments between Cardiff county council and the Secretary of State. We know that arguments can happen. I am trying to ensure that when such situations arise, we have in statute the means by which they can be controlled.

Perhaps, as a Scottish lawyer, I am trained to look closely at the small print because it is normally in the detail that one finds the devil. I am doing so on this occasion because I want to see a Welsh assembly established in a way that is secure within the United Kingdom. It worries me more and more that every time I bring up what I believe are essentially safeguards for the position of Wales within the United Kingdom, I am accused of speaking heresy. The concept that it is heresy ever to consider within devolution that power could come back from the devolved assemblies to the centre also worries me because that is the mentality of the one-way street away from the United Kingdom.

I have tabled the amendments in all seriousness because I believe that they improve the legislation. They secure the claims that were made for it by the Secretary of State during the referendum. I hope that for the first time during the Bill's consideration, the Secretary of State will accept that the amendments have been tabled in good faith and will agree to them.

Mr. Denzil Davies: I should like to discuss the interaction of the amendment with clause 21. Perhaps my right hon. Friend the Secretary of State could deal with the point when he replies to the debate.

As I read that clause—at least now, because I read it differently a minute ago—it requires an Act of Parliament to confer or impose functions upon the assembly. The Bill, once enacted, will confer functions and if more functions have to be conferred, that will have to be done through a future Act. The mechanics of the transfer of those functions are set out in clause 22, which states that that transfer can be done by order. The explanatory note does not say that, but, as I read the Bill now, in future an Act will be required to transfer such functions because clause 21 states:

"The Assembly shall have the functions which are . . . conferred or imposed on the Assembly"

under an Act. An Act is, therefore, required to confer those functions. Under clause 22(1)(a), however, the transfer of those functions, to some extent a mechanistic matter, can be done by order.

I may be completely wrong and perhaps my right hon. Friend will clarify the matter because it is important. There appears to be a contradiction between clauses 21 and 22.

Mr. Oliver Letwin (West Dorset): First, I should like to respond briefly to the points raised by the right hon. Member for Llanelli (Mr. Davies).

I believe that it is at least the case that there is a clarity of intention that runs counter to the right hon. Gentleman's suggestion. The statements made by the Secretary of State, the notes on clauses and other statements that have been made about the Bill make it entirely clear that the articulation is at least meant to be—in view of his legal knowledge, I certainly give way to the right hon. Gentleman about the statutory construction of the Bill—that the assembly shall have functions that are granted by whichever Act may have granted powers to the Secretary of State, which under this Bill, once enacted, or any subsequent Act can be transferred by Order in Council.

I therefore take it that the articulation is intended to allow whichever powers are already possessed by any Secretary of State in relation to Wales to be granted to the assembly in due course by Order in Council. If that is a fallacious interpretation of at least the intention of the Bill, I, too, would be grateful if the Secretary of State could make that plain. I am basing my remarks on that assumption, which is at least coherent with what we have been told about the Bill as opposed to the construction placed upon it by the right hon. Member for Llanelli.

I should like to explain why I believe amendments Nos. 45 to 47, which stand in the name of my right hon. Friend the Member for Devizes (Mr. Ancram) and other colleagues, go to the essence of the Bill and are by no means merely incidental to its purposes.

The first point is whether any legislative stability is granted by the Bill, construed at any rate in the fashion that I have just described. That is important for a reason that the Bill makes clear. It provides for the possibility of devolution issues—I believe that that is the phrase that is used—being resolved through a series of quite lugubrious legal mechanics and ultimately by the traditional Committee of the Privy Council. It so provides because it envisages a situation or a series of situations in which there is genuine doubt about whether a power has been devolved. It is a matter of potentially the gravest significance if there is an apparent conflict of laws or jurisdictions.

In those circumstances, and given the great scope for such apparent conflicts, it is of the utmost concern that a body of precedents should be built up by the Judicial Committee of the Privy Council and other subsidiary

[Mr. Oliver Letwin]

courts that gradually clarifies the area of devolution and reduces the scope for discussion and debate. I imagine that that must be common ground between the Conservative Benches and the Secretary of State and his fellow Ministers. If that is the case, it must be of the greatest importance that there should be legal stability and not a continuous legislative flow or ratchet of the kind to which my right hon. Friend the Member for Devizes alluded. It would be difficult to build up a solid body of precedent if on each occasion the Judicial Committee arrived at its final conclusion and offered a judgment, hey presto, the Secretary of State or another Secretary of State devolved a further power. By doing so, they would re-create an area of confusion that had apparently been clarified.

The amendments are of the utmost importance in the strict constitutional sense because they create stability. They provide for a defined series of powers to be devolved under the proposed Act and avoid the creation of a situation in which there could be legal flux. I should have thought that that aim was common ground. That is of particular importance in connection with the Bill because it provides for a wide and indeterminate set of powers to be devolved.

Clause 22(1)(a) provides

"for the transfer to the Assembly of any function so far as exercisable by a Minister of the Crown"—

unspecified—

"in relation to Wales".

There is no one in the Chamber, and I suspect no lawyer in England or, indeed, in Wales probably who can guess how the phrase "in relation to Wales" will be taken by the courts over the years, and in particular by the Judicial Committee. Does it refer, for example, to the police in Wales, the prisons in Wales or military bases in Wales? All those topics are currently covered by Acts under which Secretaries of State of one kind or another have order-making and regulation-making powers. As I and my right hon. Friend have construed the clauses, and as the Secretary of State has asked us to construe them, all those powers could be gradually devolved by order to the assembly. In those circumstances, the opportunities for apparent conflicts of law and therefore a need for resolution by the Judicial Committee—hence the necessity of stability—are much greater than would have been the case had that process been limited, as my right hon. Friend's amendments would have made the case, to a specified and clear list of pre-defined powers.

Mr. Rowlands: The third paragraph of the explanatory note—I realise that it is not in the Bill, but let us borrow it for the moment—states:

"The Bill allows for further orders to be made, to transfer other Ministerial functions to the Assembly in due course. This gives the opportunity for future Governments to transfer more powers to the Assembly, with Parliament's approval. Other functions can be given to the Assembly directly by Acts of Parliament".

It would seem that there are two routes by which powers can be devolved: by individual Acts of Parliament and by the order-making process specified in the Bill. We could do with clarity when it comes to which route will be used and which function will go down which route.

7.30 pm

Mr. Letwin: The hon. Gentleman is right about what we are told in the notes on clauses. To offer further support to that view, having studied the Secretary of State's statements over the past few months—and those of the Under-Secretary of State—it is abundantly clear that the hon. Gentleman is echoing the interpretation that has been placed upon the matter by the Welsh Office.

It is clear also that there is a distinction between those powers that may be devolved by order and those that will require an Act. I think that the distinction—no doubt the Secretary of State will explain this in his reply—is between those Acts that already confer an order-making power upon a Secretary of State in relation to Wales and situations in which there is no such pre-existing order-making power for any Secretary of State, where therefore the transfer of powers would require a new Act. It is to the first group to which we are addressing the amendment.

The problem is that there is such wide scope in English law. We on the Opposition Benches, alas, must take some of the responsibility for that, as must some on the Government Benches. In my view, there has been a regrettable tendency over the past 50 years for Governments to create wide discretion for Secretaries of State to make orders in an increasing range of affairs. The result is that many of the powers—I have so far been able to identify 461—relate to Wales in some dimension. The scope that will be available under the Act for the transfer of powers by order will be not unlimited but enormously wide. That being so, the necessity to return to Parliament for primary legislation—the second route to which the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) referred—is accordingly limited.

I move on to what is, in my mind, an even more important consideration. Throughout the Bill there are bases, almost as if they had been included on purpose, though I suspect by oversight, for amplifying the chances of a conflict of laws. I shall give one example. Section 147 of the Local Government Finance Act 1988—one of the items referred to specifically in the Secretary of State's draft order—provides that the Secretary of State may

"at any time by order make such supplementary, incidental, consequential or transitional provision as appears to him to be necessary or expedient for the general purposes or any particular purposes of the Act."

The provision continues:

"An order under this section may in particular make provision for amending, repealing or revoking . . . any provision of an Act passed before or in the same session as this Act."

I draw the Secretary of State's attention to this point because I very much doubt whether he or his draftsmen have attended to it to date.

We have an Act—regrettably a Conservative Act—that enables a Secretary of State to make orders, some of them definitely in relation to Wales because the 1988 Act had application to Wales. It provides that an order can amend or change a piece of primary legislation passed by the House. It is not a unique example. Indeed, there are many others.

Power could be devolved, through the Bill, to the assembly to make orders to amend or repeal Acts enacted by the House of Commons. If ever I have heard the basis for a conflict of laws, that is it. It accentuates the necessity

for legal stability so that the grave question of what we are to do about such a conflict can be governed by gradually accumulating precedent in the Judicial Committee.

I fear that the situation is far worse than that. There is a severe—

Mr. Ruane: What a ray of sunshine.

Mr. Letwin: I apologise for not being able to offer much sunshine. I fear that the clouds are gathering. When I come to the end of my remarks, I fear that there will be a rainstorm.

Mr. Ron Davies: I am following closely the arguments that the hon. Gentleman is developing. I appreciate the clarity with which he is arguing his case. He is fundamentally wrong, however, if he thinks that clause 22 would allow the Welsh assembly in any way to exercise powers conferred on it by means of secondary legislation to repeal or amend existing primary legislation. His interpretation is wrong.

Mr. Letwin: It would be extremely helpful to hear from the Secretary of State how the following articulation does not apply. Clause 22(1)(a) gives the Secretary of State the power to convey powers to the Welsh assembly where, as I understand it, the Secretary of State, or another Secretary of State, already has regulation-making powers. I do not think that that is a matter of contention between the Secretary of State and my right hon. and hon. Friends, although the construction of the right hon. Member for Llanelli would alter the matter.

I have cited an example of a particular order-making power that already exists in an Act and gives a Secretary of State—astonishingly to my mind, but factually—the right to amend Acts preceding the Act under which such power is given. That being so, I cannot understand how it would not follow that power currently exercisable by the Secretary of State for the Environment, Transport and the Regions could not be transferred by order to the Assembly. It falls on the Secretary of State not merely to deny that but to explain what in the Act would stop that happening. Perhaps the right hon. Gentleman will do that when he replies.

Unfortunately, the situation is far worse than I have described. We are faced with a severe democratic deficit. It has been a principle—I, for one, acknowledge it—much espoused by Labour Members that we should adhere to the broad format that has been approved, albeit by a narrow majority, by the people of Wales in a referendum. Surely that format should include adhering to the broad scope of powers that the people, at the time that they voted in the referendum, imagined would be accorded to the assembly. If it merely refers to legislative powers in the widest sense and therefore merely constrains the Government, for example, from providing tax-varying powers, that would be odd. It is surely consistent with the general thesis that, on the contrary, there should be some symmetry between what the Bill permits in respect of the transfer of powers and what the people, when they voted in the referendum, thought would be the case. Surely there ought also to be some symmetry between what the people who first elect the Members of the Assembly think will be the relevant powers and what subsequently transpire to be the powers.

The problem is that that is not the case. If we consider the articulation of clauses 22(1)(a), 22(2) and 23 and schedule 2, it is clear that—I half believe that this must be a matter of mis-drafting—before the Bill becomes an Act it is mandated that the Secretary of State should produce a draft order similar to that already produced, and hence specify what he currently intends to transfer. It is clear that after the Bill becomes an Act it will be no longer necessary for the Secretary of State's list of powers subsequently to be transferred to bear any relation to schedule 2. That is the articulation as I construct it. It is the articulation that is verified by the notes on clauses so far as I can make out. I have heard nothing said by the Secretary of State that would deny that.

The situation is, however, worse than that. We discovered that yesterday in what I thought was an intensely revealing moment of honesty. In an unusual parliamentary occasion we were vouchsafed by Labour Members an explanation of what they had been saying on the doorsteps during the referendum campaign about what the Bill would achieve. We were told in so many words—I think twice but certainly once—by Labour Members that they had told the electorate, and had heard many people say, that the Bill would achieve the end of the possibility of measures such as the poll tax in Wales. It was said that it would not have been possible to bring about the poll tax in Wales had the Bill before us been an Act at that time.

When the Minister summed up, I asked him whether the example that he was using—he said that banding would have been possible in Wales in a different fashion from that in England—demonstrated that he knew what he was talking about, because there was no banding in terms of the poll tax. The Minister then seemed slightly uncomfortable and moved on to another topic, but he failed to note the deep malaise and deep democratic deficit that the exchange revealed. The powers in the Local Government Finance Act 1988, the poll tax Act, under which Secretaries of State, before the Act was amended by the more recent Local Government Finance Acts, were able to make orders—hence the powers that, in principle under clause 22(1)(a), could be transferred—are extraordinarily limited and could by no means have prevented the poll tax.

To be precise, so far as I can determine, the Welsh assembly would have had the following magnificent powers. It would have been able to decide how to treat houses that crossed borders between local government boundaries. Probably only one house per 100,000 is seriously in that position because of the way in which building regulations work. The assembly would have been able to decide how to treat students in part-time—not full-time—education. It would have been able to deal with co-ownership—a rare phenomenon. Finally and most magnificently, it would have been able to deal with how to treat the poll tax for the dead. Among the living, at a rough estimate, 95 per cent. of the population would not have been in the slightest way affected by the assembly.

At this stage of the argument, we have established that the Bill creates a flux that will prevent a stable body of precedent law to solve serious disputes about overlapping and potentially conflicting laws. We have established that the Bill has a hugely wide effect that will, over time, transfer an unknown series of powers that were not announced at the time of the referendum and will not be known to the electors even when they first elect the Members of the Assembly. Furthermore, it would not

[Mr. Letwin]

have done the major thing Labour Members tell us they announced to the people of Wales at the referendum as an advantage—solving a problem such as the poll tax.

Mr. Llwyd: I do not know how much campaigning the hon. Gentleman undertook in Wales during the referendum campaign, but I assure him that one of the accusations that the nationalist party levelled at the Labour party was that the assembly would not prevent things such as the poll tax. That is at variance with what he has said.

Mr. Letwin: That is an interesting point and I have no doubt that what the hon. Gentleman says is nothing but the truth. It shows that one set of people were trying to sell the proposal as perfect because it would achieve something—which it will not achieve as so drafted—and that another set of people correctly accused the Bill, as it would have been about to be, of not achieving that result. However, some people must have listened to the Labour party because, as we know, there were far more Labour voters in Wales than Plaid Cymru voters.

Mr. Ron Davies: The point that my hon. Friend the Under–Secretary made in the debate yesterday is that the poll tax Act could not have been passed in the way that it was if there had been a Welsh assembly. If the power to implement that Act had been vested in the Welsh assembly at the time, the Act would have had to be different. Implementation would have had to be provided for in the Act itself and it would have had to be passed through this Parliament in its entirety, not relying on the Welsh assembly to implement it by means of secondary legislation.

7.45 pm

Mr. Letwin: I shall not embarrass the Secretary of State by reading that part of *Hansard* that relates to the comments made yesterday by the Under-Secretary, but if he reads it he will find that, although that would have been a much wiser thing for the Under-Secretary to say, it was not what he said. It would have been wiser because it would have been arguable, but it would still have been false.

Under the Local Government Finance Act 1988, it was not necessary to delegate any wide range of powers to any Secretary of State. A remarkable feature of the Act is that almost the only power that it delegates is the one that is most constitutionally offensive to me: the power to alter by amendment certain Acts of Parliament that already exist.

I fear that the situation is yet worse and it tells us much about what is happening in this Bill. The Secretary of State has produced a draft order relating to these clauses. We are told that it is an early draft order. For that we have much to be thankful because the draft order displays either a mechanistic approach, to the point where we must be dealing not with Departments of State but with daleks, or a slap-dash approach to the point where we must be dealing with something that was written late at night by someone overtaxed by overwork.

I shall give some examples. The draft order refers to the Emergency Powers Act 1964 as one of the Acts under which powers will be devolved to the assembly. There is a minor point that betrays, as so often with minor points, an attitude to drafting. On inspection, the draft order should refer not to that Act, but to the Emergency Powers Act 1920 as amended by the Emergency Powers Act 1964.

Leave that aside. The important point is that the way in which the Emergency Powers Act works is that Her Majesty proclaims an emergency. Subsequently, powers are conferred on a Secretary of State by Orders in Council and he is thereby empowered at high speed to make regulations under those powers, which he lays before Parliament.

The draft order implicitly tells us that that process is to be devolved to the assembly. Which part of it? Manifestly, under clause 22(1)(a), the role played by the Secretary of State. What is being said is that the Welsh assembly will be able to make regulations, which it will presumably have to lay before the House, at a time of emergency.

I do not have the faintest idea how the assembly would go about laying regulations before the House. I doubt whether the Secretary of State has the faintest idea. Beyond that, if the assembly were to lay regulations and the House were to deny the regulations—at a time of emergency of all times—we would have a classic conflict between two democratic bodies.

I cannot imagine that the Welsh Office, the Secretary of State or his colleagues intended to create the opportunity for such a conflict at such a time. It must be the result of having included everything they could think of, bar the kitchen sink.

I say bar the kitchen sink, but hardly. The draft order contains a series of items known as the Burial Acts. The powers under them are to be transferred. In particular, the draft order contains the Burial Act 1852. I admit that I was not previously deeply familiar with that Act. I went to the trouble of looking it up. It is an Act to amend

"the Laws concerning the Burial of the Dead in the Metropolis".

It contains almost exclusively today section 48, under which Brompton cemetery—not, as far as I am aware, in Wales—may be sold by direction of the Treasury and in the meantime used for interments. Someone has included in the draft order—and laid it before this House—an Act that has not the slightest connection with Wales and never could.

I admit that it is not, in a sense, important because I suppose that the Secretary of State, after these admonitions, will ask some official who is awake and who is not overtaxed by work to go back through the list, to investigate what on earth he has put down and to try to come up with a list that is accurate, relates to Wales and does not contain any constitutional abnormalities. The point is nevertheless important because it shows the attitude with which this has been taken forward and, much more important, the attitude with which it might be taken forward were the Bill to go in this shape to the Queen, without having been amended in the way in which my right hon. Friend the Member for Devizes has suggested.

If my right hon. Friend's amendments are accepted, the House will be able to clarify the points made by the right hon. Member for Llanelli and questions of legislative stability. We would include in the Bill a set of well-considered, applicable Welsh measures so that at least we knew for the time being, until Parliament decided to change its mind in an orderly fashion, what would be

devolved, in a way that is broadly symmetrical with what people expected during the referendum campaign and with what electors expect when they first elect Members.

I expect, alas, that the Government will nevertheless reject the amendments, but if they could pause, it would be good not just for this Parliament and the Welsh assembly, but for the Government's reputation.

Mr. Ruane: Thank you, Mr. Lord, for the opportunity to speak in the debate.

I want to speak on the transfer of ministerial functions to the assembly. I believe that it was the overcentralisation of those functions during the past 18 years that led to the growth of a movement for devolution in Wales.

The Tory phenomenon of centralising all power affected not only Wales but the entire United Kingdom. Mrs. Thatcher sat, like an octopus, in London, her tentacles stretched to every corner of the land, searching out alternative power bases. When they were detected, they were mercilessly squeezed and drained of all power. That power was taken to the centre. That happened to the Greater London council, the municipal councils and many functions of local government. Those powers remained at the centre and indeed were enhanced under the previous Prime Minister, the right hon. Member for Huntingdon (Mr. Major).

However, it was in Wales that overcentralisation hit the hardest, and it is in Wales that, after 18 years of Tory rule, we have the worst housing and health, and the lowest pay, in Britain. The key decision makers who presided over that process were not affected by their decisions. They did not use public housing or the national health service. They were cocooned on fat salaries. But the ordinary people in Wales—those who were waiting for hospital treatment, those living in slum conditions in houses in multiple occupation, and those on poverty pay—felt, and still feel, the legacy of bad decision making. The transfer of the powers outlined in the Bill will allow us to tackle those Welsh problems at the grass roots.

The philosophy of devolving power or transferring powers away from the centre and possibly out of one's control—out of Labour control, in this case—is alien to many Conservative Members. They cannot even devolve power and decision making to the grass roots in their party.

Mr. Evans: Will the hon. Gentleman give way?

Mr. Ruane: I shall give way in a moment.

In complete contrast, we have a Secretary of State for Wales, my right hon. Friend the Member for Caerphilly (Mr. Davies), who has worked tirelessly for many years to divest himself of the power that he now has as Secretary of State for Wales.

These actions are taken from a position of political strength. We have one of the largest parliamentary majorities that the country has ever had. The Tories have been wiped off the political map of Wales at council and parliamentary level. Even the Tory pundits say that we shall be in power for another 10 years and yet we have chosen as one of our first pieces of legislation the establishment of an assembly for Wales.

I have reservations about proportional representation, but using a PR system in the assembly elections will mean that Labour may not even control that assembly.

The transfer of ministerial functions to the assembly as outlined in the Government of Wales Bill will, I believe, make for better, more democratic, more accountable government in Wales.

Mr. Evans: I am grateful to the hon. Gentleman—

Hon. Members: He has finished.

Mr. Livsey: I want to make a few points about amendments Nos. 45, 46 and 47. As I interpret it, amendment No. 45 specifies that functions may be transferred to the Welsh assembly only as far as they are exercisable by the Secretary of State—as opposed to functions of Ministers as far as exercisable in relation to Wales, as the Bill states.

Amendment No. 46 seems to allow Her Majesty, by Order in Council, to transfer powers back from the assembly to Ministers of the Crown. Amendment No. 47 removes the requirement for orders varying or revoking powers of the assembly to be approved by the assembly. Those amendments seem to the Liberal Democrats to weaken the powers of the assembly, and we shall not support them.

The amendments seek to limit the powers of the assembly to those exercisable by the Secretary of State. Surely the aim of the Welsh assembly is to devolve to Wales decision-making powers on matters that affect Wales. Those powers are not always exercised by the Secretary of State for Wales. All fields listed in schedule 2 should be transferred, regardless of whether they come under the powers of the Secretary of State for Wales or other Ministers. The amendments would weaken the assembly. If the assembly's powers were limited, the confidence of the Welsh people in the assembly's work would be reduced.

Amendment No. 46 allows functions to be transferred back from the assembly to Westminster by Order in Council. If the assembly existed under the constant threat of having its powers withdrawn, its credibility to take decisions would be damaged. The assembly must have the courage to make tough choices and should not feel hindered by threats from central Government that might be made if we had a Government who did not support devolution. Amendment No. 47 weakens the assembly by removing the right to consider Orders in Council that vary or revoke its powers.

For those of us who support devolution, the assembly is a long-term project. To be successful, it must feel sure that it has a long-term future. In his erudite speech, the hon. Member for West Dorset (Mr. Letwin) spoke about a democratic deficit, but surely the amendments would weaken the assembly's powers. I believe that the democratic deficit lies in the amendments and that the democratic deficit is actually remedied in the assembly.

Mr. Rhodri Morgan: I want to expand, briefly, on the remarks I made when I intervened on the right hon. Member for Devizes (Mr. Ancram) when he originally spoke.

The amendments seek to destabilise devolution before it starts, and it would be unhealthy for a new assembly to feel that at any stage its powers could be reversed. Because of

[Mr. Rhodri Morgan]

the supremacy of Parliament, the assembly's powers can be reversed, just as in 1972 Stormont was suspended—brought to an end—for 25 years. The supremacy of Parliament ensures that that process can, in theory, take place, but any amendment that injects it into the Bill at this stage seems a deliberate attempt to destabilise the Bill and is, therefore, a destructive amendment—a wrecking amendment, I think it is fair to say—in the psychology of passing the Bill. I strongly oppose amendments Nos. 45, 46 and 47 because they simply seek to downplay the significance and stability of the corpus of power that will be transferred.

I believe we are all agreed that the Bill would not bring about a large measure of devolution. By the standards of devolution of the Government of Ireland Act 1920, or of the Scotland Bill that we are considering for the next few weeks, this is a moderate measure of devolution. I believe that is common ground between all hon. Members.

Mr. Ancram: Does the hon. Gentleman envisage, or could he ever envisage, circumstances in which a power or function transferred to the assembly might require to be passed back to the House or to the Secretary of State?

Mr. Morgan: Of course—in the circumstances that the right hon. Gentleman has mentioned. As was described by the enormous inverted pyramid created by the long speech by the hon. Member for West Dorset (Mr. Letwin), things can be done in error and may require to be reversed. In so far as this Parliament is supreme, that can be done, and I do not doubt that it is conceivable to construct circumstances in which that could be done. However, the amendments tabled by the right hon. Member for Devizes follow the pattern of the amendments that he tabled last night.

8 pm

The idea is to destabilise devolution before it has even started and not to give it a fair chance. Devolution requires a fair wind from this House. This is not a large measure of devolution, but we do want it to work—with the united support of the House of Commons. Once we accept that it is going to happen—witness the majorities in the referendum and on Second Reading—there is no point in the continual attempts by the Tories to chip away at it. Why not be constructive once in a while?

The hon. Member for West Dorset spoke of powers being transferred by Order in Council going beyond the powers listed in schedule 2. When the right hon. Member for Devizes was asked for an example of the dangers to which he keeps referring, all he could do was repeat phrases such as "one-way ratchet", "slippery slope", and "thin end of the wedge". All these words have been used since time immemorial to argue against change of any kind—universal suffrage, women's votes, the Great Reform Act 1832. Of course, there is no substance to the argument whatever—

Mr. Letwin: I would ask the hon. Gentleman to consider clause 22(1)(a), which provides for the transfer to the assembly of

"any function so far as exercisable by a Minister of the Crown in relation to Wales".

How is that circumscribed? I would then ask the hon. Gentleman to look at clause 23(2), a related clause not covered by the amendments:

"Subject to subsection (3), an Order in Council under section 22 may make provision about any function of a Minister of the Crown (including a function conferred or imposed after the passing of this Act)".

I should like to know how the hon. Gentleman reconciles that with his assertion that there is no evidence of a wide discretion going well beyond the powers specified in schedule 2.

Mr. Morgan: In his speech, the hon. Gentleman contented himself with a general reference to the notes on clauses—

Mr. Letwin *indicated dissent.*

Mr. Morgan: I am sorry, but when the hon. Gentleman reads *Hansard* tomorrow he will see that that is what he did. He did not specify where in the notes on clauses he derived the authority for what he said. Of course, they do not offer any basis for claiming that Orders in Council can take powers extending beyond schedule 2 powers.

Mr. Letwin: I am sorry if the hon. Gentleman has misconstrued my remarks—perhaps I was not clear enough. My reference to the notes on clauses was made in response to a point of statutory construction raised by right hon. Member for Llanelli (Mr. Davies)—a quite separate issue.

What the hon. Gentleman is talking about now is covered by the Bill itself. I have already read out to him clauses 22(1)(a) and 23(2). I ask him again how he can possibly deny that they mean what they mean—that they confer the ability to transfer powers by Order in Council beyond the scope of this Act. I remind him of the words:

"including a function conferred or imposed after the passing of this Act".

Mr. Morgan: I repeat: when the hon. Gentleman reads *Hansard* tomorrow, he will see that he quoted the notes on clauses as his authority.

Mr. Denzil Davies: Might I suggest that the answer is that this power is circumscribed by clause 21, which states that there must be another Act of Parliament first.

Mr. Morgan: The matter may have to be resolved in the wind-up speeches or in correspondence. Still, the hon. Member for West Dorset attempted to justify what the right hon. Member for Devizes could not justify when asked to demonstrate how the Bill constituted a slippery slope. That justification seemed to be based on the hon. Gentleman's perception that there was a general power to extend the scope of the measure to areas such as the police which are not listed in schedule 2. And the only example the right hon. Member for Devizes could come up with was the row with the leader of Cardiff city council, not a legislative issue at all.

Hence the hon. Member for West Dorset attempted to fill the gap by misconstruing—

Mr. Letwin: I do not want to try the patience of the Committee, but I do want to ask the hon. Gentleman to

request clarification from the Secretary of State of the relationship between clauses 21, 22 and 23, and our interpretation of it. We need to know whether the Secretary of State's interpretation is consonant with what I have been saying or with what the right hon. Member for Llanelli says. If the latter is correct, the Secretary of State is no longer in alliance with Plaid Cymru: he is in a truly desperate position, because the whole attempt to allow the progressive devolution of powers under the Bill is skewered. If the Secretary of state claims that the right hon. Member for Llanelli is right and we are wrong, that will constitute a remarkable statement.

Mr. Morgan: The hon. Gentleman is being a Jeremiah—positing two impossible positions for the Secretary of State: either there is to be no devolution, or devolution will be so horrific that we must resist the whole Bill. That leaves us unable to construct a Bill of any shape that will be proof against both attacks. Either devolution will go too far, and must be stopped; or the Bill will not contain any powers worth transferring, so we will be left with no Bill. Both propositions are absurd.

Devolution is going to happen, so the Tories should stop their niggling and nitpicking. It is not up to me to seek clarification from the Secretary of State. I am sure that the hon. Member for West Dorset has already asked Ministers to give him clear answers at the end of the debate.

Mr. Evans: The hon. Gentleman has accused us all of being Jeremiahs, when all we are doing is seeking clarification of important points. Surely that is what the Committee is for? The hon. Gentleman himself is like one of the Sunshine Boys—he can see nothing wrong with the Bill.

Mr. Morgan: That is quite absurd. The Conservatives are continually trying to denigrate and downgrade the process of devolution. We heard it last night, we have heard it again tonight. And their only argument is the slippery slope—which just goes to show that they have no argument. As I have said, all the right hon. Member for Devizes could produce was an argument about the location of the assembly with Cardiff city council—

Mr. Ancram *indicated dissent.*

Mr. Morgan: That was the right hon. Gentleman's only example of the slippery slope. It is a false and empty argument. The problem is that the right hon. Gentleman has still not really accepted the fact that the Bill has had its Second Reading, that the referendum has taken place—

Mr. Jenkin: The abuse that the hon. Gentleman is heaping on us is in no way justified. Can he give us an example of any country in the world where there are not constant disputes—possibly not always acrimonious—between the various tiers of government to which various responsibilities have been ascribed? That has certainly happened ever since local government was invented in this country. We see that between the members of the European Union and the EU institutions. We see that in the tensions between the Länder and the national Government in Germany. We see that in the United States in the argument about states' rights and the federal Government. Through the process of devolution, we are setting up a constant tension. It is absurd to suggest that this will be the first example of its kind where tension will never occur. If that is the premise of the Bill, we are going down an extremely dangerous road.

Mr. Morgan: I thank the hon. Gentleman for that brief intervention. Nothing that I said could be construed, even by him, as implying that devolution in this or any other case does not require a disputes resolution mechanism. Of course it does. It also requires a resource transfer mechanism. Every other devolution does, as well.

The hon. Gentleman is attempting to deny my argument that the right hon. Member for Devizes failed to provide any example to justify his constant repetition and reliance on the empty argument of the slippery slope, which has been used from time immemorial by people who have no argument, other than to say, "I don't like change and I don't like the Bill. I can't think why I don't like it. My gut instinct tells me I don't like it, but I can't think of an argument, so I'll say it's a slippery slope to something else."

When one considers a Bill, one considers the Bill, not whether it is about something else. That is what we are doing. If the right hon. Gentleman has no better argument than the one-way ratchet, the thin end of the wedge and the slippery slope, he knows that his arguments are empty of consequence.

Mr. Owen Paterson (North Shropshire): The debate has been fascinating. It goes to the heart of the problem that the Government have brought upon themselves. There is no clear idea of what the assembly will be. The Secretary of State assures us frequently that this Parliament is sovereign. That comment is presumably addressed to the 75 per cent. of the electorate who did not vote or voted no.

The Government understand that there is not a whole-hearted welcome in Wales for a major measure of devolution. That is why there are no tax-raising powers, and it is why our friends the nationalists are unhappy with the proposal. They see it as only a start. They have made that clear. Somewhere in the middle there is the Welsh establishment, which is well represented on the Labour Benches. I see those hon. Members weekly in the Select Committee on Welsh Affairs. They have a woolly, bland idea that Wales has a grievance, Wales has been done down over the past 18 years and the creation of an assembly with 60 assembly men—probably superannuated ex-county councillors—will solve all Wales's problems.

The muddle has been brilliantly exposed by my hon. Friend the Member for West Dorset (Mr. Letwin). It is clear in clauses 21 and 22 which, to me—a layman—are contradictory. The Government should not have rushed into their proposals. They should have studied other federal systems. In the United States, there is a clear division of powers between the powers held by the federal states and those of the federal Government in Washington. The position is similar between the Länder and the central Government in Bonn. The powers are clearly defined and there is a balance of powers.

8.15 pm

Mr. Swayne: Does my hon. Friend accept that although there are much tighter definitions of the division of powers, they still give rise to disputes between the

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Länder and the federal Government? We are warned by the hon. Member for Cardiff, West (Mr. Morgan) that we are Jeremiahs and that there is no slippery slope, but in fact there is a slope that will be greased continually by hon. Members below the Gangway on the Opposition Benches to create the grievances and pressures to which my hon. Friend has drawn attention.

Mr. Paterson: I whole-heartedly welcome that intervention. I am speaking about Germany and America, two countries where there is a properly constituted federal system. Here, we have a muddle. We will have an assembly in Wales with no powers to raise taxes, and a Parliament in Scotland with tax-raising powers. There is already a major imbalance, with England unhappily in the middle, paying the bills.

I draw attention to another unhappy example that has arisen in recent years—the contrast between the positions of the Czechs and of the Slovaks. For years, the Slovaks built up a grievance and claimed that they were done down, although the Czechs were paying the bills and subsidising them. For years, the Slovaks pushed them, and eventually they pushed the Czechs too far. I can see that happening with Wales.

We must look at the worst case. *[Interruption.]* When one conducts due diligence, one considers the worst case. In Committee, we should consider the possibilities where we have a different regime—a different Government in power with a majority in the Chamber, or possibly a minority Government. According to various exciting reports, the Secretary of State may be in the assembly and someone else may take his place at Westminster. What happens if another party attains a majority in the assembly? There will be real conflict. If one examines clauses 21 and 22 in the light of a hostile assembly driving against a weak Secretary of State in a minority Government in this Chamber, one can see that it will be fraught.

Mr. Wigley: The hon. Gentleman has made several passing comments in this direction. Is it not the case that what he fears is a hostile assembly that is totally out of kilter with a Conservative Government at Westminster? He is trying to organise an easy life for that Conservative Government. He is not concerned with the well-being of Wales.

Mr. Paterson: No, I had not considered the possibility. I am considering the possibility of a minority Labour Administration, with a strong nationalist element in the assembly. It will not work. Looking at clauses 21 and 22 under those circumstances, I see major conflict lying ahead. My hon. Friend the Member for New Forest, West (Mr. Swayne) gave us the example of America, where there is a carefully balanced system, yet there are continual problems with transfers of federal funds to make that arrangement work.

The Bill has not been thought through. It is a muddled compromise between trying to assuage the limited number of nationalists, who scored only about 10 per cent. of the poll in the general election—*[Interruption.]* they got far fewer votes than we did—and the vast majority of the Welsh population, who are not interested in the project and would prefer the money to be spent on hospitals, schools, roads and their farms, in the current crisis. The third group is the Welsh intelligentsia.

The Secretary of State has not produced a workable compromise. We are right to propose the amendments. The Bill is a woolly experiment disappearing into the future—we do not know where—whereas it should go forth on a firm basis, with clearly defined powers. Any further powers should be passed through a fresh Act, as suggested by the right hon. Member for Llanelli (Mr. Davies). *[Interruption.]*

Mrs. Betty Williams (Conwy): I have sat patiently, waiting for something to happen, and it has happened with the arrogant statement of the hon. Member for North Shropshire (Mr. Paterson). You have used the word "woolly" twice. You have used the word "woolly" to describe your—

The Second Deputy Chairman: Order. The hon. Lady must sit down when I am on my feet.

Mrs. Williams: I am sorry, Mr. Lord.

The Second Deputy Chairman: It would be helpful if the hon. Lady would use the correct parliamentary language. It is interesting that when we depart from that, the temperature starts to rise. I would be grateful if the temperature could go down a little and we could get back to the amendment in hand.

Mrs. Williams: I apologise to you, Mr. Lord, and to the Committee. I claim to be a fairly new Member, but I shall do my best to use parliamentary language from now on.

The hon. Member for North Shropshire used the word woolly twice. He described the view of his colleagues in the Welsh Affairs Select Committee as woolly. He used the word woolly to describe "this experiment", as he calls it. I take exception to that. I am sure that my hon. Friends also take exception to such language.

My predecessor in the constituency of Conwy was Sir Wyn Roberts, who sits in the other place. I shall quote what he said. Perhaps right hon. and hon. Members on the Opposition Benches would like to take a leaf from his book.

The Second Deputy Chairman: Order. This is an intervention, I take it, not a speech. Interventions should be reasonably brief.

Mrs. Williams: May I also ask the hon. Gentleman to correct one thing? He referred to assembly men. I would like him to apologise to the Committee.

Mr. Paterson: That was a splendid intervention. The hon. Lady has even managed to get her name on the Annunciator. That must be the intervention of the week award. Many congratulations to her.

Quite seriously, if the hon. Lady has taken exception to the expression woolly, I apologise. I had no intention of insulting any hon. Member or the Welsh Affairs Select Committee. I am one of a very small minority of two on the Welsh Affairs Select Committee who take a different view from the rest. There is an extraordinary consensus

among the rest of the Select Committee who like what is being proposed. I do not and I like to express my views clearly, but if the hon. Lady has taken exception to the word woolly, I am quite happy to withdraw it.

Mr. Letwin: I shall not make a lengthy intervention. I ask my hon. Friend to withdraw his withdrawal. When the Secretary of State and a former Secretary of State are wholly at variance about the fundamental meaning of clauses 21 and 22, I see no opportunity to use any word other than woolly.

Mr. Paterson: I am pleased that my hon. Friend agrees with what I am trying to express. How about totally muddled? The goal is muddled. The mechanism is muddled. The Bill is muddled. Would that satisfy my hon. Friend?

Mr. Letwin *indicated assent.*

Mr. Paterson: I urge the House to support the Conservative amendments. We must have the start of this venture clearly marked down in black and white, as we do not know where it will go. The examples that I have given show that we need a clear, firm start.

Mr. Dalyell: I did not intervene in the speech of the hon. Member for North Shropshire (Mr. Paterson) because I knew that my intervention would be too long, and that the same fate would befall me as befell my hon. Friend the Member for Conwy (Mrs. Williams).

It is often said in the House that an hon. Member will excuse another if he does not follow what was said by a previous hon. Member. The hon. Gentleman will excuse me if I follow him very precisely. It was some six years ago that the all-party heritage group from the House—it was not a freebie, I hasten to say, as we paid for it ourselves—went to Czechoslovakia, led by the hon. Member for South Staffordshire (Sir P. Cormack), who is now shadow deputy Leader of the House. We had the opportunity of a two-and-a-half-hour meeting—not long before he died—with the late Alexander Dubcek. He was just about to go off on one of the many visits that he had to make to Bratislava, but he explained in detail some of the problems of the Slovaks and the Czechs. If I were scratched very far, this is one of the things that I fear about the proposed legislation: that it will lead, eventually, to the same divorce—I think that that is the right word—as between the Czech Republic and Slovakia. It is a very serious matter.

We had a taste in the debate of things to come. I listened to my hon. Friend the Member for Cardiff, West (Mr. Morgan). If he were a Member of the Welsh assembly, do not think for a moment from the tone of what he was saying that he would surrender all sorts of things that he believes—genuinely and rightly from his point of view—are in the province of the Welsh assembly.

I come back to a point that was made on 13 January, at column 210 of the *Official Report*, by the hon. Member for New Forest, West (Mr. Swayne). A great deal depends on an assumption of friendliness and amity. I wish that that were true, because the truth of the matter is that we are back to 1977-79, when Enoch Powell coined the phrase that the whole debate had the smell of death about it. As my right hon. Friend the Member for Llanelli (Mr. Davies) said to me—rightly and sotto voce—there is, of course, a great difference on this occasion. The Treasury Bench has the votes, which it did not have last time. My right hon. Friend the Secretary of State for Wales is in a much stronger position than were John Smith and James Callaghan, so that makes a difference. We have just had a taste of all the difficulties that are exhumed by parliamentary debate.

Mr. Rhodri Morgan: I think that my hon. Friend is referring in part to me. I do not know how carefully he was listening to my remarks, or whether he was here, but in answer to the hon. Member for North Essex (Mr. Jenkin), who was making a rather noisy sedentary intervention, I specifically said that no measure of devolution could possibly work without an effective disputes resolution mechanism. My hon. Friend cannot possibly reconcile that with what he said about my remarks. He referred to me as believing that devolution was dependent on friendly relations between this Parliament and the Welsh assembly. I ask my hon. Friend to withdraw what he was implying in regard to what I said. I was anxious to ensure that there is an effective disputes resolution mechanism.

Mr. Dalyell: No offence was meant whatever. There really was not. All I was saying was that people in the assembly who are as vigorous as my hon. Friend will demand certain things. We have to leave it at that. In a sense, I was paying my hon. Friend a back-handed compliment about his vigour.

I must not intrude at any length. I ask one question of my right hon. Friend the Secretary of State. In the *Official Report* of 12 January, at column 66, there is a well-sculptured speech by the right hon. Member for Haltemprice and Howden (Mr. Davis), who is Chairman of the Public Accounts Committee. Frankly, after reading about three paragraphs into his speech—I speak as a member of the Public Accounts Committee long ago—I thought that it had the imprimatur of the Comptroller and Auditor General, or at least his acquiescence. After I had read and re-read it, I suspected that it was carefully considered and, as the Chairman of the Public Accounts Committee is certainly entitled to do, that it was cleared with the Comptroller and Auditor General.

Where is the authority of the Public Accounts Committee of the House of Commons in all this? If the House of Commons is to be responsible for raising the money for Scotland and Wales, surely the House of Commons has some capacity—indeed, duty—to be able to monitor it. I am not sure of the answer to that question, but I believe that the question is raised in these amendments. I shall be extremely interested in my right hon. Friend's answer, at his convenience, as to precisely what is the authority of the Public Accounts Committee in relation to expenditure that has been devolved to the Welsh assembly.

8.30 pm

Mr. John Hayes (South Holland and The Deepings): I know Wales quite well, and many of the people whom I know in Wales are at a loss to know why the Government have pursued this policy. The part of Wales that I know best is Clwyd, whose people voted against the assembly in quite heavy numbers. As I say, the people there are at a loss to understand the Government's driving motivation in pursuing the assembly.

[Mr. John Hayes]

There could be one of three principal motives for the measure. First, the measure could be designed mainly to pacify those who want to pursue independence. It could be an electoral move; a politically motivated step. Secondly, it could be a genuine step; a deliberate step towards independence; part of a process—a notion to which I shall return. Thirdly, it could be a misguided attempt to strengthen the Union.

The first of those motives would exacerbate the problem rather than solve it. Hon. Members may say that the fire of independence has already been lit, but I am reminded that for most of the first part of its history Plaid Cymru was more concerned with eisteddfods than with assemblies. Its first leader was principally concerned with the cultural identity of Wales. *[Interruption.]* My hon. Friends will acknowledge that Welsh nationalism has always been a rather different animal from Scots nationalism. It has always been concerned largely—I will not say solely—with the cultural identity of Wales, not always with its political identity, in the same way as Scots nationalism has. But perhaps that is because the Welsh are a more lyrical, musical and literary people, although some Scots may disagree with that, including those on the Opposition Front Bench. If the motive is to pacify nationalism, it will fail, because once the flame is lit, it will burn like a torch, and the demand will be for more and more power for the assembly.

If the motive is to go along the road towards independence, let us have an honest acceptance of that now. Let us have a frank admission that this is part of a process. That precise term was used from the Labour Benches last Friday, when we debated an English Parliament. We were told that constitutional reform was evolutionary; that we were not debating an end product in the Welsh assembly and the Scottish Parliament; that they were part of a process. That was the exact phrase used. If that is so, let us know where the process is leading. Let us know the destination to which we are travelling, rather than obscure it in a cloud of deception.

Mr. Letwin: Does my hon. Friend agree that this is one of the tests of whether the second proposition that he is advancing in his most interesting speech applies? The test is whether the Secretary of State in his reply explains that the right hon. Member for Member for Llanelli (Mr. Davies), whom I mistakenly accused of having been a previous Secretary of State, is right in his interpretation of clause 21 and in relation to clause 22, or whether my right hon. Friend the Member for Devizes (Mr. Ancram), other hon. Friends and I are right.

Mr. Hayes: That is precisely the point. We are waiting for an explanation from the Secretary of State of where he stands between those two positions. People in Wales are not sure. They are confused and bewildered. They do not know whether the Government see this as an end in itself or as part of a process. This may well raise false expectations and hopes.

Mr. John Smith: Is the hon. Gentleman aware of what he and his hon. Friends are doing to the interests of the Conservative party in Wales this evening? They are destroying them. The hon. Gentleman is in danger of wiping the Conservative party off the political map. Why do not they concentrate constructively on the amendments?

Mr. Hayes: I suggest that the answer to that question is simple: the Conservative party in Wales, as in the United Kingdom, is driven not by expediency but by principle. If the price of that is unfortunate electoral consequences, so be it. If we were to stray from those honestly held principles, we would be abandoning those who voted for us in Wales for many years and who continue to do so.

Mr. Swayne: Will my hon. Friend give way?

Mr. Hayes: In a moment. I am in full flow.

When Plaid Cymru Members and the Welsh Liberal Democrat party talk to us about the extinction of the Welsh Conservative party, let them remember that in terms of votes cast, the Conservative party did rather better in Wales than some people would now like to suggest.

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. As long as the hon. Gentleman's full flow is down the centre of the river bed, that will be satisfactory, but it would be out of order if he departed too far from the scope of the amendments.

Mr. Hayes: I shall return to a Welsh tributary.

If the second of the propositions that I advanced applies, let us have an honest answer from the Secretary of State this evening. If it is the third, as has been suggested by Labour Members, which is to strengthen the Act of Union, why, if the devolution of power was the principal objective, were the existing structures of local democracy ignored? Why was it not considered appropriate to look sensibly at a devolution of power through the existing local authorities and, if necessary, to constitute—

The Chairman: Order. The hon. Gentleman must speak within the terms of the amendment. He cannot make a Second Reading speech. His last few sentences certainly struck me as being the material of Second Reading, not of the amendment.

Mr. Swayne *rose—*

Mr. Hayes: I give way to my hon. Friend.

Mr. Swayne: Does my hon. Friend agree that amendments Nos. 46 and 47 potentially arrest the process by providing an escape mechanism; a means by which powers can be taken back where necessary? The thrust of some remarks has been that this is a one-way process. The amendments that we have tabled are a solution to that.

Mr. Hayes: The thrust of the amendments is the issue of the ratchet, which was described earlier. If the Government are intent on a process that leads towards independence, clearly they will have considerable objection to the amendments. They will object to them because they will interrupt the process that I have described and provide an escape route. On the other hand, if they are more interested in pacifying nationalists, they

may have a more liberal view of the amendments. If, on my third proposition, their aim is to strengthen the Union, how could they possibly object to the amendments?

Mr. Ron Davies: The hon. Gentleman's argument appears to be that devolution should not be a one-way process and that there should be a mechanism for powers to be transferred back from the assembly to the unitary Government. That, I understand, is his case. Does he think it reasonable that when that reverse flow takes place, it should happen with the consent of the assembly?

Mr. Hayes: It should be done with the consent of the Welsh people. If you are suggesting that—

The Chairman: Order. The hon. Gentleman is addressing the Chairman.

Mr. Hayes: I am sorry, Sir Alan.

I believe that the Secretary of State was asking whether I thought that the process by which powers were transferred between Parliament and the Welsh assembly should be subject to the further consent of the Welsh people. There is considerable doubt about how that could be expressed. There are four possible ways. It could be expressed through the action of this Parliament, which includes many Welsh Members. It could be put to the assembly. It could be the subject of further direct consultation, given the precedent that has been established by the referendum. Alternatively, it could be subject to proper democratic pressure from the current institutions of local democracy.

It is appropriate to consider why the Government chose not to empower districts, counties and parishes in Wales. By creating the Welsh assembly as an alternative and perhaps fixing its powers more rigidly than those of local government—the relationship between local government and central Government having always been fluid and pragmatic, with shifting balances—they may be disadvantaging the existing local structures, just as they are disadvantaging Parliament and the people of Wales.

Mr. Ron Davies: I thought that the hon. Gentleman's reply to my question was measured, sensible and considered. He said that the specific consent of the Welsh people would be needed to any proposal to transfer powers back from the assembly to the unitary Government. Why does he support an amendment that would not allow for any of that and would allow powers to be taken back from the assembly without the consent of the assembly or the people and on the basis of a one-and-a-half-hour debate and a vote in the House of Commons?

Mr. Hayes: The Secretary of State clearly misheard me. I listed four ways in which the process could take place. He has chosen to alight on only one. I said that one constitutionally appropriate mechanism would be through the House, but he chose to ignore that.

Mr. Letwin: Does my hon. Friend agree that the Secretary of State is espousing a remarkable doctrine? He is arguing that unlimited further transfers, beyond the scope of schedule 2, should be permitted without the consent of the Welsh people, but that transfers back should not be permitted without such explicit consent in some form that he has not described. Does not that suggest a deep asymmetry? His view seems to be that under no circumstances could the Welsh people democratically object to having further powers thrust on the assembly.

Mr. Hayes: Through his unwise interventions, the Secretary of State has revealed a prejudice towards a one-way transfer of power and a determination to frustrate the will of the people if it falls foul of his objectives.

It is possible that the three propositions that I advanced at the start of my speech do not explain why the Welsh assembly is to be established. Perhaps the Labour party fiercely opposes the amendments because its vision of the United Kingdom constitution and the political system in these islands is entirely different from the vision of the Conservative party and that of the vast majority of the people of Wales and the United Kingdom. Perhaps the Government want a Europe of the regions, with massive power centralised in the institutions of the European Union, supported by acquiescent regions. Perhaps the Labour party considers Wales and Scotland to be merely regions, like the east midlands or the west midlands. What does that say to the people of Wales and Scotland? They are to be made pawns in a bigger game about which, once again, the Government have dishonestly failed to reveal their true intentions.

Mr. Rowlands: I have been listening intently to the debate and trying to work out where we are and where we are going. Amendment No. 45 says:

"Functions in the fields specified in Schedule 2, so far as exercisable by the Secretary of State for Wales are hereby transferred to the Assembly."

As I understand that amendment, it would transfer every function currently exercised by the Secretary of State to the assembly. That is interesting, because I thought—

Mr. Letwin: I should like to correct a point. The amendment refers to schedule 2, and, therefore, not to every function exercised by the Secretary of State but to every function in schedule 2.

Mr. Rowlands: I suggest that the hon. Gentleman looks at schedule 2, where he will find that the fields specified are extremely extensive. Pretty well every field is covered.

Mr. Letwin *indicated dissent.*

8.45 pm

Mr. Rowlands: Yes, it is. Amendment No. 45 does not qualify the transfer of the Secretary of State's powers. It does not qualify, for example, the functions that he exercises along with other Ministers—although even I thought that my right hon. Friend and the Government were proposing that in certain aspects. Curiously, the Opposition are going further—at least on the surface—than even my right hon. Friend suggested on Second Reading.

I shall take this opportunity to ask my right hon. Friend the Secretary of State to clarify which of his powers will

[Mr. Rowlands]

not be transferred. In the explanatory note on the draft order, paragraph 1.9 of the White Paper is repeated. It says:

"The Government does not propose to transfer to the Assembly responsibility for functions . . . These include foreign affairs, defence, taxation, macro-economic policy, policy on fiscal and common markets, social security and broadcasting."

However, on Second Reading, in a series of interventions, my right hon. Friend the Secretary of State identified some other areas in which there would not necessarily be a transfer. I think that he will recall that, but, in case he does not, I shall remind him. He said that

"it is likely that the draft order that we shall produce, certainly in good time for the Committee stage, when we can have something more than a wide-ranging discussion on these issues, will make it clear that matters relating to animal or human health are likely to be reserved. Currently, the sort of order referred to by my right hon. Friend is made jointly by the Minister of Agriculture and me, as Secretary of State for Wales. Such an order is likely to continue, without those powers being transferred to the Welsh Assembly."—[*Official Report*, 8 December 1997; Vol. 302, c. 755.]

So there is a third category of responsibilities of the Secretary of State, other than those described in the White Paper, which relates to joint responsibilities of the Secretary of State and other Ministers, and which would not necessarily be transferred.

As far as I can see, amendment No. 45 does not make such a qualification. The third category of powers would be "hereby transferred", as the amendment says. That is very interesting. Is it a massive conversion by the Opposition? I notice that the hon. Member for West Dorset (Mr. Letwin) is hunting through the Bill.

Mr. Letwin: I am following the hon. Gentleman's remarks with the greatest possible interest. I cannot understand where he is going in the light of, for example, paragraph 5 of the draft order, which makes specific reference to education Acts, in line with schedule 2, where, of course, the Secretary of State for Wales works in conjunction with the Secretary of State for Education and Employment. By contrast, the amendment specifically refers only to the Secretary of State for Wales exercising the functions. At worst, the amendment is the same, and at best, it is more limited than the transfer of powers in the draft order.

Mr. Rowlands: No, the amendment refers to all the Secretary of State's powers, including those he may exercise jointly with others. The amendment does not qualify the powers.

Mr. Jenkin: I am sure that the hon. Gentleman is aware that we have not yet come to schedule 2. Obviously, if the House chose to amend the Bill as we propose, it would be appropriate to amend schedule 2—possibly quite substantially. It is important to establish exactly what will be transferred, and what is transferable, and to limit it so that there is what they call in constitutional jargon "a settlement" between the Welsh assembly and Parliament, and not a constantly moving feast which can be interpreted by one party or another differently and inevitably result in a dispute.

Mr. Rowlands: Amendments to schedule 2 are not before us. If the Opposition amendments were accepted, the Opposition would be handing over to the assembly every single responsibility that the Secretary of State for Wales can currently use.

The debate offers an opportunity to ask my right hon. Friend the Secretary of State to clarify the areas of responsibility which he says he shares with other Ministers, and which may be reserved and not transferred.

My right hon. Friend made a reference that is recorded at column 755 of the *Official Report* for 8 December, and there was a further elaboration of that policy on 9 December, which is recorded at columns 831-833. My right hon. Friend may remember the exchanges that we had then.

In another intervention, a whole interesting area of reserved functions was mentioned, and my right hon. Friend said:

"Such an order is likely to continue, without those powers being transferred to the Welsh Assembly."—[*Official Report*, 8 December 1997; Vol. 320, c. 755.]

He also said that there would be a statement to that effect in the draft order. I cannot find it, so will he tell us when he comes to reply—or even sooner; perhaps he would like to tell us now—what the areas are in which he, acting jointly with other Ministers, intends to reserve the powers rather than handing them over to the Welsh assembly? That is not clear from the draft transfer order.

I know that my right hon. Friend will probably reply, "Everything that I am not transferring." That might be his immediate answer, but in his comments recorded at column 755 he specifically said that he would identify the powers for us. I hope that he will seek to do so, because that would clarify the role and position of the remaining powers of the Secretary of State.

I am slightly puzzled, because one of the examples cited in those exchanges, especially on 9 December, was the power that the Secretary of State might or might not hold in respect of dealing with, say, meat hygiene and meat safety. I had given an illustration involving section 16 of the Food Safety Act 1990, and my right hon. Friend intervened to say that that was a classic example of a power that would not be transferred, but would be reserved for Ministers. It would be held by the Secretary of State and not transferred to the assembly.

If that is the case, what puzzles me is the fact that the Food Safety Act 1990 is listed in the draft of the Transfer of Functions (National Assembly for Wales) Order as being transferred to the assembly. Are we are to reserve such a power? Will my right hon. Friend look into that question? I was surprised to see the Food Safety Act—the very legislation under which the meat safety provisions and the powers over meat on the bone were, as I thought, reserved—listed in the draft order with matters to be transferred to the assembly.

Putting aside the nonsense that we have heard from the Conservatives, it would be useful if my right hon. Friend would give us more information. He has already kindly given us a long list for the transfer of functions. It would now be useful if he could identify clearly not so much the macro-economic aspects that, rightly, will be reserved for Westminster, but the important grey area for which

Ministers will have joint responsibility—health charges, for example, and human and animal welfare, which may stay on a United Kingdom basis.

Mr. Ron Davies: I am grateful to my hon. Friend for allowing me to intervene, and I apologise in advance if I cannot give him the answers to his questions in full detail before the end of the debate. I suspect that time will not allow me to do so. However, I shall give him a three-part answer now, and if what I say later fails to satisfy him, I shall write giving him as much of the information that he has requested as I can.

I refer my hon. Friend to the draft Transfer of Functions (National Assembly for Wales) Order, which I made available yesterday. It is very much a draft order. I acknowledge that, and, as my hon. Friend will see in the explanatory note, it will be subject to amendment. Perhaps additional Acts will be referred; perhaps some of the provisions will be removed. It is a draft order, and is there to be discussed.

As I said earlier, the final draft will not be made available until the autumn. There will be a further process. We have about 15 months to trawl through the Acts and ensure that we have a clear compendium of precisely what will be transferred. Then that will be subject to debate in the House.

I must tell my hon. Friend that I am currently discussing such matters with my ministerial colleagues. He will understand that there are many responsibilities that are discharged jointly, and we are now working through them. I assure him that before a final decision is taken there will be a complete and comprehensive list. In the meantime, I shall endeavour to ensure that he has all the information that he seeks.

Mr. Rowlands: I am very grateful to my right hon. Friend. I hope that none of my comments appears to constitute a criticism of, or a complaint about, the nature of the draft order; I merely want to ensure that we understand what we are seeking to transfer and what will be in reserve, and I think that there is a third category.

I was rather puzzled by one point. Does my right hon. Friend, like me, consider that amendment No. 45 would convey a much wider, more sweeping power? It appears to me that the Opposition want us to hand over all the powers to the assembly. If my interpretation of the amendment is correct, Welsh nationalists ought to support it, but I have doubts.

On Second Reading, a specific illustration was given to enable us to work out the relationship between assembly powers and the Secretary of State's powers, held jointly by Ministers. The Food Safety Act 1990 suddenly made an appearance. It is possible that other order-making powers in the Act could be legitimately transferred to the assembly, but the power involved was a key power: it was on the basis of section 16 that we banned beef on the bone. When we speculated whether it would have been within the power of the assembly not to proceed with such action, we were told clearly by my right hon. Friend that that would not be the case—that this was a reserved power. Yet I find the same legislation popping up in the transfer order.

I accept that this is very much a first shot and that, as my right hon. Friend has said, there will be plenty of revisions; but we have certainly heard some rubbish from Opposition Members during our debates. I have tried to follow their speeches closely, but I do not think that they have developed their case, and have not "worried" the legislation through to ensure that we get it right. I hope that, from now on, we can expect a much more constructive kind of worrying than we have heard during most of today's debate.

Mr. Evans: As my right hon. Friend the Member for Devizes (Mr. Ancram) said, we want devolution to strengthen the United Kingdom. That was what was said at the time of the referendum. The Secretary of State said himself in the foreword to the White Paper "A Voice for Wales":

> "The Government's programme of constitutional change gives the people of Wales a new opportunity. An opportunity to have our own democratically-elected Assembly within a strong United Kingdom."

We do not want the Bill—and clause 21 in particular—to weaken the integrity of the Union, but we believe that, if the Bill is not amended, that is exactly what will happen.

I am grateful to the Secretary of State for assuring us, after issuing the draft transfer order—and it is a draft—that he will consult before the final version appears in, perhaps, 12 or 15 months' time, as is stated in the press release accompanying the draft, and as he has just told us. That is just as well, in view of what my hon. Friend the Member for West Dorset (Mr. Letwin) said about the order. I assume that the questions that he raised will be clarified, and that amendments will be made during the consultation period.

We did not table our amendments with the aim of presenting obstacles to a process that is taking place in the House, and which will lead—all else being equal—to the establishment of a Welsh assembly. I think that the hon. Member for Cardiff, West (Mr. Morgan) and the right hon. Member for Caernarfon (Mr. Wigley) would like us to wave the Bill through without giving it the close scrutiny that it deserves.

Amendments that give further powers to the assembly are only ever seen as pro-devolution. Our amendments are aimed at improving the Bill. Anyone who tables such amendments will have examined the Bill carefully, and listened to what the people of Wales said during the referendum campaign. We are still of a mind that the people of Wales spoke clearly on 18 September, when only one in four supported the Bill.

As the Prime Minister said on the steps of 10 Downing street, we must pay careful attention to what the people said. We must also look at the Bill, and decide whether it marries up to what the Welsh people really want.

If our amendments are not made, the voice of Wales will be thwarted. They would allow us to avoid what even Labour Members know is a road to certain conflict. We had a taster yesterday, with calls from the nationalists for greater legislative power to go to the assembly, even before it has a site or the first brick is laid.

Does anyone in Westminster really believe that, when the assembly first meets, there will not be a call—perhaps on the first day, in one of the opening speeches—for it to have greater power than the Secretary of State has granted? We have tabled the amendments to ensure that there will be proper scrutiny and that power does not flow only one way. We must have a proper regard to what the people of Wales really want.

9 pm

Mr. Wigley: The hon. Gentleman says that there should be proper regard to what the people of Wales want. The hon. Member for South Holland and The Deepings (Mr. Hayes) listed four ways in which there could be a legitimisation of taking powers from the assembly. What is the official Conservative line on the way in which the people of Wales ought to give their blessing on any handing back of powers?

Mr. Evans: I am grateful to the right hon. Gentleman, but he has not paid due regard to what the people of Wales have already said. Yesterday, he called for more powers to be given to the assembly than were ever stated in the White Paper or argued for in the referendum campaign. In the light of the closeness of the vote, had we gone down the route that he advocates we would not be having this debate, because there would have been a majority against devolution in Wales.

We must be careful about what we do. If we follow the route laid out in the amendments, we will have a device in place to ensure that there is not a one-way ratchet effect, although I am sure that the right hon. Gentleman would much prefer that.

Mr. Hain: Is the hon. Gentleman suggesting that there should be a provision for a future Conservative Government, say, simply to reverse the intent of this primary legislation by order, rather than by separate primary legislation?

Mr. Evans: The Minister surely appreciates that there could be occasions on which the House might need to take back certain powers—as with emergency powers—even by order, because there could be conflict, especially in a proportional representation system. One cannot properly envisage the conflicts that might arise, because we do not operate under that system here; but if occasions arose on which we thought that we needed those powers, and we did not have them, there could be drastic effects for the people of Wales.

We have been accused of being Jeremiahs because we have taken account of the worst case scenario. Surely that is what we must do, to ensure for the benefit of the Welsh people that we have a suitable device available. It may not be used on a daily basis under the legislation.

We cannot know whether a future Government of whatever complexion may consider that what we have decided today is not the flavour of the day, and we cannot handcuff future Governments, but we can put those powers in place, to be used if necessary. If the amendments are not made, we will have no opportunity whatever to effect the changes that may be necessary.

Mr. Hain: What sort of conflict under proportional representation would the hon. Gentleman envisage as creating circumstances in which the order-making power would be necessary?

Mr. Evans: Some conflict might arise within the assembly so that it could not exercise its powers over the functioning of, for example, the health service. Conflicts might arise between the various political parties that may be represented in the assembly under the proposed system of proportional representation, and the assembly could be blocked or reach a stalemate. We have only to look at New Zealand. After the election there, it took two months to sort out the composition of the Government because of the system of proportional representation. Who knows how long it might take after elections for the assembly for the wheeling and dealing to reach a conclusion? After all, proportional representation gives disproportionate power to small groups. At least under first past the post, we know what we have got after an election, although wheeling and dealing may go on beforehand.

The assembly could have severe problems deciding who would be the First Secretary. We know that the Secretary of State for Wales is clear in his mind about who will be the First Secretary after the elections, but the assembly may have other ideas. That is the sort of problem that might arise.

Mr. Hain: In the event of a bit of wheeling and dealing in the Welsh assembly, would a future Tory Government intervene by order?

Mr. Evans: The example that I have just given should be sufficient for the Minister to agree that circumstances could arise in which powers would need to be taken back by Westminster by order. The Minister should concede that point, which he is currently refusing to do.

Mr. Wigley: I have followed the hon. Gentleman's argument with considerable interest. He said that circumstances could arise in which a Conservative Government, if we have the misfortune to have one in future, might wish to use orders to intervene. He said a few moments ago that such an intervention would be in line with the wishes of the Welsh people. Would he determine the wishes of the Welsh people by holding another referendum; on the basis of opinion expressed in the assembly; or by consulting a small handful of Conservative Members in Westminster, who might form a minority of representatives from Wales in this House but would be used to give legitimacy to overruling the decision of the referendum?

Mr. Evans: The right hon. Gentleman should know all about minorities, as he represents only 9 per cent. of the people who voted in the general election. At least the Conservatives got twice that support. I can assure the House that that is not an admission that the Conservatives have been converted to proportional representation, because we will fight that tooth and nail. We all know why the right hon. Gentleman wishes to pursue that line of argument, but it deviates from the subject of our amendments and I shall not join him. However, he must concede that circumstances could arise, such as public health scares or epidemics—*[Interruption.]* I am describing a worst case scenario, but that could happen.

I can understand why pro-devolution Members would prefer that the route to independence allowed only one-way traffic, along the M4 from London to Cardiff—if that is where the assembly will be—without any red lights. I remember, on Second Reading, that it was said that that journey would be a magical mystery tour. Conservative Members said that it would not, because we knew exactly where we would end up and we did not wish to go there. That is why we have tabled these amendments.

The right hon. Member for Llanelli (Mr. Davies) and the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) have referred to clause 21 which is, some would argue, contradictory to certain provisions in clause 22. It is doubtful whether it would take primary legislation to achieve further transfers of power to Cardiff or whether that could be done through Orders in Council.

Both those options are possible. The Secretary of State may wish to give certain powers to the assembly, which would require primary legislation. However, he may have other powers that he will not immediately pass to the assembly, and he may decide at a future date that it is appropriate to give those powers to the assembly. That would be done by Orders in Council, so both systems could work side by side.

We tabled the amendments to ensure that there is two-way traffic in the future. We want to prevent the assembly blocking the possibility of Westminster taking back, by orders, powers previously transferred to the assembly. Earlier in the debate, the Secretary of State asked one of my hon. Friends how he would consult if those powers had to be taken back. It was almost an admission that the assembly could stop Westminster taking back, by orders, powers transferred by orders. I hope that the Secretary of State will clarify that when he replies to the debate.

Will there be only one-way traffic in terms of powers transferred via Orders in Council? Will we always have to use primary legislation to take back powers transferred to the assembly, either in Committee or through votes on the Floor of the House without debate?

Mr. Rowlands: I am sorry to interrupt the hon. Gentleman's flow. Amendment No. 45 asks that all the Secretary of State's responsibilities and functions be transferred in accordance with schedule 2. As the Opposition have not tabled a single amendment to schedule 2, may we assume that they now wish to transfer all the functions contained in schedule 2 from the Secretary of State to the assembly?

Mr. Evans: As my hon. Friend the Member for North Essex (Mr. Jenkin) said earlier, we have not yet come to schedule 2 and the Bill has not completed its passage through both Houses of Parliament. If our amendments are passed today, we shall have an opportunity to ensure that we look carefully at the powers contained in schedule 2. It is important to place a limit on the powers that are being transferred in the Bill so there is not a drip, drip, drip, a constant ratchet and a one-way passage of powers from this House to the Welsh assembly.

We tabled the amendments in a constructive manner and we ask the Secretary of State to look carefully at our reasons for doing so. I hope that he will clarify some of the questions that have been raised on both sides of the House. We do not aim to wreck the Bill, but the only way to improve it is to ensure that there is two-way traffic.

Mr. Ron Davies: One thing that the hon. Member for Ribble Valley (Mr. Evans) certainly does not want is a stable arrangement between the unitary Government and the Cardiff assembly. He seeks to insert into the Bill a mechanism that will always give a whip hand to the unitary Government to take back powers from the Welsh assembly by means of a one-and-a-half hour debate on an order, without the agreement of the Welsh assembly. That is behind the amendment. I assure the hon. Gentleman that I understand his motives very well. This is a last-ditch attempt to frustrate devolution and I shall reject the amendment.

Mr. Ancram *rose—*

Mr. Davies: If the right hon. Gentleman will restrain himself for a moment, I shall deal with some of his comments in due course. Time is pressing and I have many comments to make. I want to reply to all the points that have been made in the debate. However, I give way.

Mr. Ancram: I am grateful to the right hon. Gentleman and I shall be as brief as possible. I am sure he would admit that I gave way to him on every occasion he asked me to do so. He says that we are trying to ensure that the return of any powers is achieved by a procedure that would allow for no amendments and only a one-and-a-half-hour debate. Does he agree that, under the Bill as it stands, that is the procedure for the transfer of powers from himself and from the House to the Welsh assembly? How does he justify it in that context?

9.15 pm

Mr. Davies: That procedure is used by this sovereign Parliament. The right hon. Gentleman proposes to take powers away from the assembly, without consulting and without the consent of the assembly. That is the point between us and I shall return to it later.

I wish to express my gratitude to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who is taking a close interest in our proceedings. I am mightily relieved when I hear him speak in unreserved support of the Government's position—it makes a pleasant and refreshing change and is therefore welcome. He will be pleased to learn that my understanding of the intent and effect of the Opposition amendments is exactly the same as his.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) asked a specific question about provisions relating to the Public Accounts Committee. The Bill makes substantial provision for the PAC to have a role in monitoring the finances of the assembly. I refer my hon. Friend to clause 101 and notify him of the fact that that clause provides for the Comptroller and Auditor General to carry out an examination of the assembly's finances and, if appropriate, to report back to the PAC. His point about taxes being raised by Parliament, and Parliament having the opportunity to scrutinise expenditure, is perfectly correct and we have reflected that in the legislation.

At the start of the debate, my right hon. Friend the Member for Llanelli (Mr. Davies) caused a great deal of excitement among Opposition Members when he asked a question about the respective purposes of clauses 21 and 22. It might be helpful if I told the Committee that clauses 21 and 22 provide the process whereby powers will be handed to the assembly and that that process can take one of two forms. It can take the form in clause 21, whereby an Act of Parliament establishes particular powers which are given to the assembly and whereby the powers are specified in the Act of Parliament. That is a free-standing provision. Clause 22 provides a different mechanism,

[Mr. Davies]

whereby other powers can be transferred to the assembly by means of an order. Those powers will be specified either in the transfer order—a draft of which is available to hon. Members—or in any future order, which will specify the nature of those powers. Clauses 21 and 22 provide the process, and the description of the powers to be transferred to the assembly will be found either on the face of the primary legislation, or in the transfer order under clause 22. I hope that that answers my right hon. Friend's question.

Mr. Denzil Davies: I think that it does, and I am grateful. May I give an example which, although it relates to a later amendment, we may be able to clear up now? Let us assume, as is the case, that the Secretary of State for Home Affairs has functions and powers relating to prisons that can be described as "relating to Wales", in that he has those functions in respect of Wales. If that is the case, is my right hon. Friend saying that the functions and powers of the Secretary of State for Home Affairs in relation to prisons in respect of Wales can be transferred to the Welsh assembly by order?

Mr. Ron Davies: Yes, my right hon. Friend is absolutely correct. That is the purpose of clause 22(1)(a).

Mr. Ancram *rose—*

Mr. Davies: I was about to come to the right hon. Gentleman's points, but I shall give way. He made a lengthy speech, he has had his colleague, the hon. Member for Ribble Valley make a second speech from the Opposition Front Bench and I understand that his other colleague, the hon. Member for North Essex (Mr. Jenkin), wants to make a further speech from the Opposition Front Bench. There is limited time available and I want to reply to all the many questions that have been asked. I hope that if I give way to the right hon. Gentleman, as I shall, I shall not be berated if there is insufficient time left for me to answer all the questions asked.

Mr. Ancram: I am grateful to the right hon. Gentleman for giving way, but he himself has said that this is a matter of some concern and dispute. It is a matter of interpretation. I want to be clear on the procedure. Just now the right hon. Gentleman referred to two powers, one in clause 21 and one in clause 22. Is it not the case that the power under clause 22 stems from the power given under clause 21? Clause 21 refers to functions that are transferred

"by virtue of this Act".

The order power is given

"by virtue of this Act"

and, therefore, without clause 21, that order power would not exist. Clause 21 also stipulates that there can be other Acts that transfer power, so there are two forms of Act under clause 21 which can transfer power, but the powers under clause 22, and those relating to further orders under clause 23, stem ultimately from the power given under clause 21 by the words

"by virtue of this Act".

Mr. Davies: That is not what I said. I made it clear that clause 21 is a free-standing provision which allows powers to be transferred to the assembly by definition at some point in the future. *[Interruption.]* The right hon. Gentleman has asked a question, but now he is badgering me from a sedentary position. I am perfectly happy to give him an answer. If he thinks that this is the most important matter before us—we have been debating it for the best part of three hours—I shall concentrate on it. The answer is quite clear. Clause 21 specifies that the assembly may acquire powers by means of primary legislation. Those powers will be specified in that legislation. Clause 22 provides for a different mechanism—

Mr. Ancram: That is not clear.

Mr. Davies: The position is quite clear and I have repeated it time after time to the right hon. Gentleman. If he wants to have a further discussion later, I shall make him an offer. I will meet him downstairs in the Strangers Bar at about five past 10 o'clock. I will buy him a pint and spend at least 10 minutes taking him through the details. I am afraid that that is the best offer I can make this evening, but some of my hon. Friends are muttering that it is too generous.

Mr. Denzil Davies: Will my right hon. Friend give way?

Mr. Ron Davies: Well—

Mr. Denzil Davies: It is only 9.20 pm.

Mr. Ron Davies: I will give way to my right hon. Friend, but I also want to deal with the points raised by the right hon. Member for Devizes (Mr. Ancram) and by the hon. Member for West Dorset (Mr. Letwin). I am sure, however, that my right hon. Friend has an even more interesting question for me.

Mr. Denzil Davies: It is the same question. Let me try to get it absolutely right. What my right hon. Friend is saying is different from what is said in the Bill. He is saying that the assembly shall have the functions that are, in effect, transferred to it either by an Act of Parliament or by an order. That is not what the two clauses state. Clause 21 says that the assembly

"shall have the functions which are . . . transferred . . . by virtue of this Act".

It does not say that it shall have functions that are transferred one way or another, but that is what my right hon. Friend is saying. If he tells me that the draftsman has obviously thought otherwise, I will accept that for now, but perhaps he could at least assure me that that draftsman will have another look at the clauses.

Mr. Ron Davies: I am satisfied that the clauses are perfectly clear, but let me try to explain them yet again to my right hon. Friend. Clause 21—I hope you will not rule me out of order for commenting on it, Sir Alan, because, technically, clause 21 already stands part of the Bill—refers to powers that are being transferred to the assembly by the legislation. That is what clause 21(1)(a) means. Clause 21(1)(b) refers to the fact that Acts in the future can also transfer powers to the assembly. Those powers will be specified in that future legislation.

Clause 22 deals with an entirely different mechanism, but it has caused much excitement on the Conservative Benches. It contains the provision that allows for powers that are currently or in the future vested in Ministers of the Crown to be transferred by order to the assembly. I hope that we have now got the matter absolutely right.

Mr. Denzil Davies: Yes, I heard that.

Mr. Ron Davies: Good.

Mr. Letwin *rose—*

Mr. Davies: I will not give way.

Mr. Letwin: We are in Committee.

Mr. Davies: I have spoken for just 10 minutes, but all I have done is take interventions. I will not fall for the hon. Gentleman's intervention. I will try to be as courteous and helpful as possible when I deal with the points raised by the hon. Gentleman, but many questions have been asked and I do not want to be berated for failing to answer them. The hon. Gentleman had a long time to make his own case. There are answers to the questions that he raised and I want to get those answers on the record. If time allows, I shall certainly give way to him.

The right hon. Member for Devizes spoke about three tests of devolution—the test of flexibility, whether devolution would secure the Union and whether devolution would ensure stability in the arrangements between the unitary Government and the devolved government. I believe that the Bill meets perfectly all three tests. I recommend the Committee to reject the amendments because I believe that they fundamentally weaken the proposals that are set out in the Bill.

We had an interesting exchange earlier, with the right hon. Member for Devizes berating me and hoping, perhaps, that I would throw up my hands in horror and confess. I accept, however, that what we are proposing represents a substantial change. I acknowledge that it will change the relationship and the way in which the British Government have operated for a long time. The unitary nature of the British Government will be changed because we are devolving powers to Cardiff.

Mr. Wigley: Or Swansea.

Mr. Davies: Yes, or Swansea. I referred to Cardiff metaphorically. The same would apply to Abercynon or Llandudno. I apologise to everyone in Wales.

We are talking about the transfer of powers to Cardiff. There is a question before us, and that is that the intention behind the amendments is to give authority to the British Government to take powers at any time in future by means of a one-and-half-hour debate, without recourse to the people of Wales, Welsh representatives or the assembly. Powers would be taken back on the basis of a short debate by order without the consent of the assembly. That is the intention behind the amendments. I am opposed to that. We shall resist the amendments because we realise that there is a new settlement.

We have heard a great deal about the supremacy of Parliament. Let me again assure the Committee that we are not for one moment questioning the sovereignty of this Parliament. I acknowledged yesterday, as did the Committee when it defeated one of the amendments tabled by the right hon. Member for Devizes, that it will always be open to the House of Commons to abolish the assembly, if it so wishes, or to remove powers from it. If that is to be done, it should be done by means of primary legislation, not on the basis of a one-and-a-half-hour debate and a Division on the Floor of the House at 11.30 pm. That is the difference between us.

The right hon. Member for Devizes was talking earlier with a sense of outrage about a stand-off that would exist between Parliament and the assembly, which would be devastating to the Union. He argued that it would create tension and frustration if the British Parliament were not able to take powers back from the assembly.

Mr. Ancram: It is a two-way process.

Mr. Davies: Of course it is.

How does the right hon. Gentleman think that a provision of the sort that he is suggesting, whereby powers could be taken unilaterally on the basis of a one-and-a-half-hour debate, would add to the stability of the assembly? How does he think that that would resolve conflict and build confidence, trust and a mutually respectful relationship between the assembly and Parliament? That would not be the outcome. That is the essential flaw in the right hon. Gentleman's argument.

I move on to the question of a one-way street. No one is suggesting that powers should not be transferred from the assembly. My hon. Friend the Member for Merthyr Tydfil and Rhymney raised some interesting questions about the nature of some of the powers that may be devolved to the assembly. It may be in the light of circumstances that I cannot foresee and do not want to speculate on at the moment that at some stage in future, there will be perfectly good reasons for some powers being repatriated or handed back to the unitary Government.

If there are good arguments, they will be accepted by the assembly. It may be for the better government of Wales and the better discharge of functions that the assembly will want to transfer powers back to the unitary Government. If that is the position, that is fine. That will be done by agreement. It will be done with respect being given to the assembly through the Bill and to the sovereignty of Parliament, always acknowledging that Parliament can exercise its sovereignty. However, the right hon. Member for Devizes is seeking to introduce a process whereby Parliament alone can take back powers without reference to the assembly, and I propose to resist that.

Mr. Ancram: The right hon. Gentleman is making another speech of the sort that I have heard him make before, where he talks about the sovereignty of Parliament and its power to take things back if it wants to, and where he says that this is not a one-way street because Parliament can exercise that sovereignty. If he is so certain in his assertions, why will he not accept the amendments?

9.30 pm

Mr. Davies: I resist the right hon. Gentleman's amendments because they would allow powers to be taken away from the assembly, without its having the opportunity to express a view. I stand on that principle. This may be a fundamental difference between us. Let us acknowledge it. The right hon. Gentleman and the Conservative Opposition want to emasculate the assembly at the outset. They want unilateral powers—whenever it suits their convenience, whenever there is a policy decision and whenever the people of Wales venture to take a decision to suit their circumstances—to deny the assembly the opportunity to make such a judgment. That is the difference between us.

Mr. Ancram *rose—*

Mr. Davies: The right hon. Gentleman has got to buy me a pint now.

Mr. Ancram: Has a Scot ever offered a Welshman a pint?

I will make the right hon. Gentleman an offer. He is worried about the assembly not being consulted. That relates to amendment No. 47. If it were withdrawn, his objection would have to be withdrawn. Will he therefore accept the other two amendments?

Mr. Davies: I accept the right hon. Gentleman's offer in this sense. If he wishes to withdraw the amendment, to reflect on the debate and to accept the objections of hon. Members on both sides of the Committee, and if he understands that it is not acceptable either to the Government or to Welsh Members to weaken the Bill fundamentally at the outset, I will have further discussions, perhaps over the second of our drinks downstairs, to find out how to accommodate his concerns. I hope that he will have the good grace even at this late hour to realise that it is not in the interests of the Committee or of his party to pursue the amendment.

The hon. Member for West Dorset made an entertaining speech. It is the first time that I have had the pleasure of listening to him and I thoroughly enjoyed it. I congratulate him on the force and clarity of his arguments and on the entertainment value of his speech. I make those comments genuinely. However, he did have a little mischief in mind. He did not strictly stick to the indisputable facts, which are clear.

The hon. Gentleman made great play of the transfer order and said that it could not be taken seriously because it contained deficiencies. Of course it does. In the statement that I published with the transfer order, I said:

"The Transfer of Functions (National Assembly for Wales) Order is the first stage in a trawl through the more than three hundred Acts of Parliament that are relevant.

The Transfer Order is an important document. Much work remains to be done on the detail over the next twelve months and there will be wide-ranging consultation before the final draft of the order is drawn up.

The Transfer Order will inform the debates and committee stages of the Government of Wales Bill as it progresses through Parliament, and I judged it important to get a working draft into the public domain as soon as possible."

That is a fair statement of the Government's position. I wanted to ensure that there was a first trawl and that right hon. and hon. Members who had raised fundamental questions about the nature of the transfer order had the opportunity to see the draft order, get a feel of it and understand the process that we were undertaking.

I acknowledge that I do not have any difficulty in producing a draft and that it has imperfections. I have produced the draft order because it is a complicated and detailed process and we want the order to be examined in public debate.

It may be a new feature of Government that we have a public and open debate and an admission that not everything can be got right initially, particularly when we deal with the huge transfer of power to a new democratic institution. Given the experience that we have had in politics—given certainly my experience in the House in the past 15 years—a little humility and recognition by Ministers that they do not always get everything right on the first occasion would be welcome.

The hon. Member for West Dorset then spoke about the assembly and suggested that a wide range of powers would be vested in it to allow it to repeal or amend primary legislation.

Mr. Jenkin *indicated dissent.*

Mr. Davies: That was certainly the message that the hon. Member for West Dorset gave in his speech, but what he said is not the case. I acknowledge that some powers transferred to the assembly will allow it to amend primary legislation, but the hon. Gentleman suggested that there would be a range of powers that would allow the assembly to repeal existing primary legislation. He used that word several times in his speech and I am sure that a look at *Hansard* tomorrow will clarify that.

I have only one power of which I am aware. There may be others, but I am advised that I have one power only—the power given to Ministers by the previous Government when they passed the Deregulation and Contracting Out Act 1994. They gave Ministers substantial powers to repeal existing primary legislation. I happen to be the beneficiary of those powers at the moment. In theory, I could transfer to the assembly the power to repeal primary legislation, but I know that the hon. Member for West Dorset has studied the transfer order closely, and he must realise that, as that document shows, it is not the Government's policy to transfer to the assembly those powers to repeal primary legislation.

Mr. Letwin: Will the right hon. Gentleman clarify two points? First, does he accept that he has transferred in the draft transfer order—if we are to take the document seriously, notwithstanding the imperfections that he has admitted—the Local Government Finance Act 1988 provisions to which I referred and which specifically also give him the power to repeal and amend?

Mr. Davies: Yes, that is the case, but the hon. Gentleman made great play of section 157—*[Interruption.]* I am sorry; section 147. As I understand it, those powers are exhausted because they were the specific powers that were necessary to deal with the repeal of the poll tax. That is the advice that I have been given and I am happy to enter into correspondence with the hon. Gentleman.

Mr. Letwin *rose—*

Mr. Davies: I am afraid that there will be a queue of people at the Bar downstairs if I have to buy a pint for

everyone who intervenes on me tonight, and if I continue to give way, I shall not finish my speech. I shall try to accommodate any genuine anxieties that the hon. Gentleman has.

As is clear, amendment No. 45 limits the ministerial functions that are transferred to the assembly to the fields specified in schedule 2, in so far as they are exercisable by the Secretary of State for Wales. The purpose of the amendment is to make the point that only an Act of Parliament should confer functions on the assembly—in other words, the fast track will not be allowed.

Amazingly, amendment No. 46 converts the power that is currently in clause 22 to transfer functions from Ministers to the assembly to a power to transfer functions from the assembly to Ministers—

Mr. Rhodri Morgan: Anti-devolution.

Mr. Davies: It is anti-devolution. It is a reversal of the process that the Bill seeks to achieve.

Amendment No. 47 removes the requirement for the assembly to agree to an order under clause 22 which amends or revokes a previous order. Under amendments Nos. 46 and 47, functions could be removed from the assembly by secondary legislation without the assembly having a direct say in the matter. The right hon. Member for Devizes says that is right; I know that it is not right, and that is the difference between us.

The amendment means that the transfer of functions will lack precision. If its purpose is to ensure that the Committee and the wider world know what the functions of the assembly are to be, it will fail. The transfer order—the working draft of which I have published—will list precisely which functions, under which Acts, are transferred to the assembly. The Government's approach gives clarity. The Opposition amendment is a recipe for confusion and disputes, for years to come, about the powers that are currently vested in the Secretary of State.

The amendment would transfer all my functions in the field specified in schedule 2, but that is not what the Government propose. The White Paper made it plain that almost all my functions would be transferred to the assembly, but that some functions—my hon. Friend the Member for Merthyr Tydfil and Rhymney explored that earlier—would not be so transferred.

An example that might interest the right hon. Member for Devizes is my function in advising Her Majesty the Queen on some appointments. That is why the draft transfer order says that we are considering not transferring to the assembly functions to do with the appointment of the chief inspector of schools in Wales under the School Inspections Act 1996, and of the Local Government Commissioner for Wales under the Local Government Act 1988.

It is also true that the Government are considering transferring to the assembly some functions that are not exercised by me. That was the point that my right hon. Friend the Member for Llanelli explored with me earlier. A further example concerns joint powers. At present, the legislation requires that I act jointly with my colleagues in other Departments. The general policy that the Government are adopting is to eliminate the requirement for joint action whenever that is practical, so that the assembly would be free to exercise such powers on its own for Wales. When we decide that that is the right course to follow, the transfer order will need to transfer to the assembly not just my functions, but those of my ministerial colleagues with respect to Wales.

Mr. Cynog Dafis (Ceredigion): Why does the Secretary of State want to retain the power to choose the chief inspector of schools for Wales? Why on earth should not the assembly have that power?

Mr. Davies: Because as I said, that matter is the responsibility of Her Majesty the Queen, and it would require changes of another kind. I know that the hon. Gentleman shares my view of these matters—[*Laughter.*]—at least I hope he does.

The Committee should also note that not all the functions that I exercise fall neatly into one or other of the categories in schedule 2. By way of example, I offer certain functions that I exercise with respect to civil defence and to local authorities, under the Civil Defence Act 1948. There is no reason why the assembly should not inherit such powers, but the amendment might have the effect of preventing that.

The Government are unwilling to rule out the possibility of future transfers of ministerial functions to the assembly. At the moment, the Government have no plans to make further orders. I have repeatedly stressed that devolution is a process, not an event. Clause 22 affords Parliament ample opportunity for debate, although the affirmative resolution procedure would apply, if any future Government proposed the transfer to the assembly of functions other than those currently vested in my office. It is true that there will be a debate of one and a half hours, but the power will still rest with the House to approve—

Mr. Ancram *indicated dissent.*

Mr. Davies: Thousands of pieces of secondary legislation go through Parliament every year without debate or amendment. The right hon. Gentleman should stop harping on about how the world will come crashing down if the powers exercised by Ministers in respect of Wales are handed over to a democratic authority in Wales following proper debate and a vote in the House of Commons. That does not undermine our democracy; it certainly changes our constitutional arrangements. But the people of this country voted in large measure on 1 May for constitutional change.

Mr. Rowlands: It appears that there will be two options—Acts of Parliament and orders. The notes on clauses say that some modest functions in future may be appropriately devolved by order. That implies that some modesty will attend the order-making power, and that substantial transfers of power will be effected by Acts of Parliament. The transfer of prisons from the Home Office involves a fairly substantial power. Would that be done by order or by primary legislation?

Mr. Davies: I cannot answer that question; we are not proposing it anyway. Some future Government might decide that it was necessary to transfer substantial additional powers to the Welsh assembly—

Mr. Denzil Davies: Like taxation?

Mr. Ron Davies: That is not what I am proposing, but a future Government might consider it. If so, I am sure

[Mr. Ron Davies]

that the Government of the day and Parliament would say, "Hang on, you cannot do that by order: it is a substantial shift."

Mr. Denzil Davies: It is provided for in the Bill.

Mr. Ron Davies: Of course it is, but legislation must be acted on in the light of political common sense. Meanwhile, the Bill contains a mechanism for a transfer order dealing with law-and-order issues and other non-controversial matters that a Government of the future might believe could be transferred by order after a one-and-a-half hour debate. Other, larger areas of responsibility may need primary legislation, however.

We are trying to be reasonable and flexible. The Government want a stable constitutional settlement. Amendment No. 46, with its sister amendment No. 47, provides for instability. Functions could be removed from the assembly almost at the behest of the Government of the day. That is why clause 22(4)(b) provides some level of security for the assembly—a lock, as it were. Amendment No. 47 would remove that lock. That is why I was not prepared to accept the earlier suggestion by the right hon. Member for Devizes.

The hon. Member for North Essex seemed to agree with the Government's approach to authority and stability when he told the Committee yesterday,

"We do not want the relationship between Westminster and the... assembly... to be one in which Westminster is constantly interfering and reasserting its supremacy."—[*Official Report*, 20 January 1998; Vol. 304, c. 875.]

How can he reconcile that statement with the Opposition's present argument that, on the basis of a one-and-a-half hour debate and a vote in the House of Commons, any function can be stripped away from the Welsh assembly? The hon. Gentleman is being entirely inconsistent in this matter.

I agree with the hon. Gentleman, however, that if there were to be any future reduction in the assembly's powers, it should be an infrequent occurrence. The Opposition amendments leave the door open to the Westminster Government to reduce the assembly's functions by means of secondary legislation at any time.

The Leader of the Opposition has gone on record as saying that a Government led by him would not seek to abolish the assembly without the consent of the Welsh people. The amendments allow for the possibility of virtual abolition, but by the back door, making the removal of the assembly's functions by secondary legislation much easier. I ask the right hon. Member for Devizes to reflect on whether that is consistent with his party's policy, as set out by his right hon. Friend.

If the Opposition press amendments Nos. 45, 46 and 47 to a Division, I urge the Committee to join me in voting against them.

9.45 pm

Mr. Jenkin: I did indeed utter the words that the Secretary of State so kindly quoted. It must have been a good speech for him to take the trouble to quote me at such length. I am delighted that he did so.

The amendments have exposed what we most feared about the Bill—that we do not have a proposed settlement between the Westminster Parliament and the Welsh assembly. We have a constantly movable feast, which will provoke the misunderstandings and discords—

Mr. Nick Ainger (West Carmarthen and South Pembrokeshire): That is what the Conservatives want.

Mr. Jenkin: It is not what we want. We want a clean and clear settlement. That is what amendment No. 45 proposes. It proposes that we transfer defined and definable powers to the assembly, as set out in schedule 2. It may take amendments to schedule 2 to shape that into what the Government intend to devolve.

As the Bill stands, we will never know from week to week what powers the Secretary of State wants to devolve. He keeps telling us that devolution is a process, not an event. The Bill makes that clear. However, it is like trying to reassure Charles I, when Parliament was seeking powers to control taxes, that the matter of parliamentary supremacy was a process, not an event. Little did he know—or perhaps he did know—that it would conclude with the chopping off of his head. We are dealing in the Bill with a rolling programme.

We shall press amendment No. 45 to a Division because, through the draft transfer order, which I am grateful to the Secretary of State for providing, the Bill provides for an initial major transfer of powers, but it goes on to explain that those powers are not exhaustive, and furthermore that the powers can be transferred only one way at the behest of Parliament, and cannot be transferred the other way without the consent of the assembly. We have the prospect of unlimited transfers.

I do not know whether the Secretary of State realised what he was saying in his winding-up speech. He implied that tax-raising powers could be transferred by order. *[Interruption.]* Yes, that is what he said. If he reads *Hansard*, he will realise that that is what he implied.

Mr. Ron Davies: The hon. Gentleman cannot get away with that. I did not imply that for one moment. In reply to a question raised by my right hon. Friend the Member for Llanelli (Mr. Davies) about whether tax-raising powers could be transferred by order, I said that that was exactly the type of big issue which any future Government would have to consider dealing with by means of primary legislation.

Mr. Jenkin: The fact is that the Bill contains the authority to transfer those powers by order. That is what we find so unsatisfactory. We want a settled arrangement between the Welsh assembly and the Westminster Parliament, and the Bill simply does not provide that.

There is another matter which we have settled by provoking debate through the amendments. The great advertisement for the Welsh assembly—that it could have stopped the poll tax—is a fraudulent claim. The Secretary of State has been going around saying that which is not, because the order-making powers in the Local Government Finance Act 1988, as my hon. Friend the Member for West Dorset (Mr. Letwin) so ably demonstrated, are extremely limited and relate to very limited issues. Hypothetically, even if such powers had been transferred to a Welsh assembly, they would not have stopped Parliament imposing the poll tax.

We are left with an important question: are we setting up a contract between the Welsh assembly elected by the Welsh people and the Westminster Parliament, a contract which both sides will understand and comprehend, so that, when we come to the disputes that are inevitable between two layers of government, at least the parameters will be understood, and as the disputes are resolved the terms of that resolution will be accepted? Or are we creating a situation where the expectations being raised for the Welsh assembly are far beyond what the Westminster Parliament can practically deliver, aided and abetted by the political opportunism of the Secretary of State and his party, resulting inevitably in disappointment, disillusion and further disputes and playing into the hands of the nationalists, who are, of course, the smiling figures on the sidelines waiting to pick up the pieces of the Secretary of State's scheme?

The Secretary of State's main objection to our amendments was with amendment No. 47. It is interesting that the drafting of clause 21 is curiously elliptical and led the right hon. Member for Llanelli (Mr. Davies) to a different understanding of what it means. If the interpretation that the Secretary of State places on clause 21 as it relates to clause 22 is accepted, a certain amount of wording in clause 21(b) is superfluous. Clause 21 states:

"The Assembly shall have the functions which are—

(a) transferred to, or made exercisable by, the Assembly by virtue of this Act",

when in fact the Bill transfers no such powers. That is a shortcoming in the proposed legislation, possibly created in the rush to get the Bill drafted.

Mr. Ron Davies: In which case, why did the hon. Gentleman not table an amendment to improve the Bill?

Mr. Jenkin: We have. We wish to transfer powers by virtue of the Bill. We are seeking to fulfil what the clause appears to promise but in fact does not, because no powers are transferred by virtue of the Act, except by the order-making power that the Secretary of State will use. As my right hon. Friend the Member for Devizes (Mr. Ancram) said, if we accept a fresh structure for the Bill, we do not need amendment No. 47.

If this hotch-potch of powers is to be transferred by order, and there is the rather absurd notion that somehow the Welsh assembly in the midst of a dispute about its powers would willingly give up powers that had already been granted to it by order, we need a simple mechanism to reflect that what is sauce for the goose is sauce for the gander. If it is right to transfer powers to the assembly by order, it is right to transfer powers back by order.

None of the new powers that would be transferred by order has necessarily been agreed by the assembly or by referendum. Why, then, should not those powers be transferred back without the agreement of a referendum or the assembly? As the Secretary of State rightly keeps reminding the Committee, the House of Commons remains sovereign. Allowing powers that can be given to be taken away in the same fashion merely creates symmetry in the Bill.

I suspect that the reason for the Secretary of State's deep love for the clause is the same as the motivation for the Bill. It is about appeasing nationalism. Just as he has framed a devolution policy to try to capture nationalist votes by running before the wind, the clause is necessary to stop the nationalists being driven up the wall with frustration.

Mr. Ieuan Wyn Jones: If the hon. Gentleman is given the undertaking that there will be no frustration among Plaid Cymru Members, will he withdraw the amendment?

Mr. Jenkin: We will withdraw the amendment if we can be certain that the Bill will confer a defined and clear structure of devolved power on the Welsh assembly. Unfortunately, that is not the case. The Government's opposition to amendment No. 45 sets up a structure which allows for a state of flux to exist between Westminster and the assembly. We need a power to balance the order-making power to transfer powers to the assembly. We therefore stand by the amendments and we shall vote on amendment No. 45.

Question put, That the amendment be made:—

The Committee divided: Ayes 147, Noes 370.

Division No. 137] **[9.57 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David

Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Waller, Robert
Wardle, Charles
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. Nigel Waterson.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Macteggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan

Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Osten, Mark
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thompson, William
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Janet Anderson and
Mr. Jim Dowd.

Question accordingly negatived.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Mr. Betts.]*

Committee report progress; to sit again tomorrow.

EMPLOYMENT RIGHTS (DISPUTE RESOLUTION) BILL [*LORDS*] [*MONEY*]

Queen's recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Employment Rights (Dispute Resolution) Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Betts.]*

North Wales (Power Cuts)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

10.16 pm

Mr. Dafydd Wigley (Caernarfon): I am grateful for such an early opportunity to draw attention to the problems that we experienced with electricity supply in northern and central Wales during the Christmas period. I realise that, at various times over the past weeks, many areas in the United Kingdom have suffered electricity cuts owing to extreme bad weather, but I think it appropriate to highlight the difficulties in northern and central Wales—served by MANWEB—for three reasons.

First, the storms that hit Wales over Christmas were more severe than those in many other areas and caused thousands of homes to be without electricity on Christmas day. Secondly, it took an unacceptably long time to reconnect supplies: hundreds of people had no electricity for several days, and some had none for as long as eight days. Thirdly, although this was not the first time our area had suffered in this way, the privatised electricity industry has imposed on us substantial cuts in the work force and we now face further centralisation and the closure of depots.

I must make it clear at once that I do not criticise the workers of MANWEB. Many of them worked heroically in appalling weather conditions for up to 18 hours a day, and many office staff gave up their Christmas to deal with telephone calls. I pay tribute to all those people, but, despite their efforts, the experience of my constituents was unacceptable. Lessons must be learnt and changes must be made.

I shall give some examples of the difficulties that have been experienced. The storm, with gusts of up to 100 mph, broke out late in the afternoon of Christmas eve. Incidentally, MANWEB states that the Meteorological Office gave it no advance warning. That raises other questions about the way in which the Met Office warning system works—with which we could, perhaps, deal on another occasion.

Thousands of homes in northern and central Wales lost their electricity supply. By midnight on Christmas eve, I was receiving frustrated telephone calls from constituents. I entirely understand why they felt as they did. The frustration came partly from the threat to their Christmas lunch, but equally, if not more so, from the difficulty that they were experiencing trying to make contact with MANWEB. MANWEB says that there were also difficulties with BT. If that is the case, some action needs to be taken on that matter.

The weather remained difficult. On Christmas day and Boxing day there were still strong winds, but they were not hurricane force and luckily it was not all that cold for the time of year; otherwise, the problems would have been much more serious. By Boxing day morning, people's electricity had been off for 36 hours and they were getting very annoyed indeed.

People could not get through to MANWEB and those who persevered for 35 or 40 minutes got only a recorded message. Some who held on beyond the end of the message had another long wait; sometimes they spoke to someone who knew little about the place names and locations in north Wales. That is not surprising, because many of the calls were diverted to Warrington.

As the week progressed, the complaints from households, farms and even residential old people's homes mounted. People had been without electricity for four or five days. By the time the full pattern became visible, we discovered that people had been without electricity for up to eight days. The Nierada family in Nefyn, for instance, had that experience, and they had an extremely sad bereavement in the middle of the week.

Whatever understandable difficulties MANWEB faced on Christmas day and Boxing day, there was no excuse for people being cut off for five days or longer or for the failure to provide information over the telephone. MANWEB even refused, I regret to say, to put spokespersons on BBC radio programmes to inform the public about the situation.

Police and other emergency services and local government also had difficulty establishing proper communications with MANWEB. The long loss of electricity supply led to substantial financial losses for many people as well as widespread misery over the festive period. Some, indeed, had their very survival threatened. One of my constituents, in Llanberis, had come out of hospital in Bangor only shortly before Christmas and was on an electrically powered life support machine. Her husband had an emergency MANWEB telephone number in case anything went wrong, but the person at the other end did not know how to respond or to help. My constituent survived by luck, because the electricity kept coming back for short periods and that was enough to keep the machinery going.

Mrs. Betty Williams (Conwy): Does the right hon. Gentleman agree that the major problem during the crisis, in north-west Wales especially, was communication? He has mentioned some examples. Surely we must consider the question of bilingualism. People in our area were asked to spell out place names and even then the people on the other end got them wrong.

Mr. Wigley: Indeed. It is understandable that people on the other end did not understand the place names, as the calls were diverted to Warrington. That is a result of over-centralisation. When calls were dealt with locally, the problem did not arise. I know that people in Bethesda, in the hon. Lady's constituency, were also cut off for long periods.

A residential home with vulnerable old people, in Morfa Nefyn my constituency, was without electricity for three days, as was a nursing home in St. Asaph, in the constituency of the hon. Member for Vale of Clwyd (Mr. Ruane), with people of an average age of more than 90, several of whom are terminally ill and some of whom are dependent on electrical apparatus to survive. The staff there telephoned MANWEB and were unable to get the help that they needed. It was lucky that they were able to acquire a generator, as some people might otherwise have died.

Mr. Lindsay Hoyle (Chorley) *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman must resume his seat. If he is seeking to intervene in the debate, he must get up and say so. Two hon. Members must not be standing at the same time.

Mr. Hoyle: I am sorry that I was so polite and I apologise, Mr. Deputy Speaker. The right

hon. Gentleman has brought to the attention of the House the problems suffered in the MANWEB area, but the same difficulties arose in the Norweb area. For example, a nursing home was without power for 50 hours and had no heating or lighting. The average age of the patients was 80 and one unfortunately had a stroke but had to be left in a chair because it was so cold that the staff had to keep all the patients together and could not put them to bed. Such tragic accidents should not be allowed to happen again and I congratulate the right hon. Gentleman on bringing the issue before the House. Norweb is just as disgraceful as MANWEB.

Mr. Wigley: I accept that there were problems in other areas, including the Norweb area. The issue goes to the heart of the organisation of the electricity industry and some of the trends that we have seen since privatisation. The hon. Gentleman's reference to homes for the elderly underlines the question about what guidelines are issued to the electricity companies to ensure that they have procedures to deal with circumstances that may be a matter of life or death.

I have been inundated with letters on this issue. That fact reflects the feelings of my constituents. If the weather had been extremely cold, there would have been dozens of deaths. Thousands of families in Wales lost the entire contents of their deep freezes and much of their Christmas food, which they were not able to cook. Some have insurance policies, but they stand to lose the excess charge on those policies and now face increased insurance premiums. Some have no insurance cover.

Many dairy farms were badly hit, because milking machines could not be used. Farms that were storing milk could not keep it at the right temperature and it had to be thrown away. If cows cannot be milked for some time, they become barren and it can be up to three months before they can be milked again. The losses have been substantial, running to hundreds, if not thousands, of pounds. People who visited the area on holiday also had their holidays spoilt.

Three issues are at stake. First, what could or should have been done by MANWEB to reduce the risk of loss of supply? Secondly, how could communications have been improved and better information been made available? Thirdly, could supplies have been reconnected more quickly? I met the chairman of MANWEB, Mr. Charles Berry, and other senior staff to discuss the issues involved. My hon. Friend the Member for Meirionnydd Nant Conwy (Mr. Llwyd) was also present. I appreciate MANWEB's difficulties and I am grateful for the courtesy that I was shown, but, in the end, we had to agree to differ. It is clear that the answer to avoiding such breakdowns is more investment in upgrading the system. In some areas where investment has been made, such as the village of Penisarwaen in my constituency, no losses of power were suffered, but communities within a mile of that village, such as Deiniolen, Dinorwig and Fachwen, had significant problems.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I must declare an interest, because I had a cheese salad for Christmas lunch. More seriously, during the meeting that my right hon. Friend has mentioned, various offers of compensation were made by the hierarchy of MANWEB. Would it not be better if it had made some commitment to further investment and the creation of more jobs? MANWEB has halved the number of people working in the industry in north Wales, so it is no wonder that such problems are recurring.

Mr. Wigley: My hon. Friend has identified the nub of the problem and I shall come to his point about the need for investment. MANWEB boasts that in the urban area of Liverpool, which is in its territory, it has one of the best records for maintaining supplies in the United Kingdom. I am glad about that for the sake of the good people of Liverpool, but when we pressed MANWEB on why, we were told that most of the connecting lines had been routed underground as a result of a substantial investment programme undertaken in previous decades. We want similar investment in northern and mid-Wales to put more connections underground—where practical—and to upgrade lines and transformers elsewhere.

We noted with surprise that MANWEB has, in the recent past, not used all the funds available to it for improving the network. We understand that MANWEB has held back capital expenditure on the distribution network to the extent of £53 million of the amount that it will be permitted to spend between 1995 and 2000. I have received a letter from the electricity consumers' committee for Merseyside and north Wales in which the committee chairman, Mr. David Owen, states:

"The issue that has been of particular concern to the Committee is that of capital investment. You will see at page 19/20"—

of the report that he sent me—

"that the Director General carried out a price review of the distribution network in 1995 and allowed a capital expenditure of £391.6 million over a five year period.

Manweb propose to spend £338.9 million, a saving of £53 million . . .

Furthermore as the process of regulation is incentive-based it means that Manweb can use these monies for other purposes—such as shareholder dividend".

That goes to the heart of the problem.

When we asked Mr. Berry what happens to the money, we were told that it is used to bring down charges for consumers generally. When he was pressed, he said that that was a commercial decision. It appears that, like other companies in the electricity sector, MANWEB is now profit driven. That is a problem which faces us when trying to get adequate investment.

I contend that the decision to use the £53 million in the other way was wrong. I believe that a commercial ethos has taken over from the concept of service and that we shall not have adequate investment to upgrade the network unless the electricity companies are severely penalised for not doing so. Similarly, there should be more planned maintenance of the network. As far as I can see, there is hardly any planned maintenance. Trees are pruned only once every five years and we are told that 50 per cent. of the losses in northern Wales were because of the interference of trees. A five-year cycle is simply far too long. There must be regular physical inspection of the lines, not just inspection from helicopters.

All this means having an adequate staff—and not all centralised, but out in areas such as north-west Wales. The MANWEB work force has been reduced from 4,400 in 1995 to 2,700 in 1997. There has also been centralisation, with the result that last month north Wales did not have enough technical staff who were familiar with the network, and workers had to be brought in from

[Mr. Wigley]

England and Scotland. We are grateful that they came and for their help, but there were numerous stories of those people being lost, not knowing where they were supposed to go or not having details of the terrain. We must have a system to reverse the rundown of staff and an adequate number of depots.

To my amazement, I found that MANWEB plans to close local depots in north Wales. Apparently it plans to close the Pwllheli depot in my constituency and further staff reductions are planned—29 further persons will be lost to the electricity sector in north Wales this year. We asked the chairman for assurance that that would not happen and he refused to give it.

There should also be more staff to respond to customer telephone inquiries. Those people should be locally based and know the area; otherwise, the system breaks down and complaints made about the outages do not find their way back quickly and accurately to the field engineers who can put them right. There were numerous complaints about small transformers tripping out during the storms, but local staff were not told. When the information eventually got through, the fault could often be put right in 10 minutes—but people had had to wait for four or five days for that to happen. That is not acceptable.

I realise that MANWEB must operate within the confines of the regime set by the regulator. It said that, five years ago, the regulator refused to acknowledge the need for more money to improve the quality of supply. I understand that a formula used by the regulator still does not make adequate provision for the needs of quality improvements and that the regulator would not permit money to be used to put supply lines underground in rural areas. What is most disturbing is that I am told that the regulator wants to minimise investment by the electricity companies in general in order not to increase the net value of those companies in the marketplace.

Will the Minister arrange to meet the regulator? If those are the policies that emanate from Government guidelines to the regulator, will the Government please change the guidelines?

Were does all this lead us? It is clear that MANWEB could have invested more money in upgrading the network over time—unless it was blocked by the regulator. It could certainly spend more on employing more people locally. I believe that it decided not to do so because of commercial considerations—because it would reduce profits.

As MANWEB—and all the other electricity companies, for that matter—are driven by the profit motive, we have to use the only language they understand. They will improve the network and services only if they have to pay a substantial price, by way of penalty, for failing to do so. In other words, we need a compensation system that really hits the company if customers are not reconnected within a reasonable time. I suggest a rate of £10 for every hour beyond the first 24 hours.

Mr. Chris Ruane (Vale of Clwyd): I have written to Charles Berry, the chief executive of MANWEB, and asked for automatic compensation. The company knows who has been cut off and for how long; customers should be automatically compensated.

Mr. Wigley: I accept that entirely. The present compensation regime is inadequate. There is a loophole. As things stand, there is no automatic compensation if there has been bad weather, but bad weather causes the problems, so the companies are let off the hook. To be fair, whereas MANWEB is refusing to recognise an obligation to pay compensation, it is offering some goodwill payments of £50 for those whose electricity was off for 24 hours or more. I hope that the payments will be larger than that, because some people have suffered far greater losses, and £50 is not adequate.

The whole formula needs to be re-examined. There needs to be a change in legislation to impose a statutory requirement to pay compensation and to remove the bad weather let-out. Only that will force the companies to give priority to maintaining supplies rather than profits. I understand that the electricity regulations of 1993 and 1995 are currently under review. I hope that the Minister will take into account the points that I have raised today. When will the review be concluded?

The questions for the Minister tonight are these: does he believe that a failure to re-establish supplies for four or five days is acceptable? Does he believe that there can be an adequate level of investment in upgrading the network under the present regulatory rules? If not, does he believe that that can be achieved within the current commercial framework of the industry or does that framework need changing? Will he undertake to discuss with the regulator the way in which the regulatory regime can be tightened? If necessary, will he amend legislation to provide a much stronger compensation regime to help customers? Will he set up an independent inquiry into what has happened?

Unless such action is taken, we will see in future the same disastrous failures that were experienced in northern and mid-Wales this Christmas. My constituents look to the Government to act and to act now.

10.36 pm

The Minister for Science, Energy and Industry (Mr. John Battle): I have only a few minutes to reply to the debate. I know that other hon. Members would have liked to participate, including the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) and my hon. Friends the Members for Clwyd, West (Mr. Thomas), for Delyn (Mr. Hanson) and for Vale of Clwyd (Mr. Ruane).

I am tempted to respond positively to the direct questions asked by the right hon. Member for Caernarfon (Mr. Wigley) at the end of his speech. The whole concern of our Government is to reinforce exactly those points: we are concerned that utility companies are putting profits and shareholders before service to their customers. Because we share those concerns, we have set in train a review of utility regulation. We feel that regulation is stacked in favour of the companies, and the current parameters of the regulator's role are to introduce competition, not to look after customers. We want to put consumers at the heart of regulation, which is the reason for the review. We want to redress the balance where it is wrong and go a long way to ensure that customers get a better service. I hope that the review will make its proposals in the coming weeks and, where we need to change the law, we will do it.

I am grateful to the right hon. Gentleman for raising the matter publicly with me and in the House, so that people are well aware that what went on in a small corner

of the world on a wild, stormy and bleak winter night cannot be passed over—it is a matter of importance throughout the length and breadth of this land. I know that some people were without electricity for several days, which must be a matter of deep and serious concern to us all. We have to establish whether the performance of MANWEB and the other public electricity suppliers affected by the severe weather could have been better and can be improved.

I am also grateful to the right hon. Gentleman for his words of tribute to the staff and engineers who went out to try, as best they could, to address the situation. We are looking at the structure of the operation, not the activities of those individuals and I am grateful for the way in which he couched his remarks.

I have already asked the Office of Electricity Regulation, Offer, which is responsible for the privatised electricity companies, to look into the events over Christmas and the new year not only to conduct a post-mortem, but to discover what action needs to be taken to ensure that we do not end up in a similar situation in the future. That includes considering what happened in the Norweb area, to which my hon. Friend the Member for Chorley (Mr. Hoyle) referred.

The regulator will look specifically at three issues. First, it will consider the steps that were taken by the public electricity suppliers to restore electricity supplies following the bad weather. Secondly, it will study their efforts to keep customers informed of when supplies were likely to be restored. Thirdly, and perhaps more generally, it will consider the ability of the distribution networks to withstand such weather conditions. That refers precisely to the question of investment. I hope that the regulator is not instructing people not to carry on investing. Investment in pipes, wires and the structure of the system is vital to ensuring that it improves.

I know that Offer has asked the companies to provide information about how quickly they were able to reconnect households and what resources were available to them to repair the damage to the network. The regulator has been asked to submit a report of those findings to my Department.

I am advised that the Meteorological Office had warned of winds of up to 35 mph, gusting to 55 mph. In the event, the winds were in excess of 100 mph between 6 pm and 11 pm, and the damage caused resulted in about 40,000 people losing their supply. That is no mean number. I know that hon. Members have had conversations with Mr. Charles Berry, the chief executive of MANWEB, about what happened that night, but some of the details bear retelling.

On Christmas day, the company had 500 people working out in the field. I should emphasise that it is the regulator's job to ensure that all licensed companies have the financial capacity to carry out their licensed activities. Offer will consider specifically whether MANWEB had sufficient resources to do its job. It would be interesting to know whether those 500 people were part of MANWEB's own back-up and whether those back-up arrangements were sufficient. Should it have more in-house staff who know the area, as has been suggested in the debate? I know that a number of engineers were pulled in from Scottish Power, Scottish Hydro-Electric and East Midlands Electricity. They are damn good engineers—pardon my language—but they may not have known the area and failed to get to people as quickly as possible. We must ensure that the regulator considers that problem as well.

I understand that, as a result of the efforts of the back-up team, the number of customers without electricity on Christmas day dropped from 40,000 to 11,500. In the next two days, MANWEB got that number down to 3,000, and then to 400. By 28 December, the number was down to 76. It must have been awful for those 76 to be without electricity over Christmas. I saw the reports on television, and I have every respect for the stoicism that some people displayed during that difficult time.

As for the lack of investment, in the five years from 1990-91 to 1994-95, I am advised that MANWEB invested £292 million in the electricity network. In the five-year period from 1995-96 to 2000 there are plans to invest a further £339 million—a 16 per cent. increase. To put it as politely as possible, I am always a little bit sceptical about forecasts and actual spend. As part of the regulator's duty during the next distribution price control review, Offer will be examining how that actual spend compares with the forecast spend. That is the key figure. Companies will be asked to explain any variance between the two. That information must be taken into account when considering provision for capital expenditure in that review. The nature of the planned investment should be incorporated in the structure of the review.

Under the guaranteed standards of performance set by the regulator, customers are entitled to claim a payment if the electricity supply is not restored within 24 hours of a fault being reported. The payment is £40 for domestic customers and £100 for non-domestic customers for the first 24 hours and a further £20 for every additional 12-hour period during which the supply remains off.

The regulations on the standard of performance exempt companies from making the payments in certain circumstances. That is the catch. They may claim, in common with insurance companies, that a problem was caused by an act of God, severe weather and so on. I understand, however, that MANWEB has confirmed that it will make some minimum, ex gratia good will payments to customers who were cut off for 24 hours over Christmas day and Boxing day. Those claims are being dealt with individually.

However, under the standards of performance set by the regulator, customers must make a claim in writing if they were without a supply of electricity for more than 24 hours. If the company does not make a guaranteed standards payment because it is claiming an exemption, the customer can refer the matter to the regulator, who has the power to determine any dispute arising under the standards. The regulator must then decide whether it was reasonable for the company to claim an exemption. I hope that the report of the debate will be read by the regulator. The feeling of those who are in the Chamber is clear.

The Office of Electricity Regulation is reviewing the standards of performance and one issue being considered is whether customers should receive compensation automatically when their electricity supply is not restored within 24 hours, rather than the customer having to claim it within one month, and all the rest of it. We are pushing out that boat as far as we can.

Offer is also considering whether payments should be made according to the frequency of power cuts rather than the length of cuts. I think that that would be welcomed. We must push for that.

[Mr. John Battle]

There is no doubt that overhead power lines are vulnerable to severe weather conditions such as high winds, snow and ice. As we all know, putting power lines underground in rural areas could be incredibly expensive. As for upgrading the line, I am tempted to agree. Why cannot we look for improvements? Most interruptions to supply are caused by incidents on the long radial 11 kV overhead systems, which go to the rural areas.

Other companies, dare I say, are already improving reliability without the expense of putting the wires underground. For example, a number of companies are working on a new type of 11 kV overhead line that has insulated conductors. That has the advantage over bare conductors in reducing the number of interruptions caused by, for example, adverse weather conditions. There are technical questions to resolve, but it is not true that things cannot be done to upgrade the quality of the network.

I have mentioned utility review. We want competition where possible, but there must be regulation where necessary. I seem to recall Nigel Lawson, when he was on—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fourteen minutes to Eleven o'clock.

House of Commons

Thursday 22 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

The Minister was asked—

Common Agricultural Policy

1. **Mr. Paterson:** What percentage reduction in the EU agriculture budget he will be seeking in discussions in the Council of Ministers on CAP reform. [22301]

The Minister of Agriculture, Fisheries and Food (Dr. John Cunningham): I shall be seeking CAP reforms that deliver lower prices to consumers in the short term and savings to taxpayers in due course.

Mr. Paterson: Ten days ago I addressed 4,000 angry, upset farmers in Oswestry. Numerous farmers from the crowd said that they wanted not subsidies or regulation, but to sell their quality product in fair and free conditions. If CAP reform is a priority of the Government, why did the Prime Minister not mention it in his speech of welcome to the President of the Commission on 8 January?

Dr. Cunningham: The briefing material associated with the meeting with the Commission on that date certainly reiterated the Government's commitment to CAP reform, as has my right hon. Friend the Foreign Secretary both in his speeches in Europe and in a recent interview published in *Le Monde*. I reiterated the Government's commitment in my first address to the Agriculture Council in Brussels on Tuesday.

Mr. Godman: Does my right hon. Friend agree that what is badly and urgently needed is the comprehensive reform of both the common agricultural policy and the common fisheries policy, and that without such reform there can be no enlargement of the Union?

Dr. Cunningham: I agree that we need to look for both those reforms. It is pleasing and encouraging that CAP reform is now very much on the agenda and I expect to see detailed proposals from Commissioner Fischler some time in March. We are scheduled to have reform of the common fisheries policy by 2002.

Sir Michael Spicer: The Minister did not answer the original question at all, but if one assumes that implicit in what he said was the idea of lower subsidies, does he agree with the National Farmers Union that with that should go a closer comparison between world prices and the prices charged for our agricultural products?

Dr. Cunningham: Yes. I am pleased to say that I agree with that important point. The whole thrust of reform of the CAP should be to dismantle production controls, which inhibit many of our farmers, to move towards world market prices and to decouple from production the transitional support for that change.

Mr. Andrew George: What approach does the Minister take in the debate about modulation in the reform of the common agricultural policy? That will be crucial for the future, especially for small farms, and it is essential that he retain an open mind on the subject.

Dr. Cunningham: I have made my position on modulation abundantly clear. I am opposed to it or to any proposal managed and controlled from Brussels that would be detrimental to efficient farming interests in this country.

Farm Incomes

3. **Mr. Yeo:** When he last met the president of the National Farmers Union to discuss the recent fall in farm incomes. [22303]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): My right hon. Friend last met the president of the NFU to discuss incomes in December last. Along with many right hon. and hon. Members, I also had discussions with farmers on Tuesday.

Mr. Yeo: Is the Minister aware that farmers in South Suffolk are experiencing a drop in their incomes partly as a result of Government policy, including the high level of sterling that has been caused by five interest rate increases during the past nine months? What discussions has he had with the Treasury about using the underspend on agricultural schemes that we will receive as part of our European Union budget rebate to help farmers cope with the effects of declining incomes?

Mr. Rooker: Other industries are also affected by the increase in the price of sterling. Agriculture is not alone, although in special recognition of that problem my right hon. Friend announced in the House on 22 December substantial extra help to the farming industry.

Dr. Ladyman: At the farm income lobby on Tuesday, one of the points made to me was that our pig farmers are forbidden from feeding meat and bone meal to pigs, yet meat raised in that way is freely available on our supermarket shelves. What plans does the Minister have to restrict imports of meat produced in that way?

Mr. Rooker: We have no plans to restrict such imports. We are subject to the restrictions of the ban imposed on meat, bone meal and other products because of the mismanagement of the bovine spongiform encephalopathy crisis by the previous Government. The

consequences of that are being felt by farmers and the whole of the food production industry today and that will remain the case for some time to come.

Mr. Paice: The Minister knows that on Tuesday the president of the National Farmers Union and others presented a petition with 650,000 signatures from people who want to keep Britain farming. He knows full well that it is not merely a question of sterling and that in fact the Government have taken £129 million away from farmers and given back only £85 million. Why will he not now answer the question my hon. Friend the Member for South Suffolk (Mr. Yeo) asked? Will he undertake to the House that any underspend in the sheep premium, in set-aside, or in any other European programme will be used as part of our refund to access more money to help Britain's farmers?

Mr. Rooker: First, let us get the record right. The figures that the hon. Member quoted are correct, but they are for two different years. The increases he mentioned are for the next financial year and the assistance to farmers will be paid in this financial year. We do not make a move on those finances without the agreement of our colleagues in the Treasury. On the so-called underspends, what he suggests has never happened in the past and I do not see it happening in the future.

Mr. Blizzard: The main problem facing farmers is the large variation in the exchange rate of our currency and its effect on the green pound. Does my hon. Friend agree that if Conservative Members were really concerned about the countryside and were really the farmer's friend, they would take a far more positive attitude to the single European currency—which is favoured by the NFU—instead of their ridiculous policy of not going anywhere near it for 10 years and leaving farmers to suffer from sharp variations in exchange rates?

Mr. Rooker: The answer to that excellent question is yes.

Sir Peter Tapsell: Does the Minister recognise that, as sterling is likely to remain strong against the European currencies until the single European currency has been seen to fail and is abandoned, we are not dealing with a short-term problem? For the foreseeable future—for some years to come—British agriculture will be unfairly and exceptionally adversely affected by the present green pound arrangements. Are the Government seriously considering some way to help farmers over that period? If the green pound is left as it is at present, it will destroy British agriculture in the next three years.

Mr. Rooker: I bow to the hon. Gentleman's superior knowledge of the banking system. His confidence that the European monetary system will fail will not be shared by many people. He may be able to look into the future with such certainty, but we cannot. The issue will be with us for some time, as he said. Not only the farming and agriculture industry, but the whole of British industry, will be affected.

Beef Industry

5. **Mr. Edwards:** If he will make a statement about the problems facing beef farmers. [22305]

8. **Mr. Hanson:** If he will make a statement on his Department's current support for the British beef industry. [22309]

Dr. John Cunningham: I am well aware of the problems of the British beef industry and I set out proposals to the House on 22 December for a special aid package, worth £85 million, for livestock producers. I have no current plans to make further aid available.

Mr. Edwards: I am grateful to my right hon. Friend for the measures that he has already announced. Does he agree that the farmers from Monmouthshire who came to the House on Tuesday made a strong case for clear and honest labelling of meat and meat products in British supermarkets, stringent controls on the import of substandard beef and a review of the tendering process so that public bodies can be encouraged to buy British beef?

Dr. Cunningham: Yes. All those measures are under consideration.

Mr. Hanson: What progress has been made on lifting the ban in Europe, given the welcome news about the potential for allowing Northern Ireland to export beef? I re-emphasise the point made by my hon. Friend the Member for Monmouth (Mr. Edwards), that many purchases are made by public bodies such as hospitals and schools and, indeed, Government Departments. What steps can my right hon. Friend take to encourage them to purchase British beef?

Dr. Cunningham: It was excellent news when the Commission in Brussels gave an emphatic yes to the export certified herds scheme last week. Yesterday, the Standing Veterinary Committee acted swiftly to follow that up by setting up a working party that I understand will meet again in Brussels next week. I hope that it will reach a positive decision.

Public bodies are bound by rules and guidelines that require them to get the best possible value for money when purchasing food. I have already had informal discussions with my right hon. Friend the Secretary of State for Defence about purchases by the Ministry of Defence.

Mr. Hayes: Will the Minister acknowledge that his decision to charge a flat-rate licence fee to fund the Food Standards Agency is attracting widespread criticism, including from Chris Haskins, the head of the Government task force? He also criticised Ministers for a tendency to overreact; the ban for being unscientific; and the whole regulatory framework, saying that people misjudged the matter if they thought that increased regulation would increase food safety.

Dr. Cunningham: I am not sure what the hon. Gentleman's question was, but I have read some of the reports. The hon. Gentleman's first point was completely misplaced, because we have made no decision to have a

flat-rate licence fee for retail outlets or anyone else. We simply gave an illustrative example when we published the White Paper.

Regarding the comments of my good friend Christopher Haskins, I can understand that, since he was appointed by the Government to ensure that we have better regulation, he should be concerned about the abysmal regulations that we inherited from the previous Administration.

Mr. Kirkwood: Does the Minister agree that one of the most urgent and difficult cost increases that beef producers face immediately is the cost of disposal of fallen stock? Will he consider a small transitional fund so that the industry can get itself sorted out in the immediate aftermath of the withdrawal of the subsidy scheme and so that we can guarantee that high-risk and fallen stock material does not illegally find its way back into the human food chain? Can it possibly be in anyone's interest for the Minister to knacker the knackers' yards?

Dr. Cunningham: Temporary provision—transitional support—was made for the rendering industry. No further provision is available for it. The object of the support for the rendering industry, which was decided by the previous Administration, was to avoid problems in the meat chain in the immediate aftermath of the BSE crisis. We have no proposals for any temporary fund for the industry. The conditions of last year that gave rise to the problems no longer exist.

If people were to dispose of fallen stock in the way the hon. Gentleman suggests, they would be committing a very serious offence.

Mr. McGrady: The Minister is aware of the enormous, disproportionate impact of the BSE crisis on beef farming in Northern Ireland. In those circumstances, why has there been undue delay in the release of the agricultural monetary compensation fund? Will he look into the matter and take action to release that fund so that farming incomes may be properly upwardly adjusted?

Dr. Cunningham: I am somewhat surprised by that question. Farmers in Northern Ireland, just like those elsewhere in the United Kingdom, will qualify for their share of the £85 million package that I announced on 22 December.

Mrs. Spelman: A group of beef farmers from my constituency who attended the rally on Tuesday were bitterly disappointed and surprised to find that, when the audience was asked whether a Labour Member of Parliament was present in Westminster Hall, no one put up their hand. Is that indicative of the Government's position on the beef industry?

Dr. Cunningham: That of course depends on who the farmers invited—does it not?

Mr. Jack: Even the right hon. Gentleman could have gone.

Dr. Cunningham: The right hon. Gentleman is a little behind the news. I spent Monday and Tuesday in the Agriculture Council in Brussels. I chaired my first Agriculture Council meeting on Tuesday and returned to London at 8 pm on Tuesday.

Mr. Sheerman: Is my right hon. Friend aware that I was at the meeting at which, supposedly, no Labour Member was present? May I inform him that the beef farmers and other farmers who came to see me that day wanted most to talk about the way in which the previous Government, for 18 years, failed to come through with policies that helped small and medium farming enterprises? The policy that this Government will institute will create a healthy living for such farmers.

Dr. Cunningham: I am pleased to say that I agree with my hon. Friend's comments.

Mr. Jack: I can understand, after that exchange, why the hon. Member for Huddersfield (Mr. Sheerman) did not put his hand up in Westminster Hall.

The Minister will be aware that consumers and farmers have put much faith in his assurances that proper checks are being made on beef that is coming into the United Kingdom. Pursuant to the Minister of State's written answer on 20 January, how does the right hon. Gentleman know that all the checks are effective? The Minister of State told the hon. Member for North Tayside (Mr. Swinney) that his Ministry was unable to say how many checks are carried out. Will the right hon. Gentleman undertake to answer from the Dispatch Box the question that I tabled yesterday, in which I requested a complete breakdown of just what has been found as a result of the surveillance exercise?

Dr. Cunningham: I shall answer all the right hon. Gentleman's questions in due course. We have the right to inspect each consignment of imports from third countries if we think it necessary. On EU imports, the right hon. Gentleman should know—whether he does is another matter—that, due to requirements and obligations under the single market, we can make only sample checks. That is done, and we check all the paperwork available to us.

Animal Welfare

6. **Mr. Canavan:** What steps his Department is taking to improve animal welfare. [22306]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): We have taken a number of steps to improve animal welfare. Shortly after the general election we put in place new rules on transport and achieved European Union agreement to a legally binding protocol that recognises that animals are sentient beings. This last will provide an important basis from which to seek further improvements to EU welfare standards both during our presidency and beyond.

Mr. Canavan: I congratulate my hon. Friend on securing the protocol to the treaty of Rome. What progress is being made on delivering our pre-election commitment to ban fur farming? Will he confirm that there is no valid agricultural argument against a ban on hunting with hounds? Will he convey his support to his colleagues in

the Home Office for the allocation of sufficient time to enable the Wild Mammals (Hunting with Dogs) Bill to become law?

Mr. Morley: The Government remain committed to ending fur farming as soon as practicable. We have had a public consultation exercise and we are currently considering the best way forward. As a mark of our intention, we have recently reduced the period of application of Mink Keeping Orders from five years to three and introduced new charges for inspections. It is the view of the Ministry that hunting with hounds makes an insignificant contribution to fox control. As for Government time, that is not a matter on which I can answer.

Mr. Alan Clark: Does the Minister accept that very high hopes were raised in animal welfare bodies—and in a large body of people who care deeply about animal welfare—by his party's manifesto at the general election and that at meetings of the all-party animal welfare group that I attended immediately after the election he continued to nurture those hopes? In fact, nothing has happened save a few measures that were already put in the pipeline by the previous Government. When will he start to deliver on the undertakings that he gave in his manifesto?

Mr. Morley: I am surprised at the right hon. Gentleman's comments. The report that I gave to the all-party animal welfare group was not on intentions but on progress that the Labour Government had achieved. I recall that one of the members who offered their congratulations on that progress was the right hon. Gentleman himself.

Genetically Modified Food

7. **Mr. Gordon Prentice:** What estimates he has made of the likely future consumer demand for genetically modified food. [22308]

Mr. Rooker: My Ministry is responsible for ensuring that such foods are safe and clearly labelled. It is for food manufacturers and producers to assess likely consumer demand for their products.

Mr. Prentice: While I acknowledge that my hon. Friend's commitment to proper food labelling is unparalleled, does he share my anxiety about developments in the European Union? Proposals emerged from Brussels last month that would ensure that the "genetically modified" label will apply to only 20 per cent. of products derived from GM soya beans and maize and that some products such as flavourings and food additives will be excluded. What steps can the Government take to ensure that the EU takes a more robust line on this matter, which excites tremendous consumer concern?

Mr. Rooker: We are taking a robust line, but my hon. Friend must not jump to conclusions about the results of the negotiations in Brussels. No decision has been made even after last week's meeting. We are still progressing the negotiations on labelling. We want labelling that is informative, practical and meaningful. That means that where GM bits and pieces have been used in the manufacture, but refined out of the final product, the label will probably not include a reference to genetic modification. We are still negotiating on the issue in Brussels and we hope to come to a conclusion in the very near future.

Mrs. Browning: If labelling is to be meaningful, it must be enforceable. What investigation has the Minister made into the role of enforcement agencies in respect of labelling? Where the genetically modified gene exactly mimics, without any tracer or marker, the unmodified gene, enforcement is extremely difficult. It is my understanding that science has not yet provided the tests that enable enforcement officers to determine whether a product contains genetically modified genes. What progress has there been in that respect?

Mr. Rooker: The hon. Lady is perfectly right. There are going to be some products that it is impossible to test to establish whether genetically modified substances have been used in their manufacture and processing.

MAFF has a large research budget which was left by our predecessors. It is a strongly science-based Ministry, as the hon. Lady and the hon. Member for Daventry (Mr. Boswell), who is sitting next to her, will know. In collaboration with our European partners, we are using all possible avenues to explore the use of that money and the research programme to come up with testing procedures that enable us to give comfort to manufacturers, in that we would be able to test and check positively the accuracy of labelling, and to give consumers what they demand, which is information and the comfort of safety and knowledge of how products were made.

Flooding (South-east)

9. **Mr. Mackinlay:** What measures he proposes to avoid flooding and the impact of rising sea levels in and around the Thames estuary and River Medway. [22310]

Mr. Morley: The Department is responsible for flood and coastal defence policy in England, provides guidance to operating authorities and contributes significantly to the funding of capital defence measures. Local operating authorities—the Environment Agency or local councils—identify the need for defence measures and promote, design, construct and maintain them.

Mr. Mackinlay: Will my hon. Friend consider, as a matter of some urgency, initiating studies into the impact of rising sea levels, which threaten the Thames estuary and the Medway estuary? Deep in the memory of the people of Tilbury and elsewhere on those estuaries are the floods of the early 1950s. Since then, the Thames barrier has been erected, which has caused anxiety. If there is a North sea surge and the Thames barrier is used, where will the water go? That is a question the Government should address with some urgency.

Mr. Morley: Rising sea levels is a serious issue, especially for those who live in low-lying constituencies such as those on the Thames and Medway estuaries. The Environment Agency is carrying out surveys relating to projected sea level rises. It makes recommendations to the Ministry and we issue guidance on priority scores for taking action to ensure that people, land and property are adequately protected.

Farm Incomes

10. **Mr. Bercow:** If he will make a statement on recent trends in farm incomes. [22311]

Mr. Rooker: Farm incomes rose as a result of devaluations of the green pound and improved productivity in the mid-1990s. They peaked in 1995–96, when average net farm income in the United Kingdom was about £31,500. Since then, incomes have fallen, mainly as a result of the strength of sterling.

Mr. Bercow: Further to the response to my hon. Friend the Member for South–East Cambridgeshire (Mr. Paice), how can the Minister justify taking away £129 million from farmers in cuts to the over-30-months scheme and extra charges resulting from the need to meet new meat hygiene regulations and the cattle passport scheme?

Mr. Rooker: There is no justification whatsoever for the taxpayer fully funding all the controls necessary to check specified risk materials. Those extra charges will not come into force until 1 April this year. As we made clear before the election, we are working within the overall public expenditure limits of the previous Government and we make no apology for that. It is simply not possible to pour more and more taxpayers' subsidies into the industry. We wish to support the industry, but it will not benefit from further subsidies.

Mr. Pike: Does my hon. Friend accept that the incomes of hill farmers, who farm land that is difficult in terms both of the weather and what they can do on it, have been eroded for many years? What does he think the future holds for them? Does he believe that farming in those areas will continue to be viable?

Mr. Rooker: I certainly hope so. That is one of the reasons why we are redirecting funds to ensure that the majority of the money announced by my right hon. Friend the Minister of Agriculture, Fisheries and Food on 22 December goes to hill farmers and those in less-favoured areas.

Mr. Swinney: Is the Minister aware of the Scottish agricultural survey conducted by the Trustee Savings bank, which came out this week? It revealed that 94 per cent. of the respondents from the farming sector of Scotland believed that they were less prosperous this year than they were last year. How much evidence must be produced before the Government truly respond to the crisis affecting the rural industries of Scotland?

Mr. Rooker: I am not aware of the survey that the hon. Gentleman has mentioned. Farmers in Scotland will benefit from their share of the money announced by my right hon. Friend the Minister of Agriculture, Fisheries and Food on 22 December. I freely admit that the hon. Gentleman is quite right to say that net farm incomes in Scotland have dropped—in 1995–96, they were £22,000, and in 1996–97, a little over £19,000.

Mr. Skinner: Has my hon. Friend seen the latest figures out this week which showed that nine farmers had received £1 million in subsidies and that another one had received a £250,000 subsidy under the set-aside scheme? Does he agree that those sums distort the figures relating to the many thousands of farmers who have a job to make ends meet, while there are some people at the top who are making a small fortune out of the common agricultural policy?

When my hon. Friend decides to reform the CAP, will he remember to make sure that the ones at the top, who are raking in the money, are the ones who will have their incomes cut in order to ensure that hill farmers and others get a fair crack of the whip? He should bear it in mind that when he introduces that new policy, every single Tory Member and all the Liberal Democrats, with all their farming interests, will refuse to support any change to the CAP.

Mr. Rooker: My hon. Friend is quite right. The figures that I have quoted in the two previous answers are averages, which can be extremely misleading. They are, of course, distorted by the state handouts given under the equivalent of a social security system for part of the farming industry. Some individuals get an absolute fortune and I would like nothing more than to be able to publish the detailed information, but under the terms of the law of confidentiality between the Government and the recipient of such state handouts, I am unable to do so.

Mr. Steen: Does the Minister agree that if the south Devon countryside were covered by a lot of dead sheep, lying on their backs with their legs in the air, it would not help the tourism industry? Farmers in my area are finding it more and more costly to remove dead sheep, while the income that they receive is falling. I am not asking for more state subsidies, but I know that those carcases are offending all the urban dwellers who come down to my area to enjoy the countryside. May I suggest that the Ministry conduct an inquiry into how we can reduce the costs of removing dead sheep carcases from the green and pleasant land of Devon?

Mr. Rooker: I admit that that sight is not a good advertisement for tourism in the hon. Gentleman's constituency.

Mr. Todd: On Tuesday, I spent two hours in talks with farmers from Derbyshire, having taken the precaution of booking a Committee Room for the meeting rather than leaving them in Westminster Hall. They are concerned more about the future of farm incomes than about analysing the past. They are most concerned about what progress can be made with the European Union to help to restructure their industries so that they have a healthy future. What progress can my hon. Friend report?

Mr. Rooker: My hon. Friend is perfectly right to say that it is the future that counts, not the past. I openly admit that, this year, the prospects for farm incomes are not good. We must look to the future to give hope to the industry and the thousands who work in it, love it and depend on it. That means that decisions must be taken Europewide; we are not sole masters of our future. During our presidency of the EU, we will do everything that we can to take reform of the CAP forward. Without such reform, which is opposed by many of our European economic partners and competitors, there will not be much hope for a positive future. Nothing less than reform of the CAP is required.

Mr. Jack: The Minister and the Minister of State have both made much this afternoon of the aid package

announced just before Christmas, but so far, farmers have not received a penny of it, so may I ask the Minister of State some straight questions?

Farmers facing £44 extra charges per livestock animal as a result of the Government's policy want to know when they will receive the money under the package. Has the Minister of State yet obtained Commission approval for the hill livestock compensatory allowance package? Is it possible for the Commission, in determining its agreement to that package, to change its contents, namely, the division of moneys between sheep and livestock, between the hills—*[Interruption.]* The Minister knows that there is a difference between the payments for cattle and for sheep and he would do well to listen to the questions that I am asking, because farmers want to know whether those in the highlands and lowlands will receive the same payments.

Will the Minister of State tell us when those matters will be resolved? Finally, will he tell us why the enhanced suckler cow payments have not been made, when the Ministry of Agriculture, Fisheries and Food already has enough information to do so?

Mr. Rooker: I will answer the question that the farmers really want to know of those on the list that the right hon. Gentleman asked—the answer is, before Easter.

Rural Development Commission

11. **Mr. Colvin:** What discussions he had with the Deputy Prime Minister about the impact on farming of the abolition of the Rural Development Commission. [22312]

Dr. John Cunningham: The Rural Development Commission has not been abolished. The Regional Development Agencies Bill recently laid before the House, which provides for setting up regional development agencies, would transfer the RDC's rural regeneration functions to those bodies. I am confident that the needs of rural areas will be properly addressed under the arrangements proposed.

Mr. Colvin: I thank the right hon. Gentleman for that reply. However, will he take the opportunity to applaud the valuable work done by the Rural Development Commission, under the excellent leadership of the noble Lord Shuttleworth, in helping the diversification of farming enterprises and the rural economy generally? In the current crisis in farming, such help is required as never before, so can the right hon. Gentleman give the House a guarantee that the proposed urban-based regional development agencies will be able to fulfil those functions as well as the RDC has done?

Dr. Cunningham: I join the hon. Gentleman in paying tribute to the work of the Rural Development Commission and to Charles Shuttleworth, with whom I and my constituents have had a long and productive relationship. The Rural Development Commission did excellent work in west Cumbria in general and in my constituency in particular, and I am happy to pay tribute to it for that work and commitment.

The regional development agencies will have a true regional remit—for rural communities as well as urban areas—and at least one member of the board will be appointed specifically to address the problems of rural areas, especially rural communities.

I disagree with the hon. Gentleman's final point. Most of the work of the Rural Development Commission was not to do with agriculture per se; it was to do with economic development in rural communities.

Mr. Beith: Does the right hon. Gentleman acknowledge that farmers' families and farm workers' families cannot continue to live in remote rural areas such as those that he and I represent unless there are rural services? Does he acknowledge that, in the most remote rural areas, the Rural Development Commission concentrated much of its effort on rural services, village shops, village workshops, transport and postal services, and that that work must continue? There is genuine concern that, given the major urban problems in regions such as his and mine, it will take a very considerable effort to ensure that that work continues.

Dr. Cunningham: I agree with what the right hon. Gentleman says. He and especially his constituents have experienced, as I have, the real benefits of the successful programmes of the Rural Development Commission. The commission remains the Government's rural development agency, with a statutory duty to continue to advise the Government, and I am determined that we should continue to have not only expert advice, but expertise in the micro-economies of rural communities and rural areas, for the reasons that the right hon. Gentleman has given.

Beef Imports

12. **Mr. Walter:** If he will make a statement on beef imports from the European Union. [22313]

Mr. Rooker: Imports of beef from other member states will continue to be permitted provided that the beef has been produced in accordance with harmonised European Community rules on the production and marketing of fresh meat and complies with United Kingdom rules that require that specified risk materials be removed before import.

Mr. Walter: In answer to an earlier question from my right hon. Friend the Member for Fylde (Mr. Jack), the Minister pointed out that we could make only spot checks on beef imports from the European Union. He did not quantify those checks. How many Ministry officials are involved in that procedure, how many spot checks have been made and how much material has been rejected?

Mr. Rooker: I cannot give precise answers to those detailed questions, but I shall ensure that I write to the hon. Gentleman—I hope before close of play today. We have taken measures within the Department, in advance of the Europewide ban on specified risk materials that will come into effect from 1 April, to ensure that we can—if you like—beef up our checks at the ports of entry. In that way, we shall have better surveillance of the paperwork involved and more random checks on incoming loads.

Mrs. Dunwoody: Is the Minister aware that, if there is no country-of-origin marking and no efficient enforcement, checking on the paperwork will not ensure anything as the European Union has a long and hallowed tradition of cheating in its paperwork first, last and always? Will the

Minister please ask for the immediate return of country-of-origin marking to the statute book so that people may know what they are buying?

Mr. Rooker: My hon. Friend is partly right. The beef labelling scheme will be introduced in this country from spring this year on a voluntary basis. It will become compulsory from 2000. In answer to the first part of my hon. Friend's question, random checks on beef supplies as well as on the paperwork will take place.

ATTORNEY-GENERAL

The Attorney-General was asked—

Fraud (Further Education and Training Funds)

29. **Mr. Skinner:** What discussions he has had with the Crown Prosecution Service regarding fraud in respect of Further Education Funding Council funds and training programmes. [22331]

The Attorney-General (Mr. John Morris): I meet the Director of Public Prosecutions frequently to discuss matters of mutual interest. It is not my practice to disclose the subject matter of our discussions.

Mr. Skinner: At their next meeting, will my right hon. and learned Friend urge the Director of Public Prosecutions to investigate training programmes in Britain, especially with regard to 1995 and 1996 and a programme conducted by a firm called Link, which was subsequently taken over by CRT? CRT is an arm of a subsidiary controlled by Michael Milken, the American junk bond dealer. CRT is claiming the outstanding sum of £3.2 million in taxpayers' money for bogus tutoring; one tutor supposedly worked for 94 hours in 14 different locations on a single day. There are thousands of other similar claims. Milken and his company have had the cheek to tell the people of north Derbyshire that they are not allowed to speak about the matter and have served them with an injunction while claiming £3.2 million from the taxpayer. It is one of the biggest scams that occurred in the last few months of the previous Tory Government and it is time to investigate the matter properly.

The Attorney-General: I have noted my hon. Friend's remarks. It is for the police to investigate allegations of possible criminal conduct. If such evidence is found, it will be passed to the Crown Prosecution Service for consideration of a prosecution. The CPS will bring a prosecution if there is sufficient evidence to sustain the realistic prospect of a conviction and if it is in the public interest. The more serious the offence, the more likely it is that prosecution will be necessary in the public interest.

Crown Prosecution Service

30. **Mr. Bayley:** What plans the Government have to reform the Crown Prosecution Service. [22332]

The Attorney-General: The Government remain committed to restructuring the CPS into 42 areas, but the interim advice that we have received from the Glidewell review team is that that cannot take effect until 1 December 1998 at the earliest. I now expect to receive the full report in March.

Mr. Bayley: Will my right hon. and learned Friend tell the House what steps the Crown Prosecution Service is taking to prepare for the implementation of the Narey proposals to ensure that offenders appear in court to face the consequences of their wrongdoing more quickly?

The Attorney-General: There are a number of fast-tracking initiatives around the country involving young offenders, in which the CPS plays a key role. The White Paper on reforming the youth justice system gives examples of two schemes in Middlesbrough and north Hampshire. The north Hampshire scheme has reduced the average time between charge and first appearance from 69 to 44 days, and the average time between charge and sentence has been brought down from 133 to 89 days. That is an encouraging development, which shows what can be achieved by co-operation between agencies. I am sure that my hon. Friend will agree with that.

Sir Nicholas Lyell: We look forward to Sir Iain Glidewell's report. When the right hon. and learned Gentleman asked him to carry out his study into the Crown Prosecution Service, including the important matter of relations between the CPS and the police, he found it necessary to use some rather strangulated wording to ask Sir Iain to

"consider the manner in which the CPS influences its relationship with the police".

Can the Attorney-General assure the House that Sir Iain will be able to look at the picture in the round and see what is happening in the police, which I am sure they would welcome, as well as in the CPS? We could then be sure that the CPS and the police work closely together, so that what is done in the CPS is known right back to the constable on the beat or the officer on the case, and vice versa.

The Attorney-General: The right hon. and learned Gentleman is right. We want to ensure the maximum co-operation between the CPS and the police. He and I will recall that, at the start of the CPS, there were always differences of view on who was responsible for this failure or that failure. We have moved to create 42 areas of the CPS which are coterminous with the police areas. A former inspector of constabulary is a member of the Glidewell team, and will be deeply aware of the need to ensure maximum co-operation between the two agencies.

Lenient Sentences

31. **Mr. Hawkins:** How many appeals against over-lenient sentences have been made since 2 May. [22333]

The Attorney-General: The Law Officers between them have referred 52 sentences to the Court of Appeal.

Mr. Hawkins: Does the Attorney-General agree that the introduction of appeals against over-lenient sentences was a popular and successful measure introduced by the previous Government? Does he agree that both the victims of the crimes that led to those over-lenient

sentences and the public in general feel that that is a worthwhile power? Will he look carefully at extending the consultation between prosecution authorities and the police, and the victims of the crimes concerned, when an appeal against over-lenient sentences is considered in future?

The Attorney-General: I have observed what has been happening over the years, and I am sure that the change has turned out to be worth while, although I concede that, at the beginning, many of us had doubts. Those were not confined to one party and went much wider than politicians—to the judiciary as well—because there was concern about the dangers of double jeopardy. That is taken into account by the courts, although it is not in the legislation. I, like my predecessors, receive the views of the prosecutor and independent Treasury counsel. We must have regard to current sentencing practices. When the judge delivers his initial sentence, he has regard to all the circumstances, including the victim.

Mr. Lock: Can my right hon. and learned Friend tell us what the Court of Appeal has made of sentences referred to it by him? I accept that every case that comes before him must be judged on its merits, but can he give us some guidance on whether his view that there are over-lenient sentences is, by and large, supported by the decisions of the court?

The Attorney-General: Of the 52 sentences that I and the Solicitor-General have referred since 1 May last year, 19 have been reviewed by the Court of Appeal, of which 13 have resulted in increased sentences. In six of those 19 cases, the Court of Appeal held that the sentences were unduly lenient, but exercised the court's discretion not to increase the sentence. The remaining 33 sentences are yet to be heard. The figures for the last few years are of roughly the same order.

Mr. Swinney: I have expressed to the Attorney-General the concern of one of my constituents, Mr. Brian Pithie, about what he considers to be an over-lenient sentence in the case of Philip Dale at Winchester Crown court. Will the Attorney-General give an assurance that he will look at the case and consider referring the sentence to the Court of Appeal for its leniency to be tested?

The Attorney-General: All cases referred to my office are considered personally by me or by the Solicitor-General, whoever is available. The law lays down that that has to be done within a period of 28 days from sentence. That is the limitation and that means that sometimes there are few days left, as I am sure my predecessor will be the first to agree, before reference is made. The cases, however, are personally considered—they have to be and always have been.

Discontinued Prosecutions

32. **Mr. Gordon Prentice:** What considerations are taken into account when determining not to proceed with a prosecution on the grounds that it is against the public interest. [22334]

The Attorney-General: The code for Crown prosecutors sets out factors in favour of and factors against a prosecution. Factors against a prosecution include the youth or old age or infirmity of the defendant. In cases of any seriousness, however, a prosecution will usually take place unless any factors against a prosecution clearly outweigh those tending in favour.

Mr. Prentice: The reasons also include possible embarrassment to the country and its international relations but, notwithstanding that and the other factors that the Attorney-General cited, when a prosecution does not proceed and the person who has been investigated is rich and powerful, has been in authority and may even have been a Member of the House, is there not a powerful case for saying that the public interest requires that the reasons should be given?

The Attorney-General: The reasons that are taken into account are set out fully in the code for Crown prosecutors. As regards ex-Members of the House, my hon. Friend has gone over the ground on more than one occasion and I have nothing to add, save that the police are investigating the matter.

Mr. Burnett: Do the same considerations apply in respect of prosecutions for tax evasion and why are there so few such prosecutions? Would the Attorney-General ever be assisted if a Department of State prepared a case against a Minister in that same Department?

The Attorney-General: Prosecutions in Inland Revenue matters or decisions on whether to compound matters alleged to be due are matters for my right hon. Friend the Chancellor of the Exchequer. He is responsible for that side.

Mr. Ian Bruce: Would the Attorney-General be consulted if there were an investigation of a Minister of the Crown, particularly if it reflected on something that he did outside the House rather than on his duties within the House? If so, at what point would that come about and would he be consulted about any prosecution?

The Attorney-General: As I said previously with regard to a former Member of the House, generally there would be no reason for me to intervene, it would be extremely unlikely and I hope that I would not. That has been the tradition where there has been political involvement.

Mr. Owen Oyston

33. **Mr. Campbell-Savours:** If officials in his Department saw papers in relation to the prosecution of Mr. Owen Oyston. [22335]

The Attorney-General: No.

Mr. Campbell-Savours: This is a very difficult case to raise because we are talking about a rape trial where the victim and the witness for the defence were teenage girls, and the prosecution hinged on their evidence.

Can my right hon. and learned Friend tell me whether he thinks it fair that, under the Sexual Offences (Amendment) Act 1976, a victim should have total anonymity and be protected from cross-questioning as to

her character when the witness in the defence, as happened in this particular case, is subject to very close questioning as to her character? Indeed, her whole previous life is laid bare as part of the prosecution's case. Are we seeing natural justice when cases are conducted in that way?

The Attorney-General: My hon. Friend has put very carefully the matters that I know are of concern to him. He is right to refer to the Sexual Offences (Amendment) Act 1976. It is a matter for the judge whether he gives anyone leave to ask questions regarding the victim. The test will be that he will grant leave only if he is satisfied that it would be unfair to the defendant to refuse to allow such evidence. As regards a witness and whether questions about previous sexual experience should be allowed, that is also a matter for the judge. As regards the 1976 Act, it was brought up to date in 1994.

I am also concerned about anonymity. The anonymity of complainants in cases of rape and other specified sexual offences is protected from the time of the complaint, whereas the current legal position does not prevent media identification of juvenile offenders before the point of charge. However, the effectiveness of these provisions, when set against the increasing use of global information technology and publications outside the jurisdiction of the courts, is a matter of proper concern, and I am giving very careful consideration to it.

Returning to the gist of my hon. Friend's questions, if he has any new matters arising from the case to which he referred, these can be looked at by the Criminal Cases Review Commission.

Business of the House

3.32 pm

Mrs. Gillian Shephard (South-West Norfolk): May I ask the Leader of the House to tell us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): The business for next week is as follows.

MONDAY 26 JANUARY—Consideration in Committee of the Government of Wales Bill (Third Day).

TUESDAY 27 JANUARY—Opposition Day [6th Allotted Day].

Until about 7 pm, there will be a debate on development in the countryside and the green belt, followed by a debate on the London underground. Both debates will arise on Opposition motions.

WEDNESDAY 28 JANUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the Scotland Bill (First Day).

THURSDAY 29 JANUARY—Consideration in Committee of the Scotland Bill (Second Day).

FRIDAY 30 JANUARY—Private Members' Bills.

The provisional business for the following week is as follows.

MONDAY 2 FEBRUARY—Consideration in Committee of the Government of Wales Bill (Fourth Day).

TUESDAY 3 FEBRUARY—Consideration in Committee of the Government of Wales Bill (Fifth Day).

WEDNESDAY 4 FEBRUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Remaining stages of the Public Processions (Northern Ireland) Bill *[Lords]*.

Motion on the Police Grant Report (England And Wales).

THURSDAY 5 FEBRUARY—Motions on the English revenue support grant reports.

FRIDAY 6 FEBRUARY—Private Members' Bills.

Mrs. Shephard: I thank the Leader of the House for her statement and for continuing, so far as she can, to give the House the business for two weeks at a time. It continues to be helpful to the House and I know that it is as a result of her enthusiasm that the House is given as much advance notice as possible of the business that it can expect.

May I ask the right hon. Lady when we may expect a debate on the national health service? She will know that we have not had such a debate since before the summer recess and that, when we did, it was the Opposition who called one. We have now had a number of statements and a White Paper on health matters, and it is time that the Government provided the House with an opportunity to debate them.

I should be grateful if the right hon. Lady would convey to the Prime Minister the concern felt in many parts of the House at his increasingly arrogant disregard for Parliament. He continues to refuse to answer the simplest of questions at Prime Minister's Question Time. It is one thing to halve at a stroke the number of times a week that the Prime Minister consents to appear in the House. *[Interruption.]* It is quite another to make a habit of bluster, waffle and obfuscation in answer to questions to which the people have a right to hear a straight response.

Can the right hon. Lady arrange for an early debate on women's issues so that the House may hear from the Minister for Women why, since her appointment, she has answered only one question in the House, initiated no debates, made no statement and not commented on cuts in benefit for single mothers? After all the Government's electoral promises, is not her appointment a big disappointment to women and to the many newly elected women on the Labour Back Benches? Is it not a waste of money to taxpayers, who are funding her office to the tune of £119,000 a year—rather a lot for rather little?

May we have an early debate on planning issues so that the Deputy Prime Minister can expand his recent statement to the effect that the green belt is a Labour achievement and he intends to build on it?

Will the right hon. Lady arrange for the appropriate Minister to come to the House to clarify, for the enlightenment of taxpayers funding ministerial trips abroad, whether the term "partner" appears in the ministerial code of conduct or whether the term "spouse" is used throughout? Are any changes planned, or have changes already been made, to the code, and have those been reported to the House? What is the definition for those purposes of "partner", and for how long must a relationship have lasted for a partner to qualify for a free trip abroad at taxpayers' expense? Who makes that judgment? I hope it is not the Prime Minister's press secretary.

Mrs. Taylor: The right hon. Lady asked several questions. First, she asked about a debate on the national health service. Important statements have been made to the House, and a Green Paper will be published shortly. I shall consider what she said, but, as she knows, the programme up to Easter is extremely crowded so I cannot guarantee to find time for that debate, much though we should like to be able to boast about our achievements and the money that the Government are putting into health.

I reject the right hon. Lady's comments about the Prime Minister's answers at Question Time. As one of my hon. Friends said, there is no diminution in the total time available. Indeed, the figures show that more questions get asked and more answers are given. *[Interruption.]* I accept that Conservative Members may not like the answers they are given; that is because the answers do not accord with their views of the ways of the world. They should be grown up enough to know that they will not always like the answers they are given.

In respect of the right hon. Lady's questions about a debate on women's issues, the Minister for Women has requested time for a debate on the Floor of the House on those specific matters. So far, it has not been possible to provide time for that. I notice that when the Opposition selected the topic for discussion on their Opposition day next week, they did not choose to discuss women's issues—perhaps because there are so few women Conservative Members.

It is well known that my right hon. Friend the Deputy Prime Minister intends to make a statement on planning issues soon. The Government are committed to protecting

the countryside and to regenerating towns and cities. Meanwhile, we are sticking to the previous Administration's target of 50 per cent. of new houses to be built on previously developed land.

There have been no changes to the code in respect of ministerial trips and those who accompany Ministers on such trips.

Mr. John Cryer (Hornchurch): My right hon. Friend will be aware that pensioners have traditionally looked forward to their winter fuel bills with fear and trepidation. Will she join me in congratulating the Government on their prompt action? Will she arrange for a statement to be made explaining the actions that the Government have taken to alleviate the problem? Their response contrasts with the record of the Conservative party, which treated pensioners with more vindictiveness and disdain than any Government since pensions were founded in 1911.

Mrs. Taylor: I agree with my hon. Friend. The Government took prompt action so that pensioners would not have to face another winter fearful of whether they could turn up the heating and afford the coming fuel bill. The Government have allocated extra help of more than £400 million for this winter and the next. Payments to those who need that help most will be made later this month. We have reduced VAT on fuel, whereas the previous Government introduced it and intended to double it, and we have reduced the gas levy. We have shown that helping pensioners with their winter fuel bills is a priority of the Government.

Mr. Paul Tyler (North Cornwall): Will the Leader of the House give us an early debate on the role and responsibility of local education authorities? Will she confirm that a meeting took place last week between the Prime Minister, the Minister for School Standards and the chief inspector of schools, Mr. Christopher Woodhead, at which the future of LEAs was discussed in some detail? Will she confirm that the Government have specific plans significantly to amend and alter the roles and responsibilities of local education authorities? That is an important issue for hon. Members and for members of those authorities. Will she ensure that the Secretary of State for Education and Employment makes an early statement on the matter?

Mrs. Taylor: I cannot confirm any specific meeting. The hon. Gentleman did not warn me that he intended to ask that question, and I do not know what meetings every Minister has had. The Government believe that local education authorities have a very important role to play, and he will realise that if he examines the School Standards and Framework Bill, which is being considered in Committee.

Ms Sally Keeble (Northampton, North): In recognition of the progress that the Government have made on the scandal of pensions mis-selling, will my right hon. Friend find time for a debate on the issue? Pensions mis-selling was a direct result of the policies of the Conservative party when in government. Does she agree with me that, given the demographic profile, the progress that the Government have made in that area has been of particular help to women?

Mrs. Taylor: I agree with my hon. Friend. The Economic Secretary to the Treasury, who has taken a particular interest in the matter, has made serious progress in trying to ensure that the problem is resolved. She has established clear deadlines for all firms, large and small, and has made it absolutely clear that they must be observed. It is important that we tackle this problem, which was created and then ignored by the Conservative party. The Ministers involved will continue to pursue the matter, but I cannot find time for a specific debate on it in the very near future.

Mr. Nicholas Soames (Mid-Sussex): In thanking the right hon. Lady again for her great courtesy in doing her best to keep us informed of business two weeks ahead, may I ask her to arrange for the Prime Minister to give a clear answer next week to the question whether it is tolerable and tenable for the Paymaster General, who is the chief tax gatherer in the land, to be subject to an investigation by the Inland Revenue and retain his position at the Treasury? Is it not an affront to the House and the people of this country that the hon. Gentleman retains his position at the Treasury at the same time as he is allegedly the subject of a special investigation? To clear the matter up, will the right hon. Lady give us a answer, yes or no, to the question whether he is subject to such an investigation?

Mrs. Taylor: I think that the hon. Gentleman protests too much. He knows that, as the Prime Minister explained yesterday, neither the Inland Revenue nor any other regulatory board can comment on investigations or, indeed, on whether or not an investigation is taking place. I believe that the hon. Gentleman was told that yesterday, and I think that he should remember it.

Mr. Tam Dalyell (Linlithgow): Has my right hon. Friend seen early-day motion 666?

[*That this House calls for the immediate opening of serious negotiations with the Iraqi Government with a view to ending sanctions and seeking a solution to outstanding problems; and would deplore any military action by the United States which is opposed by three permanent members of the Security Council.*]

The motion, tabled by my right hon. Friend the Member for Chesterfield (Mr. Benn) and me, expresses a minority view on relations with Iraq.

May we have a statement next week making clear the precise objectives of any Anglo-American military action, in the absence of massive ground forces, with a view to the use of chemical or biological weapons? Before British service men are committed to military action, should not the House at least have an opportunity to express an opinion?

Mrs. Taylor: My hon. Friend knows that his views on our problems in respect of Saddam Hussein do not coincide with those of the Government. Although he has drawn my attention to early-day motion 666, I must tell him that I do not accept his analysis. As for his question about a statement being made to the House before the deployment of troops, I can confirm that, operational circumstances permitting, we would made a statement to the House before committing any troops.

Miss Anne McIntosh (Vale of York): Does the Leader of the House agree that the Minister for Women should

[Miss Anne McIntosh]

make an early statement to the House? I remind hon. Members that, in a written answer given on 20 November 1997, the Minister said that the Government were taking steps to "ensure that women's interests"—

Madam Speaker: Order. The hon. Lady should not quote, because this is part of Question Time. I am sure that she can paraphrase.

Miss McIntosh: Would the Minister for Women care to comment to the House on the Government's views on this week's Equal Opportunities Commission document on proposed changes to the Equal Pay Act 1970 and the Sex Discrimination Act 1975?

Mrs. Taylor: I said that my hon. Friend the Minister had asked for a debate on these issues, although it has not been possible to find time for such a debate yet. The hon. Lady can raise those issues with my hon. Friend, either at Question Time or in a written question.

Ms Beverley Hughes (Stretford and Urmston): Is my right hon. Friend aware that, in Committee earlier this week, the shadow Secretary of State for Education and Employment turned on its head Conservative party policy on class sizes when he recognised the link between educational attainment and smaller class sizes for young children—and, furthermore, said that he recognised that class sizes were relevant to them? Will my right hon. Friend arrange an early debate, so that we can welcome this blinding conversion of a party which for so long denied any link between class sizes and educational attainment?

Mrs. Taylor: My hon. Friend makes a fair point. Over the years, I have heard the arguments advanced both by the present shadow Leader of the House, the right hon. Member for South–West Norfolk (Mrs. Shephard), and by her right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who may still hold the old rather than the new Conservative view. Nevertheless, I welcome the transformation. I hope that every hon. Member will read the Committee *Hansard*, and see how clear it is that the Opposition have been converted to the view that class sizes make a difference. I also hope that the Opposition will help us to implement one of the key pledges in our election manifesto.

Mr. John Wilkinson (Ruislip-Northwood): In view of the salutary passage of an amendment in the other place requiring publication by the Government of a Bill on proposals for a Greater London authority before the people of London are called upon to vote on that subject in a referendum, will the Leader of the House clearly explain the Government's exact proposals for that legislation? Are the people of London now to have the opportunity of judging clear, definitive legislative proposals before they are called on to vote; or are they still to be asked, on 7 May, to take a great leap in the dark, on the basis of a White Paper published only a few weeks before the referendum which could, of course, subsequently be changed?

Mrs. Taylor: The amendment passed in the other place was significant, not least because it was passed by hereditary peers. Although the legislation issue is not yet resolved, we have made it clear that the White Paper will be published in good time.

Ms Ruth Kelly (Bolton, West): May I welcome the Government's welfare-to-work programme, which will give new hope and opportunity to the unemployed, who were neglected for so long under the Tories? As one in five households has no one in work, the measure is essential to tackle the human waste and poverty that result from unemployment. Will my right hon. Friend agree to arrange a debate on such an important issue?

Mrs. Taylor: My hon. Friend is correct to say that welfare to work—which the Conservative party has opposed on every occasion—is a very important issue. The Government are committed to providing new opportunities for the unemployed and to helping people back into work. The matter has been debated on some occasions, and, important as it is, I do not think that we will be able to find time in the very near future for another debate on it.

Mr. Eric Forth (Bromley and Chislehurst): May I press the right hon. Lady to have a debate urgently on the matter of ministerial accommodation—so that we may know who is living where and at what expense, and how much taxpayers' money has been spent on the refurbishment of those premises, if only so that people being denied benefit might know where their money is going? While we are at it, will she help her fellow Ministers by clarifying the position on the code of ministerial conduct; on whether spouses remain spouses, or partners become spouses, or spouses become partners; on who is travelling with whom, and on what basis; and on when all that started, anyway?

Mrs. Taylor: The right hon. Gentleman raises the issue of accommodation. As with the issue of travel, there has been no change in practice.

Dr. Stephen Ladyman (South Thanet): Further to my right hon. Friend's answer to the question asked by my hon. Friend the Member for Linlithgow (Mr. Dalyell) on the situation in Iraq, I believe—and I believe that the Government may agree—that Saddam Hussein is a monster by any civilised measure, that he possesses a stockpile of nerve gas, that he probably can construct an atomic weapon, that the inspection process that the United Nations is trying to impose is already proving to be effective, and that we have stepped down a road that leads inexorably to war. While there are still some options for diplomacy, will she please give further thought to how the House may debate that important issue, before it is too late?

Mrs. Taylor: There are still important options for diplomacy, and it will always be the Government's priority to follow that course. My hon. Friend is quite right in his analysis of the difficulties that Saddam Hussein has created. The United Nations Special Commission has reported that Iraq could be producing enough anthrax each week to fill two warheads. The situation and dangers are therefore evident. I have said that if there is a question of British troops being used,

the House will of course be given the opportunity to express an opinion. However, we all hope that the situation will not come to that.

Rev. Martin Smyth (Belfast, South): The Leader of the House will be aware that early-day motion has been signed by about 355 hon. Members.

[*That this House is concerned that increases in road traffic will cause more atmospheric pollution and emissions of greenhouse gases, hampering the achievement of the Government's 20 per cent. carbon dioxide reduction target and damaging communities and the countryside; notes the similar concerns expressed in recent reports by the Royal Commission on Environmental Pollution and the Transport Committee; notes, too, that the CBI has estimated that traffic congestion is costing industry £19 billion per year; notes the words in the Government's election manifesto that 'a sustainable environment requires above all an effective and integrated transport policy at national, regional and local level' and the acceptance in Consensus for Change 'that the current state of affairs is unsustainable'; believes therefore that road traffic reduction is a vital part of a sustainable transport policy, and accordingly welcomes the passing of the Road Traffic Reduction Act 1997 but regrets that this only applied to local authorities and local roads, believing that this anomaly, whereby traffic reduction targets are required for local roads, but not for national roads, cannot fully enable the establishment of 'an effective and integrated transport policy at national, regional and local level'; and therefore welcomes the proposals for road traffic reduction measures promoted by a cross-party group of honourable Members which sets out a requirement for the Government to consult widely, draw up and implement national transport policies to achieve, in a spirit of partnership a reduction of road traffic miles of 5 per cent. by 2005 and 10 per cent. by 2010.*]

Representing a constituency in a city that has been described as the most polluted city in the kingdom and which has several of the most congested roads, may I ask whether the Government will not only give a fair wind to the Road Traffic Reduction (United Kingdom Targets) Bill next Friday but help to improve the health and quality of living of many of our people?

Mrs. Taylor: I can confirm that we share many of the concerns about the problems that the hon. Gentleman mentioned. However, it is not my practice to say in advance what the Government's attitude will be to any private Member's Bill.

Charlotte Atkins (Staffordshire, Moorlands): In recognition of the vital role of local magistrates courts, can the Leader of the House find time for a debate on their future? I am especially concerned about that issue, because my constituency faces the closure of its last magistrates court in Leek, and local people will therefore be deprived of local justice administered by local people.

Mrs. Taylor: I do not think that it will be possible to provide a debate in Government time in the near future. The relevant Minister was answering questions on such matters in the House earlier this week. Perhaps my hon. Friend will want to apply for an Adjournment debate to pursue that constituency case.

Mrs. Cheryl Gillan (Chesham and Amersham): May I ask the Leader of the House for an urgent debate on issues of national importance—the millennium bug and the year 2000 problem? Is she aware that at an Action 2000 press conference this morning the Prime Minister issued a statement saying that there were 100 working weeks left until the millennium, and that that was only just enough time to deal with the problems connected with the year 2000?

I should have thought that a statement on the issue was urgently required in the House, not least because I was refused access to the press conference and received the papers from it three quarters of an hour after members of the press. Does the right hon. Lady not think it disgraceful that, yet again, the media were informed before Members of the House? May we have an urgent debate to sort out the mess that the Government are making of the millennium bug?

Mrs. Taylor: The hon. Lady was a member of a Government who did very little to prepare for the event, which is why my right hon. Friend the Chancellor of the Duchy of Lancaster made a statement on the matter shortly before Christmas. The Government are aware of the threat and, unlike our predecessors, we are far from complacent.

Every business, every Department and every organisation must take responsibility for tackling its own systems. None the less, the Government are spending more than the previous Government did in preparation for the event, and my right hon. Friend the President of the Board of Trade is chairing a ministerial group to bring together work in the public and the private sector. Unlike the previous Government, we take the problem extremely seriously.

Mr. Paddy Tipping (Sherwood): Given the widespread public support for greater access to open countryside, will the Leader of the House find time for a debate soon, so that the Government can explain what steps they are taking to implement their manifesto commitment in that regard?

Mrs. Taylor: I know that my hon. Friend has taken a keen interest in that issue over many years, and he is right to remind me of the manifesto commitment. The Government are firmly committed to greater freedom to explore open countryside. We intend to issue a consultation paper shortly to outline our proposals for achieving greater access, and I hope that when that is published my hon. Friend will be pleased with the progress that has been made. Whether we can find time for an early debate on the subject is another matter, and I cannot promise him the time that he might want.

Mrs. Jacqui Lait (Beckenham): Would it be helpful to suggest to the Leader of the House that we have a debate on women's issues, so that the Minister for Women can have a rare starring role at the Dispatch Box, close to International Women's Day? We would have the opportunity to find out how many married women Members are looking forward to their husbands taking responsibility for, and signing, their tax forms, and how many male Members are looking forward to taking on that responsibility.

Mrs. Taylor: The hon. Lady asked whether that would be a helpful question, and I have to tell her that it would not. I doubt whether she will think my answer very helpful either. I have already said that my hon. Friend the Minister is looking for a debate on those issues. When we

[Mrs. Taylor]

were in opposition we often used an Opposition day so that such a debate could take place, and the hon. Lady may wish to explore that possibility with her hon. Friends.

Mr. Andrew Mackinlay (Thurrock): May we have an early statement from the Prime Minister or the Foreign Secretary detailing the foreign policy baseline against which the strategic defence review must be judged? My right hon. Friend, I and others were proud to support the manifesto, which promised that new Labour would maintain Britain's capacity for peacekeeping, humanitarian effort and power projection in the world. It is important that we have a clear statement that Labour intends to maintain that capacity in advance of the strategic defence review.

Mrs. Taylor: I do not think that we can have an early debate on those matters. My right hon. Friend the Secretary of State for Defence has made it clear that the review that has taken place is foreign policy-led and not Treasury-driven. I hope that that will reassure my hon. Friend in the absence of an early debate.

Mr. Owen Paterson (North Shropshire): I welcome the announcement of a day's debate on the revenue support grant, but must inform the Leader of the House that the proposed local government settlement for Shropshire will have catastrophic consequences. There will be not only a 17 per cent. increase in council tax, but £10 million in cuts, 450 teachers may lose their jobs and class sizes may go over 40. I addressed 4,000 people in Shrewsbury on Saturday and the Government's election slogan, "Education, Education, Education" was openly mocked by two highly respected local headmasters. May we please have a further day's debate on the local government settlement?

Mrs. Taylor: I do not accept the hon. Gentleman's analysis of the situation, but he has put in his bid to speak in that debate, if he thinks that it is still necessary for him to do so.

Mr. Martin Salter (Reading, West): Is my right hon. Friend aware of the recent reports that more than half of the £1 million of the Chinese heroin dealer's money donated to the Conservative party was spent on a printing press for Conservative central office in Reading? Does she agree that it is high time that the leader of the Conservative party came clean on the sources of party funding? What opportunity does she plan to give Parliament to discuss party funding?

Mrs. Taylor: I was not aware, until it was brought to my attention by my hon. Friend, that that money might have been spent in that way. Many facts about the situation are still extremely unclear. Until we can make further progress to ensure that we have new, appropriate rules for accepting donations, we should have clarification of what has happened in the past. However, that is a matter not for me, but for the Conservative party. If there were a prospect of discovering the facts, I would be tempted to provide time to do so.

Mr. Andrew Stunell (Hazel Grove): Will the Leader of the House arrange for the Home Secretary to explain to the House why 300 police officers have been cut from police forces since 1 May and what he intends to do about it?

Mrs. Taylor: I cannot arrange for a debate on that matter. I have announced a debate on the police grant.

Mr. Adrian Sanders (Torbay): May we have a debate covering the Government's policy towards tourism, particularly in relation to United Kingdom seaside resorts? Three key issues seem to confront that industry. The first is competing with overseas hoteliers, who have a more beneficial value added tax rate on accommodation. Secondly, there is a problem with the six-bed rule, which is not being implemented consistently throughout the country. The third issue is the threat from a non-regionalised national minimum wage.

Mrs. Taylor: I am afraid that there is little prospect of such a debate in the next couple of weeks, unless the hon. Gentleman is successful in a request for an Adjournment debate or something of that sort. Some of those questions were raised with the relevant Ministers at Question Time on Tuesday.

Orders of the Day

Bank of England Bill

As amended (in the Standing Committee), considered.

New clause 1

ROLE OF TREASURY COMMITTEE IN APPOINTMENTS UNDER SECTION 13(2)(c)

'—The Chancellor of the Exchequer shall not make any appointment under section 13(2)(c) until the Treasury Select Committee of the House of Commons has—

(a) been consulted on the establishment of a procedure of open competition in relation to such appointments,

(b) held a confirmatory hearing or hearings on the suitability of any person nominated following the procedure mentioned in sub-paragraph (a), and

(c) reported to the House of Commons its approval of that person's appointment.'.—*[Mr. Heathcoat-Amory.]*

Brought up, and read the First time.

4.3 pm

Mr. David Heathcoat-Amory (Wells): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following: New clause 3—*Confirmation hearings for Bank appointments*—

'—(1) The Treasury Committee of the House of Commons may, within thirty calendar days of a nomination being made in relation to an appointment under sections 1(2) or 13 of this Act, make a report to the House of Commons—

(a) stating its conclusion that a nominee for the post of Governor or Deputy Governor meets the criteria of competence and personal independence or that a nominee for membership of the Monetary Policy Committee meets the criteria specified in section 13(4), or

(b) giving its reasons for considering that a nominee for the post of Governor or Deputy Governor does not meet the criteria of competence and personal independence or that a nominee for membership of the Monetary Policy Committee does not meet the criteria specified in section 13(4), and inviting the Chancellor of the Exchequer to reconsider the nomination.

(2) A nomination of which the Committee signifies its approval or on which it decides not to make a report to the House of Commons shall be confirmed by the Chancellor of the Exchequer on receipt of the Committee's report or after thirty days, whichever is the sooner.

(3) A nomination which the Committee invites the Chancellor to reconsider shall not be confirmed until seven days after the Chancellor has written to the Treasury Committee giving his reasons for continuing with the nomination.

(4) The provisions of subsections (1) (2) and (3) above shall apply only when the Treasury Committee has been formally constituted.

(5) If at any time after the passing of this Act—

(a) the name of the Treasury Committee is changed; or

(b) the functions discharged by that Committee at the passing of this Act, or functions substantially corresponding thereto, are discharged by a different Committee,

the reference to the Treasury Committee shall be construed as a reference to that Committee by its new name or to the Committee then discharging those functions.

(6) Any question arising under subsections (4) and (5) shall be determined by the Speaker of the House of Commons.'.

Amendment No. 34, in clause 1, page 1, line 10, at end insert—

'(2A) The directors of the Bank shall be representative of the different regions of the United Kingdom.'.

Amendment No. 29, in clause 13, page 5, line 27, at end insert—

'(2A) No person shall be appointed under subsection (2)(b) or (c) unless he is a British subject.'.

Amendment No. 31, in page 5, line 35, after 'experience,', insert

', including knowledge or experience of manufacturing industry,'.

Amendment No. 28, in page 5, line 35, at end insert

'and that his views on monetary policy have been made known to Parliament.'.

Amendment No. 3, in page 5, line 35, at end insert—

(4A) No person shall be appointed under subsection 2(c) if he has within the preceding five years been an employee of the Bank.'.

Amendment No. 18, in schedule 3, page 21, line 31, leave out 'or (c)'.

Amendment No. 20, in page 21, line 32, leave out '3' and insert '4'

Amendment No. 19, in page 21, line 34, at end insert—

'1A Appointment as a member of the Committee under section 13(2)(c) shall be for a period of four years.'.

Mr. Heathcoat-Amory: The House will recall that at the centre of the Bill is the proposal to set up a Monetary Policy Committee to take all decisions relating to short-term interest rates. Indeed, it is already operating, and the Bill gives it statutory force. That is a major departure from previous practice, under which interest rates were set by the Chancellor of the Exchequer after consulting and receiving advice from the Bank of England.

The new clause would give the House some influence over appointments to the Bank, and specifically to the Monetary Policy Committee, through the Treasury Select Committee. As the Bill stands, the Chancellor has truly awesome powers of patronage. He will directly appoint most of the members of the Monetary Policy Committee. The Governor and the deputies will be appointed separately, but on the recommendation of the Prime Minister, so those appointments are also effectively in the hands of the Executive.

The Chancellor will be consulted on the appointment of two of the bank representatives on the Monetary Policy Committee, so he effectively has a veto on those appointments as well. The four other outside appointments to the Monetary Policy Committee are entirely in the Chancellor's gift. It is obvious that this very important new body is effectively, and in practice, a creature of the Executive, and specifically of the Chancellor.

Committee members will be appointed for only three years, so they will have little time to build up any independent authority before facing re-election and coming again under the Chancellor's discretion. That contrasts sharply with practice overseas. The Bundesbank, for instance, makes its equivalent appointments for a term of eight years, giving the members real authority and independence that stretches beyond, for instance, any one Parliament. The three-year term proposed in our case means that people will face reappointment within a single Parliament.

[Mr. Heathcoat-Amory]

Members of the relevant committees of the Federal Reserve bank in the United States are appointed for 14 years, so they are not only much more independent in the method by which they are appointed but have a long period of service, which gives them real authority and standing, and the ability, when necessary, to stand up to the Executive and assert their own judgment against political interference. That is not what we will have here.

That is why some of our amendments attempt to establish a longer term of office for the appointees, and I urge the House to support them; but I speak chiefly in support of the new clause, which picks up an idea first floated by the Treasury Select Committee. The Select Committee's members are drawn from all parties, it has a distinguished Labour Chairman, the hon. Member for North Durham (Mr. Radice), and its report was unanimous, so I advance these ideas in the spirit of the House of Commons trying to improve legislation and achieve some influence on the proposed procedure. Otherwise, we are faced with a quango. The Government are in danger of being seen to set up a quango, which they will appoint and on which no restraint is placed.

Hon. Members will remember that, before the election, we heard a lot of windy rhetoric from the then Opposition about how they wished to democratise quangos and make them more accountable. Of course, they have not done that. Indeed, they are creating many more quangos. We are debating just such an advance. Moreover, not only will the Monetary Policy Committee be a quango itself, but it will report to another quango, the court of directors of the Bank. Members of that court are also appointed by the Chancellor of the Exchequer, and their term of office is being reduced from four years to three. We face the rather alarming prospect of one quango reporting to another.

The reason why that is wrong, even according to the Government's own logic, is that it undermines the credibility of what the Government are trying to do: set up an anti-inflation strategy free from political interference. That is not achieved by setting up a body which is so obviously not free from political interference. For the reasons that I have described, the Monetary Policy Committee will be an offshoot of the Treasury.

The other reason why the proposal is wrong is that there are disturbing examples of how the Government respond to pressure. We all remember the episode of formula one and tobacco sponsorship. In that case, the Government changed their policy. Indeed, they broke an election promise because they came under pressure from a very rich donor to the Labour party. It is therefore not good for the Government to be trusted to make impartial appointments to the new, important body that will set interest rates, given that their record is already so unfortunate. It is vital that the appointments are made on merit in an unbiased and impartial way.

Ms Ruth Kelly (Bolton, West): Does the right hon. Gentleman think that the credibility of Government policy fell on the announcement of independence for the Bank of England? From the facts, it is absolutely clear that the markets thought that the credibility of Government policy had been enhanced because long bond yields fell.

Mr. Heathcoat-Amory: The hon. Lady ought not to be quite so sanguine about the inflation record. She will know that her Government have missed their own inflation target in every month since the election. So the jury is out. The Government have wisely continued appointments made under the previous Government, but I am debating future appointments that the Government will make as a result of the Bill.

That is why—the hon. Lady should agree—it is very important that the Government are seen to be entirely disinterested. She will correct me if I am wrong, but I think that she was a member of the Select Committee that produced the report to which I referred. I think that I noticed her name on it. She will therefore definitely want to support the new clause.

The new clause is modest. First, it would simply ensure that the appointees are selected after a process of open competition. That is a very modest requirement. Indeed, Ministers suggested in Committee that they had no particular problems with it. Secondly, it ensures that the appointments are subject to confirmatory hearings by the Treasury Select Committee. That does not mean that the House of Commons will make the appointments or suggest candidates: it simply means that the candidates suggested by the Government should be confirmed to ensure that they measure up to the full standards of expertise and impartiality that the House expects.

I shall quote just one paragraph from the Select Committee report. I see now that the hon. Member for Bolton, West (Ms Kelly) was a member of the Committee, and therefore will fully support this sentiment. It said:

"We believe very strongly in the importance of ensuring that the appointment process is carried out with openness and independence from political influence. We therefore intend, even in the absence of statutory provision, to instigate hearings and make reports to Parliament."

I therefore move the new clause in the knowledge that it has the support of Labour and other members of the Treasury Select Committee, including some who are in the Chamber this afternoon. It will ensure that appointments are impartial, and will give added credibility to what the Government are trying to do in setting up the committee in the first place.

4.15 pm

Mr. Charles Clarke (Norwich, South): I do not support new clause 1. It gives an inappropriate role to the Treasury Select Committee in the formation of Government legislation. I support new clause 3 which, as the right hon. Member for Wells (Mr. Heathcoat-Amory) said, was supported by the Treasury Select Committee, although not unanimously. The right hon. Member for Fareham (Sir P. Lloyd) did not agree with that proposal, so it would be wrong to give the impression that a proposal unanimously supported by the Select Committee was lying before the House.

We do not think that confirmation is a precondition for the effectiveness and independence of the Bank, but we believe that it would enhance it, and we support the way in which the Government are going about these things. The Select Committee will hold hearings in any event, as we make clear in paragraph 49 of the report, but we believe that establishment of the role of the Select Committee in statute would enhance the Bill.

There are several reasons for that. First, it would make it clear that the appointment of the key people who determined monetary policy was made not only with

reference to the Government of the day, but on the basis of a broad-based discussion about the issues at stake, in which everything was brought out into the open. Secondly, it would strengthen the relationship between the Bank and Parliament. A new feature of the Bill is the establishment of precisely such a relationship. The confirmation hearings would make it clear at the time of the appointment of key people that the role of Parliament was important. Thirdly, it would enhance public confidence in the people in the Monetary Policy Committee who took key decisions.

There was a time when decisions were all taken behind closed doors in a dark and secret way, and it is to the credit of the Government that they have introduced the Bill and brought many decisions into the open. Already, not long since the new Government came to office, the publication of the minutes of the committee has enhanced public understanding of the considerations taken into account when interest rate policy is established.

New clause 3 would therefore increase accountability and openness. The Treasury Select Committee is giving great attention to the way in which the reform would operate. It would be done extremely carefully, in the way set out in paragraph 47 of the report. We do not believe in a type of open house on the American Congress select committee model, in which people's private lives and conduct can be brought into the public arena. Discussions must be on key issues of professional competence and personal independence.

That is why we propose that the questioning of candidates should be circumscribed and limited to professional competence and personal independence, not ideologically based. It would be a speedy process of decision making; it would not be time-consuming; it would not be a veto; and it would allow the Government and the House to consider the candidates and come to a view. I submit that that is a powerful case for the reforms set out in new clause 3.

My right hon. Friend the Chief Secretary to the Treasury came to the Select Committee and, in a distinguished, open and candid performance, identified three main arguments against the proposal, although he said throughout that he had an open mind on the matter. He said, first, that their having to come before a Select Committee of the House before being appointed might deter candidates.

Secondly, there were certain political circumstances—for example, a hung Parliament—in which the process might increase instability, rather than promote stability.

Thirdly, the issue of confirmation was of such importance that it should run across a whole range of appointments in public life and would need to be considered by the House; therefore, a decision should not be taken on the Monetary Policy Committee or the Bank until that wider consideration had taken place. I shall deal with each of those points—all of them powerful—in turn.

On the question of a deterrent effect, my right hon. Friend cited the example of John Maynard Keynes and suggested that that distinguished economist might have not wished to serve in public life if he had felt that his personal life might come under scrutiny in a process of this sort. All I shall say on that point is that I believe that we live in different era in terms of the public scrutiny of those who serve the public in a variety of ways, not only Members of Parliament, but public servants more generally.

Most public servants would prefer to have the chance to answer charges directly, rather than to have those charges circulated by nudge and wink or media leak. They would prefer to address the issue straight up, and I believe that, had he been alive today, John Maynard Keynes would have been of that mind. Many potential candidates for the MPC and the Bank—we have discussed this question informally with them—would prefer a state of affairs where there was an open process, open discussion and open accountability, rather than a process that took place behind closed doors. Provided—it is an important proviso—that the Select Committee dealt with the matter in a sensitive and rapid way, rather than following the example of congressional committees, potential appointees, those appointed and the body politic as a whole would all gain from the open process.

The Chief Secretary's second argument was that, in a hung Parliament, a party political ball game would be played in the Select Committee, which would make it difficult for the Government to govern and make those key appointments. I take that point, but, if we are concerned with the independence of the central bank from those party political ball games and the uncertainties surrounding a hung Parliament, it would be better and more effective to use the open hearing process; in addition, there would be no risk of the Prime Minister or Chancellor appointing cronies with no chance for public scrutiny. Therefore, the second argument does not stand up.

The third argument has more substance. It relates to the issue of the wider reform of the relationship between Parliament and the Executive in the matter of key appointments, and contends that it would be better to wait before taking the process forward.

After the Chief Secretary had given his evidence, I tabled a question to my right hon. Friend the Leader of the House to ask what assessment she was making of that issue. She replied that the Government were reviewing the situation, but that they had "no immediate plans" to propose a process of Select Committee scrutiny. If we accept the Chief Secretary's argument, there is a real danger that we will make the best the enemy of the good by saying that we cannot carry out this reform until we have achieved wholesale reform across the board.

In addition, the Bill deals with important issues relating to the Select Committee and the Governor of the Bank which differ from many of the other areas of public scrutiny, so there is a particular case to address.

Mr. Robert Sheldon (Ashton-under-Lyne): My hon. Friend may be aware that the Liaison Select Committee has discussed in general terms the use of this sort of hearing, and in general—I cannot speak for every Committee—supports the view expressed by my hon. Friend the Member for North Durham (Mr. Radice). As this would be the first use made of a particular instrument, it will be important that we have in my hon. Friend a Chairman who not only is distinguished, but would be strong in ensuring that no personal references were made or personal questions asked. We would regard it as the initiation of what could be a useful procedure. I welcome what my hon. Friend has said.

Mr. Clarke: I am grateful to my right hon. Friend for saying that there is general support across Parliament for many of the changes about which we are talking.

[Mr. Clarke]

I should add that, this morning, the Treasury Select Committee had a discussion on the types of procedure that would be applied. The personal qualities of the Chairman of the Committee, to which my right hon. Friend has just referred, were part of our discussion, because we recognised the need to have a process according to which inappropriate questions would be ruled out, so that we kept to the twin issues of professional competence and personal independence. I agree with my right hon. Friend's expression of confidence in the Chairman of the Treasury Select Committee.

I know that there is a case for wider reform, but I hope that the consideration of such general issues will not lead to us to say that we will not introduce a reform of the type that I have described simply on the ground that those general issues should be considered more thoroughly. I genuinely believe that the reform would enhance the independence of the Bank, as well as the policies set out in the Bill—and, most important, the accountability of key institutions of state to the House.

Mr. Quentin Davies (Grantham and Stamford): Before I discuss new clause 1, I should like to respond to the observations of the hon. Member for Norwich South (Mr. Clarke), with whom I have the honour to serve on the Treasury Select Committee. As he rightly said, this morning the Committee discussed the matter in considerable detail.

I listened with some surprise to the hon. Gentleman's statement that, although he supported new clause 3—we are both signatories to that second new clause in the group of amendments under consideration—he could not support new clause 1. Apart from obvious considerations of political tactics, I cannot see how anyone who supports new clause 3 could fail to support new clause 1. As far as I can see, there is only one difference of substance between the two new clauses—new clause 1 provides for an open advertisement selection procedure.

The hon. Gentleman notably failed to address that issue. He did not suggest that he disagreed with it or that there is anything wrong with it, so, logically, I cannot see why he cannot support new clause 1. I would be sorry if he decided he could not do so simply because of the dog-in-the-manger principle that it had been brought forward by the Opposition. That is contrary to the spirit in which the matter has been considered in the Treasury Select Committee. I regret that.

As for the hon. Gentleman's other remarks, I thoroughly agree with him. I would like to think that the issue of the Treasury Select Committee asking utterly irrelevant, prurient questions was a red herring. I would never have raised it, but I am a little sanguine, and there is a genuine concern that the procedures might be abused in that particular way. I have the greatest confidence that Parliament would undertake its responsibilities with great care. Certainly it would do so with as great responsibility as that shown by the Executive branch—or greater—and certainly greater responsibility than the current Executive branch has so far manifested in its conduct of the nation's affairs.

I have no doubt about that, but, since others appear to think that there might be some lingering concern on the matter, there is absolute agreement on the Treasury Select Committee that, in order to address that possible source of concern, we should, by resolution or otherwise, make it explicitly clear that the questions asked on such occasions would be pertinent ones relating to the competence and independence of candidates. There would be no question of going into people's private lives, sexual behaviour or anything of that kind.

If Maynard Keynes had come before our Committee, I can think of lot of questions that I would have wanted to ask him about his General Theory, but I should not have asked him any interesting questions about his private life.

It is a great pleasure to second the new clause tabled by my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), which makes an important contribution to the debate. The confirmatory hearings are important for two reasons.

First, such hearings would be in the interest of transparency, and in the interest of gaining public support for, understanding of and confidence in what was being done. They would help to exclude explicitly all types of theoretical dangers—which, with the present Government, might not be so theoretical—that cronies of Ministers, the Chancellor or the Prime Minister might be appointed to the Monetary Policy Committee. Such a position might be considered a nice appointment for someone to whom political favours were due.

It would be a nightmare if we had Mr. Bernie Ecclestone on the Monetary Policy Committee. It would be an even greater nightmare—if such a thing is possible—if we had someone who was simply a nominee of Mr. Rupert Murdoch, of whom the Prime Minister, in his conduct of monetary policy, has already shown that he is terrified.

4.30 pm

Sadly, these possibilities are real, not hypothetical, and it is not a bad idea to use explicit provisions to protect the public and our institutions from them. Confirmatory hearings represent a check and a balance—an additional assurance to the country that such decisions are made objectively, as dispassionately as is possible in human affairs. That is the purpose of checks and balances, which are the basis of public confidence in a democratic constitution.

There is a second, more pragmatic and, indeed, monetary reason why it would be sensible for the Government to accept new clause 1—but the Government do not often do very sensible things, so I do not expect that they will do this now.

The new clause will make it easier for the Government to achieve what they say was their prime purpose in making the Bank of England operationally independent. The main purpose of doing so was to give the markets confidence that monetary policy is being conducted in accordance with monetary criteria, to achieve the monetary purpose of price stability—the permanent removal of inflation in our national affairs—and is not subject to political, personal or electoral pressures according to the day-to-day convenience and self-interest of Ministers.

The world is changing. As a result of one of the salient changes, almost every civilised country now has an independent central bank. It would be an enormous

liability for our country if, of the major currencies of the world, only sterling was managed in such a way that it was seen to be subject to extraneous party political or electoral pressures. In those circumstances, all holders of assets in sterling would demand what would probably be a very significant premium: a risk premium for holding such assets, given the uncertainties created, the hostages to fortune represented, by the existence of those pressures on the conduct of monetary policy.

We are already paying such risk premia. The taxpayer is paying 1 per cent. more to service British Government debt, gilts, than the German taxpayer is paying to service German Government debt. That has nothing to do with the inherent creditworthiness of the British or German Governments; it results from the monetary uncertainties associated with holding sterling—the risk of devaluation, the risk of inflation, which are perceived to be greater here.

A lot of money is involved. Public debt in this country is about £350 billion. One need not be a mathematical genius to know that 1 per cent. of that is about £3.5 billion, or roughly 2p on the standard rate of income tax. I believe that that is the price of the Government having been extremely indecisive about, for example, what we are doing about monetary union.

It is very important that the independence of the Bank of England should, as far as possible, achieve some certainty that monetary policy is not subject to party political and electoral pressures. As the hon. Member for Bolton, West (Ms Kelly) said, the announcement of the operational independence of the Bank of England has had some positive effect in terms of the premia we pay in the money markets and in the Government bond markets at present. We still have a long way to go, and it is important that operational independence is regarded as credible, domestically and internationally.

An announcement by the Labour Government that the Bank of England has been given operational independence, that monetary policy is henceforth in the hands of the Monetary Policy Committee and that that committee will be answerable for monetary policy not to the Chancellor but to Parliament through the Treasury Committee sounds wonderful. It appears that that arrangement will go quite a long way towards achieving the declared purposes of the move.

However, a slightly closer reading of what is occurring reveals that the members of the Monetary Policy Committee are appointed by the Chancellor. Furthermore, there are no checks and balances upon his decisions. No one is in a position to second-guess or query any appointment: the Chancellor's appointment decisions are entirely arbitrary.

Thirdly, as my right hon. Friend pointed out so ably, members of the Monetary Policy Committee are appointed for only three years. Therefore, members will be up for reappointment within the term of this Government and, if they want to stay on the committee, they had better be nice to the man who appoints them. It does not take a great deal of human intelligence to lead one to discount to a considerable degree the independence of a central bank whose Monetary Policy Committee is appointed on that basis.

In order to achieve independence, to reap the benefits of monetary credibility, achieve a positive impact on inflation expectations in this country—that is vital in terms of savings behaviour, wage negotiation, general price determination behaviour and so on—and to ensure that the cost of capital in this country is no higher than we need and that we do not have to pay excessive risk premia in the markets, we should welcome any measure that is designed to strengthen the credibility of that independence. The Government have been presented with a wonderful opportunity to do just that.

It will be no skin off the Government's nose if they accept the proposal. The idea was conceived and developed by a Committee of the House upon which the Labour party has a considerable majority. If the Government do not accept the proposal, we can draw only one of two conclusions—I leave it to you, Madam Speaker, to the House and to the public to decide which is more damaging to the Government.

The first is that the Government are playing this—and one assumes, by extension, other equally important affairs of state—on a purely party political basis. It is a matter of party political ego and face. The Government are not interested in acting in the interests of the country, and they are not being open-minded in their consideration of the national interest: they are concerned merely with gaining party political points. They refuse to accept any proposal that has the Leader of the Opposition's name upon it.

The second alternative—I invite the Chief Secretary to confirm whether there is a third, fourth or fifth logical possibility, but I do not think there is—would realise my worst fears: the Government intend to abuse the power of appointment. They secretly think that it represents a wonderful additional power of patronage, and might be a way of rewarding Mr. Bernie Ecclestone, of conciliating Mr. Rupert Murdoch or of allowing other squalid people to get their hands on the levers of monetary policy in this country for their own purposes.

I do not necessarily claim to be correct, but I can perceive only two logical explanations if the Government act as I hope they will not, and refuse to accept the new clause that contributes positively to the declared purpose of their legislation. If I am wrong, I challenge the Minister to explain why that is so, and to persuade the House in that regard.

Mr. Giles Radice (North Durham): I apologise to the right hon. Member for Wells (Mr. Heathcoat-Amory) and to the House for not being present at the beginning of the debate. I have just returned from the funeral of a close family friend.

The Chancellor wrote to me, as Chairman of the Treasury Committee, after announcing the operational independence of the Bank of England in the area of monetary policy. In that letter, he suggested an enhanced role for the Committee in examining the performance of the Bank, and wrote:

> "I see this as an important step in ensuring that the Bank is fully accountable."

The Committee has already taken several steps to develop our role in making the Bank accountable for its decisions. We produced a report on accountability, the Government's reply to which was published today and placed in the Library. We also conducted hearings following the November inflation report and recently decided to hold another hearing after the February inflation report. We shall keep the Bank under constant vigilance.

[Mr. Giles Radice]

Our report concluded that it would help to strengthen accountability—it would be the final brick—if we had a part in endorsing appointments and reappointments to the Monetary Policy Committee. It is essential that the members of the committee should be seen to be competent when they are appointed; effective when they are reappointed; and independent of the Government. They must be independent people who have the necessary competence to carry credibility as members of the committee.

My hon. Friend the Member for Norwich, South (Mr. Clarke) may have covered the matter in his speech, but at the risk of repetition I shall say that our model in new clause 3, to which Opposition Members have signed up, is rather different from that in new clause 1. In essence it states that, within 30 days of a nomination, we should be able to report to the House. Either we would approve the competence and independence of the members of the Monetary Policy Committee, or we would give reasons for considering that members of the Monetary Policy Committee do not meet the criteria, and we would ask the Chancellor of the Exchequer to reconsider their nomination.

I emphasise that we are not seeking a veto. That is all very well in the United States—in a democratic system with the separation of powers—but it is not appropriate in a parliamentary system. Following a request by the Treasury Committee for reconsideration, the Chancellor would have to give reasons for continuing with the nomination of the person whom he wanted to have appointed or reappointed to the Monetary Policy Committee. That is a good model and should receive the Government's support.

My right hon. Friend the Chief Secretary to the Treasury, whose abilities I greatly admire—*[Interruption.]* If my right hon. Friend listened, he would hear that I was complimenting him before refuting his arguments. He has said that he has an open mind, but he has raised counter-arguments, with which my hon. Friend the Member for Norwich, South was dealing when I came into the Chamber.

My right hon. Friend claimed, first, that our proposal would put people off, but all the members of the Monetary Policy Committee to whom I have spoken believe that it would be helpful for them, for two reasons: first, it would establish their independence; and, secondly, it would establish their profile as members, so that they could explain why they thought they were the right people and what kind of job they expected to do. That would be good for the Monetary Policy Committee and would strengthen it.

My right hon. Friend's second argument is more substantial—that we should take a broader look at the issue because if the Treasury Committee is given a special place in legislation, every other Select Committee will want to have a place in legislation for appointments to the Department that it oversees. I understand that, but I would argue that the Bank of England is an exceptionally powerful body with an exceptional position, and for that reason, exception should be made.

I hope that the Government will accept our new clause tonight, but, whatever happens, I want to make it clear that the Select Committee has decided to go ahead with the confirmation procedure. We shall present a report to the House on the procedure that we shall follow. If the procedure is to be effective, it must be consistent. The procedure must be laid down, and we must always go through it. We must be fair to the candidates who come before us, and we must stick to the issues of competence and independence.

It is no secret that we were discussing this morning the possibility of allowing the Chairman to rule out any extraneous issues—for example, the sex life of John Maynard Keynes would not be relevant in deciding whether Maynard Keynes was competent or independent. We must satisfy the House of Commons and the general public that we can do the job properly, as I believe we can. We shall report to Parliament on the procedure that we shall adopt, and we shall go ahead with confirmation hearings throughout this year.

Whatever happens tonight, the confirmation process will go ahead and will become the norm, at least for Bank of England appointments. That will be good for the Government, because we will see that they are not trying to appoint people to the Monetary Policy Committee of the Bank who are not competent or who are creatures of the Government. It will be good for the Bank, as it will underline its independence, credibility and competence. It will be extremely good for Parliament, as it will bring Parliament into the equation, and it will therefore be good for our democracy.

4.45 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton): The new clauses go to the root of the reason for my opposition to the Bill. They go to the root of the accountability of the new Bank of England.

Monetary policy is not an exact science. The Chancellor of the Exchequer, who is accountable to the House, will determine the inflation target, but the translation of the inflation target into monetary policy is incumbent on the Monetary Policy Committee. The Government seem to believe that they simply need to set an inflation target and throw a bunch of experts into a committee, and that, as if by magic, those experts will come up with the correct interest rate policy to translate that inflation target into reality.

The report of the Treasury Committee, a learned tome, provides ample evidence to support the view that that is not the case. Sir Samuel Brittan stated:

"Both the Chancellor and the Governor greatly overestimate the role of technical expertise."

He continued:

"Monetary economics is not a hard science. An attempt to confine the Monetary Policy Committee mainly to so-called experts will simply enthrone the conventional wisdom of the moment."

In his evidence to the Select Committee, Tim Congdon wrote:

"Two main schools of thought on the monetary situation can be identified,

—economists (the National Institute, narrow-money monetarists such as Sir Alan Walters and Professor Patrick Minford) who believe that the rapid growth of the money supply since early 1995 is of no relevance to the economic situation, and that the over-valued pound and the recent rise in interest rates. . . may cause a recession in late 1998 and 1999".

That school of thought must be contrasted with the views of another group:

"—econo nists who believe that the rapid growth of the money supply, on the broad definitions"—

rather than the narrow definitions—

"since early 1995 is not only the main reason for the current buoyancy of demand, but will cause continued above-trend growth in late 1997 and early 1998, with inflation rising thereafter."

Lord Eatwell told the Treasury Committee:

"Moreover, there is a tendency in monetary policy matters to regard certain propositions as 'obvious' and anyone who questions such propositions to be at best a nit-picking academic and at worst a crank. Yet the notion that the theory of monetary policy is 'obvious' and 'pragmatic' is belied by the fact that the theory and practice of monetary policy has undergone quite radical revisions over the past 20 years."

He went on to ask:

"If views held 10 years or 15 years ago were so obviously right then, why are they so obviously wrong now?"

That is the very essence of why we need to consider further and crucially the appointments to the Monetary Policy Committee.

There are all kinds of views. There are broad and narrow monetary policy views, Keynesian economics and the economics of those who wish to stick to the gold standard. The views of the members of the Monetary Policy Committee are pivotal in determining Britain's monetary policy. I was surprised by the remarks of the hon. Members for Norwich, South (Mr. Clarke) and for North Durham (Mr. Radice) that, when the Treasury Committee comes to question members of the Monetary Policy Committee in its confirmatory hearings, they will not want to discuss their ideological or economic views, but will solely consider competence and independence. Unless the Government set down beforehand a set of criteria for determining the economic views that are to be represented on the Monetary Policy Committee, it is important to know the views of its members.

If the Treasury Committee considers merely economic competence and independence, the monetary views of the members of that committee will be determined by lottery. If one happens to pick four economists with narrow monetary views, that will be the committee's make-up.

I put that point to the Paymaster General in Committee and he said:

"The hon. Gentleman asked me to list a set of criteria for prospective members of the Monetary Policy Committee. We cannot do better than the qualities for which current members have been chosen. However, the two most important qualifications are outstanding intelligence, for which there is no substitute, and a demonstrable economic knowledge. Those are the essential criteria, but all sorts of other matters must be considered. However, it would be inappropriate to delay our proceedings with them."

I think that it is important to delay our proceedings with them, which is why I intend to do so today.

If the criteria are not provided, how will the Monetary Policy Committee be made up? What criteria will determine its prevailing point of view? In Committee, the Paymaster General, speaking of me, said:

"He wants to ensure that the good balance that currently exists in the Monetary Policy Committee is maintained. He is anxious to exclude serendipity and random choice from our selection process. I assure him that such elements will play no part in it."—[*Official Report, Standing Committee D*, 27 November 1997; c. 166.]

But the Government have given us no idea of how serendipity and lottery will be prevented from determining the prevailing point of view of the Monetary Policy Committee.

The Treasury Committee is determined that the committee's membership will be scrutinised. The Government, in their vast exchanges of correspondence with the Governor and the Chairman of the Select Committee, which seems at the moment to be determining Government policy, said that accountability is of the essence. The Chancellor of the Exchequer, in his letter of 6 May, says:

"The Bank of England will make reports to and give evidence to the House of Commons, through the Treasury Select Committee on an enhanced basis, and I will write to the Chairman of the Committee."

When that letter to the Chairman came, it said:

"Given its responsibilities, I believe that it is important that the Bank should be subject to enhanced Parliamentary scrutiny, in particular through your Committee. I am writing to suggest . . . an enhanced role for that Committee."

The Government see a role for the Treasury Committee. The Treasury Committee has an enormously important role in determining the ideological make-up of Britain's future monetary policy. Given that the Government see the Treasury Committee as paramount in ensuring accountability of the Bank of England—the Government accept that the Treasury Committee will be the only method of parliamentary accountability for the Bank of England—and given that the Treasury Committee wants to undertake confirmatory hearings, is it not beholden on the Government, under their own criteria, to give the Treasury Committee statutory responsibility to conduct confirmatory hearings?

Mrs. Fiona Jones (Newark): I am grateful for the opportunity to make my maiden speech today in a debate on the Bank of England Bill. The Bill paves the way for a framework of stability, vital to economic growth, which we need to provide opportunity. I shall comment on the new clause in due course.

I take some pleasure—I am sure that hon. Members will sympathise with my desire—in relinquishing the somewhat unlikely title of virgin. As someone who has reached the age when life apparently begins and has accumulated two children along the way, it seems remarkably ill-suited. I had expected during the course of a career in politics to be called many things and have experienced more than the odd colourful insult. However, taking into account the over-zealousness of some journalists, and the occasional lapse in attention to fact on the part of most newspapers, I still had not expected the accusation in question.

Having endured through gritted teeth being dubbed a "Blair's babe", I am grateful at least to have the opportunity to relinquish for ever the title of being the last virgin in the House. However, a right hon. or hon. Member who has hitherto remained secretive may now wish to claim the title. No doubt confessions to the press will be eagerly awaited.

I am proud to make this contribution today at the beginning of the first full year of a Labour Government for almost two decades. We have the important task of laying solid foundations both economically and in terms of the way in which we shape society. What we do in this

[Mrs. Fiona Jones]

year and in the coming years will shape our future in the new millennium. The Government are setting policy to ensure long-term prosperity. We must ensure stability in monetary and fiscal policy as a precondition of high and stable levels of employment and growth.

My constituency has suffered many economic blows in recent years. It is vital for the people of Newark that we achieve the conditions necessary for industrial expansion. The constituency of Newark is in Nottinghamshire. As well as the town of Newark, which was besieged by parliamentary forces several times during the civil war, the constituency includes the smaller but equally pleasant market town of Retford. At the constituency's western extremity is the historic Southwell dominated by its imposing minster. In addition, there are a number of hamlets and villages between the main centres, stretching from the Lincolnshire border to Robin Hood country to the west.

My constituency has suffered for many reasons in recent years. The rundown of the mining industry was a great blow to many local families who had, for generations, made their living in the pits. The area has also lost many jobs in engineering over the years and sadly now the agriculture industry is not without its problems and many farmers, particularly on family-sized farms, are in a desperate position.

However, the area has good road and rail communications and, thanks to the enthusiasm and skills of local people, new businesses are growing up in the constituency, particularly in food processing and in the pine industry. That growth now requires a platform of long-term economic stability on which to build.

It is customary at times such as this to thank one's predecessor, and I do so with genuine sincerity. Richard Alexander represented Newark for 18 years. He was well respected by his constituents, and by his local party, which in itself is quite an achievement. I well remember Richard Alexander's determination and courage when he took a stance against pit closures because he felt that they would do so much damage to the economies of constituencies such as Newark. Richard Alexander was committed to public service and I sincerely hope he finds some way of continuing that service in the future.

Today, Newark boasts a hostelry called the Lord Ted. It was given its name in recognition of another of my predecessors, Ted Bishop, later Lord Bishopston. Sadly, Ted is no longer with us, but his family took great delight in my being returned as the Member for Newark, because he was a great campaigner for women's rights and equality, long before it became fashionable to be so. I understand from his family that he would have been greatly pleased to see a woman representing Newark, and to see so many women Members in the House—although whether he would have been inclined to call them "babes" is a different matter.

Continuing on the theme of my predecessors, undoubtedly the most famous was William Gladstone, whose first seat was Newark. Hon. Members will be pleased to hear that I do not intend to speak for five hours, as Gladstone did during his Budget speech in 1853.

5 pm

In addition to sharing the privilege of representing such a fine constituency, Gladstone and I share a common birthplace, for we were both born in Liverpool. I grew up in comfortable but humble surroundings on a typical Liverpool housing estate. My family were committed to the Labour movement. That was in many ways fortunate because it meant the poverty that I witnessed did not make me despondent but inspired me instead to contribute to finding a political solution, to put hope and opportunity in place of deprivation and misery.

In poor families everyone suffers, but women—especially mothers, who face the day-to-day challenge of putting food on the table for a family—are particularly ground down by the pressures of life. They become old before their time and experience little pleasure in a stressful existence. Everyone has a right to more than that.

As a youngster I learnt my politics from two people: my father, who, like many others, joined the movement in 1945 believing that we could indeed change everything, and his friend, our then local Member of Parliament, Eric Heffer. They were bound in friendship by their strong belief in compassion for others, Christianity and socialism. I am for ever grateful for their influence.

The Labour Government elected in 1945 achieved much but left much unfinished business. Together with the job of modernising their accomplishments, that leaves the current Government with a formidable task. We need to achieve an environment that makes everyone—no matter how poor, disabled or down-trodden by their circumstances, by their life—feel that when they open their front door somewhere outside is an opportunity for them. We must reform and modernise the welfare state, but those reforms must empower those who are able to do so to attain the goals of which they are capable, while allowing those who are less able to live in comfort with respect. Socialists expect nothing less from a Labour Government.

When asked about political issues, the President of a country some distance from here, anxious to exhibit the depth of his political knowledge, remarked, "It's the economy, stupid." Indeed, the economy is the cornerstone on which every nation must base its future aspirations. Without a successful and vibrant economy, we cannot provide hope, opportunity or, indeed, welfare. The Government have made it clear that we want a stable and competitive pound over the medium term. Economic stability is critical for business, and that encompasses low inflation, which has to be delivered. By charging the Bank of England with operational responsibility for setting interest rates to meet the Government's objective, a more credible framework for monetary union has been established.

I now come to the clause that we are considering. I have a reservation about the relationship between Select Committees and the Government. Although I accept entirely that there is a consensus in the House that there must be accountability at all levels, I am very concerned that we should allow a Select Committee to take on this responsibility in isolation. If Select Committees are to go in that direction, it cannot be done in isolation.

It is interesting that hon. Members mentioned John Maynard Keynes. Over the past decade we have heard much about why so-called fat cats should be paid so much money and have so many advantages in terms of cars and

houses. It makes me wonder whether we will be able to attract anybody to come before the Select Committee and be interrogated.

It may be appropriate for me to thank hon. Members for their patience. It is certainly appropriate for me, on behalf of all the new Members who have made their maiden speeches in the past months, to thank the experienced Members of the House, who have sat through many speeches with much patience and good humour.

Sir Peter Lloyd (Fareham): I am delighted to follow the hon. Member for Newark (Mrs. Jones), and congratulate her on her maiden speech. I greatly enjoyed listening to her and, judging by the cheer that she has just had from the whole House, everybody in the Chamber did too. I agreed with much of what she said about new clause 1, but I particularly enjoyed listening to her obvious positive concern about her constituency.

Newark is my wife's home town. She retains an enormous affection for it and, over the years, through many visits, I have come to share her affection, so the hon. Lady is extremely lucky—*[Laughter.]* Well, that is true as well, but the former came first. The hon. Lady is very fortunate in her constituency, and from the way in which she spoke, her constituency is lucky in her.

I thank the hon. Lady for her kind and generous remarks about her predecessor, Richard Alexander. He was, indeed, an excellent constituency Member and he was a great friend of many of us on both sides of the House—a friendship that he built up in his quiet and effective way during his 18 years in the House. We miss him very much. Although it is nice to welcome the hon. Lady, we regret that he is not here, and we are glad that she has put those remarks on record so that we can all share them. We wish the hon. Lady a very successful and happy career in the House, and we certainly look forward to hearing her speak again.

I shall make a few discordant remarks about new clauses 1 and 3. As a member of the Treasury Committee, I voted against the recommendation that is now encapsulated in the comparatively pussycattish new clause 3. For the same reasons, I do not support the rather more tigerish version that is new clause 1. I shall say briefly why. I fear that any vetting for professional competence will be superficial and will inevitably sound rather pompous. What will the Select Committee do to test competence? Will it count the number of degrees that the candidate has, assess his or her performance in previous jobs or evaluate the learned papers that he has published? The Select Committee is not well placed to do any of that and it should not try.

How will the Select Committee vet independence? Will it look to see whether the candidate is an old friend of the Chancellor or shadow Chancellor? What is the difference between—to use words that were used earlier—an old friend and an old crony? I do not know. Will the Committee check for whom the candidate has worked? Will there be a character assessment? Would holding strong views pro or against economic and monetary union, or firm monetarist convictions, be seen as limiting the candidate's independence? Some might think so. I do not, but it is arguable, and from some of the things that have been said this afternoon, others think so, too. If the vetting procedure is to be just a formality, those questions do not matter, but then why bother with the process at all and take up everybody's time?

If the procedure is to be genuine and serious, the Select Committee will have bitten off a harder task than it suspects. I fear that candidates with good, conventional academic records, who do not know anyone and who have no strong opinions on the economy, will be better placed than others who do. Moreover, I suspect that some good candidates who value their privacy may not want to put themselves in the way of public procedure that can delve into their career and character.

Candidates certainly should not be asked, as the hon. Member for North Durham (Mr. Radice), the distinguished Chairman of our Select Committee, suggested, to explain why they should be appointed to the Monetary Policy Committee. That is a matter for the person who appoints them—the Chancellor of the Exchequer.

Mr. Radice: My colleague on the Treasury Committee must have misheard me. I said that there were two issues: competence and independence. I said that those were paramount and that any other issues were extraneous.

Sir Peter Lloyd: I am sorry. I thought that the hon. Gentleman welcomed the chance for candidates to explain why they should be appointed. I accept his explanation and I am sorry that I did not follow his remarks accurately.

Hon. Members and candidates may have nothing to worry about on that score, given the sensible and sensitive members of the Select Committee, particularly under its current chairmanship. What benefit is there, however, in opening the way for future Committees—and other Select Committees, if some hon. Members have their way and the provision is extended throughout the Select Committee system—to behave as some congressional committees are said to behave in the United States? The right way in which to proceed is to extend the public appointment rules drawn up for quangos to all public bodies. If an appointee is unsuitable for any reason, including lack of independence or competence, or is manifestly not up to the job, the Committee and the House have it in their power to call the Government to account and they should certainly do so. Vetting would not make the Monetary Policy Committee any more accountable; if anything, it would make the Chancellor more accountable.

Even if, however, we could devise a system of vetting that avoided all the pitfalls, we should not institute the vetting system called for in the new clause. It is the job of Select Committees to get answers to their questions from the Government, and to throw light on Government policy so that Parliament and the public are better informed. Their job is to probe what has happened, to reveal shortcomings and to make recommendations for improvement. They will do that more single-mindedly if they eschew all direct involvement with Executive decisions, and appointments are one such.

It may not be a very significant point, but why should the Select Committee approve appointments? It would then have an interest, however slight, in seeing its competence justified. It should hold its fire until the appointments—which are better made by the Executive with more information to go on—show cause for criticism or praise because of what the appointees do or fail to do.

Mr. Austin Mitchell (Great Grimsby): I, too, congratulate my hon. Friend the Member for Newark

[Mr. Austin Mitchell]

(Mrs. Jones). I do so for two reasons. First, after the 1983 election, I was the only Labour Member in a long line right down to London, so it is good to have socialist neighbours all around. Secondly, I congratulate my hon. Friend on her interesting and entertaining speech. She has no need to worry about her future in this House, given her ability to speak like that. Nor should she worry about being the last virgin. I remember Doris Day before she was a virgin. The endless reconstitution of virginity is part of the processes of this place.

I shall speak briefly on this issue because I want to speak at greater length on the official old Labour amendments later. New clause 3 is very much a new Labour issue; indeed, it is so new Labour that it has support from the Opposition, including from the Liberal Democrats, which makes me think that it must have something to do with Europe. I support it because we should have the kind of hearings mentioned in it. I am surprised that the Government have not conceded that, and that a new clause was necessary.

5.15 pm

Such hearings, however, are not enough. As my hon. Friend the Member for North Durham (Mr. Radice) said, the Select Committee will be concerned with competence and independence, but it should also be concerned with a third factor—the appointees' views. I have taken that into account in amendment No. 28. We must accept the fact that appointees to the Monetary Policy Committee are appointed by the person who also appoints members of the Treasury Committee; Labour members of that Committee are, in effect, appointed by the Chancellor of the Exchequer. No man or woman cometh to the Committee except through him, and nobody that he does not want goes on the Committee; we need only witness the fate of my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott).

One set of Chancellor's appointees will look at another set of Chancellor's appointees. The information that comes out of that process needs to be known more widely because monetary policy is not an exact science. It is no use pretending that there is a judicial body that can approach the issue with independence of mind and say, "Ah yes, we can agree on these matters." Monetary policy is not a science at all; it is a collection of prejudices dressed up in Savile row suits, and the prejudices are different for each member.

I was surprised to read in *The Observer* that two members of the Monetary Policy Committee do not appear to be British. What central bank of any other European country would appoint foreigners to such a crucial committee? We need to know those appointees' views on monetary policy. I know the views of one of them, who is a Dutch professor, because he gave evidence to, and advised, the Treasury Committee, but I do not know the views of the other appointees. The House needs to know so that we can make our own judgment about them. That should be public information. There needs to be open government so that we know what is going on.

I tabled amendment No. 34 because I want directors appointed on a regional basis. That does not mean that we should follow the example of health authorities, which can appoint people of a certain party political persuasion, as the previous Government did on a considerable scale. We want people who come from the regions rather than from the central nexus of finance that dominates the City of London and the directors of the Bank of England.

This country's wealth was first generated in the regions. The north and the midlands are the home of manufacturing industry, which has been badly dealt with by the financial world. In seeking to develop a raunchy economy, it placed a higher premium on investing overseas than on investing in this country; it placed a higher premium on investing in trade and commercial wealth than on manufacturing and industrial wealth. Even now, manufacturing industry is being badly dealt with as a result of the dominance of London. For instance, when measures are taken to increase interest rates, it is usually because of pressures in London.

Inflation pressures are always higher in London because of the number of people and the cost of property there. Pressure on inflation is generated by finance—the high salaries paid in the City of London by financial bodies—and by the loose credit created by finance. That leads to asset and house price inflation, which is always higher in London than in the rest of the country. When that is damped down, it is for London reasons—because the pressures have become too strong in London. The north has not felt the same benefits from expansion, and has not had the same economic stimulus. It has been hit harder than London and the south-east, where the problem has been caused.

Manufacturing is on the international front line and must compete with overseas companies. The rise in interest rates that has inevitably resulted from the London pressures has hit manufacturing harder than any other sector of the economy. It has been clobbered because of inflationary pressures generated by finance in London.

Decisions on interest rates are taken or influenced by the directors of the Bank of England. That is why I want a regional representative who can speak for the regions. We now have a Government who can speak for the north—perhaps too far north for my liking—more effectively than the previous Government. We need a Bank of England that can speak for the regions on jobs, industry, manufacturing, competitiveness, growth and expansion. The problems in the north are more severe, and the Bank should provide the voice of the regions.

Dr. Vincent Cable (Twickenham): The Liberal Democrats support new clause 3 and new clause 1 which, despite its authorship, is a constructive amendment designed to achieve the same thing as new clause 3, but in a slightly different way. We also support amendment No. 34, tabled by the hon. Member for Great Grimsby (Mr. Mitchell), which introduces a regional dimension; that has been overlooked in the debate, but it is important. I add my congratulations to the hon. Member for Newark (Mrs. Jones) on her excellent maiden speech. Our party requires us to study Mr. Gladstone's speeches as part of our political education. The five-hour speech to which she referred was probably one of his shorter ones. He was the gentleman who, more than a century ago, introduced income tax as a temporary measure. This measure is historically as important.

We support the legislation in principle. It was introduced as a result of a rush of blood to the Chancellor's head, but there is nothing wrong with that.

Mr. Quentin Davies: The hon. Gentleman said that he and his colleagues were brought up to study Mr. Gladstone's speeches. Has he learnt anything from that study? Have the Liberal Democrats relearnt in the 1990s the virtue of financial responsibility, good housekeeping, balanced budgets and lowering taxes?

Dr. Cable: If the hon. Gentleman had read our manifestos, he would realise that we have thoroughly imbibed the thoughts of Mr. Gladstone. Indeed, we hope that the Bill will be followed by a fiscal responsibility Act, of which Mr. Gladstone would have approved.

The legislation was introduced after the Chancellor's sudden rush of blood to the head. The Government have now had eight months to think about it and to listen. We hope that they will now reflect on the detail. It is crucial that the legislation works. The independence of the Bank of England is a good concept, and we agree with it in principle. However, this measure is not guaranteed to work, and whether it does will depend on its design; its design depends critically on credibility. The two key elements of the legislation are designed with credibility in mind. Making the operational management of money supply independent of politics is one element of credibility, and the other is the separating of the regulatory functions from the control of money supply to prevent cross-contamination. Problems that arise from regulation, such as BCCI-type problems, affect the credibility of monetary authorities. It is difficult to legislate to provide credibility, but that is at the heart of the Bill.

The new clauses are designed to address the problem of credibility through the system of appointment. It is fair to say that the Government have been highly responsible and balanced in their appointments; they were not political, and competent people have been chosen. This legislation must survive the test not of years, but of decades. We have no guarantee that future Governments will be as responsible in their selection, and will not choose cronies or incompetents.

It is worth reflecting on the language of the clause that establishes the appointment process. It is couched in broad terms, and states:

> "The Chancellor of the Exchequer shall only appoint a person under subsection (2)(c) if he is satisfied that the person has knowledge or experience which is likely to be relevant to the Committee's functions."

There must be several hundreds of thousands of people who could satisfy that clause. It is crucial to build in some control over how that process operates.

The Select Committee process was ably debated by the hon. Member for Norwich, South (Mr. Clarke), and it is worth reflecting on some of the points he made. He dealt with the Chief Secretary's first objection, which was that competent people would be put off if they had to go through a scrutiny process and be exposed to the light of day. In the past few weeks, we have had a good example of that. One of the members of the monetary committee has been subject to an extremely scurrilous campaign in a national newspaper. It would have been much better for her and for the whole process if the issues had been discussed properly through an open, transparent process. There is no reason why members of the monetary committee should be protected from public scrutiny; like us, they are well-paid, public figures. Nor should such a process be conducted secretly and covertly. The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) has already dealt with the constitutional aspects. Many of the objections raised to new clause 3 and, by implication, to new clause 1, have already been dealt with effectively.

The amendment to provide regional balance tabled by the hon. Member for Great Grimsby is important and has received very little attention. Most of the successful independent banks have relied heavily on regional independence. The directors of the Federal Reserve bank, as opposed to its members, are drawn from the states of the United States and, as a result, have independent constituencies. The Bundesbank council has greater strength owing to the fact that it is drawn from the Länder. There is an argument for a regional dimension in this country. I am surprised that the Government, whose Treasury Front-Bench team is 60 per cent. Scottish, have not spotted the fact that macro-economic policy has a distinct Scottish dimension. The Chief Secretary will know very well that the mechanisms in Scotland, which is an oil economy, are different from those in the rest of the United Kingdom. Interest rates affect Scotland differently from England because the balance of house tenure is different. That aspect should be built into the Bank's considerations, and the hon. Gentleman's proposal is one way in which to do that.

The Liberal Democrats strongly support the basic principle of independence of the Bank of England. We support the concept that the Government have introduced, although we regret that they have not been more flexible over some of the amendments designed to improve the Bill. We shall support the new clause when it is put to a vote.

Mr. Jim Cousins (Newcastle upon Tyne, Central): I congratulate my hon. Friend the Member for Newark (Mrs. Jones) on her maiden speech. As a frequent user of the east coast main line, my knowledge of Newark and Retford is regular, frequent but rather fleeting. She filled in many of the gaps that I missed as I shot past. She emphasised the importance of roots and convictions, and we should all take that greatly to heart. She mentioned that Newark had had a bad time in the civil war. Newcastle had a worse time, because in 1644 it was besieged for several weeks, and was finally captured by the Scots. I mention that episode because it has a certain relevance to the debate. Any discourtesy to the Chief Secretary will be balanced by the fact that my hon. Friend the Member for Great Grimsby (Mr. Mitchell) can rest assured that some of us hold out against the Scots on occasions that are not always lost in history.

We are discussing serious and important issues. The Bank of England Bill is as much a constitutional as an economic Bill. It exchanges secrecy for openness, and it exchanges the illusion of a control that was never really exercised for the reality of an important debate about how the economic management of the country is to be carried out. In a sense, that is the test of the new clauses and amendments.

5.30 pm

I welcome the amendments tabled by my hon. Friend the Member for Great Grimsby. We should try to ensure fair representation of regional and industrial interests on the Monetary Policy Committee through proper scrutiny of its members. Although I doubt that a quota could be provided for sensibly in statute, the exercise of accountability among members will make it possible to keep such matters in mind.

I am afraid that I disagreed with my colleagues on the Treasury Select Committee. I did not take their view that periods of service on the Monetary Policy Committee should be longer than those proposed by the Government. Any danger of cronyism will soon be exposed: it will not survive scrutiny. That is not the danger. In financial affairs, a much greater danger is that a club of good old boys—and, for that matter, girls—will be established, that those people will be able to hold office for far too long and that their habits will become altogether too cosy. I am therefore glad that the Government have decided on short terms of service.

New clause 1 is at the centre of the debate, and I have listened carefully to what has been said about it. As a member of the Treasury Select Committee, I wanted the House to have an opportunity to discuss it: that is why I supported the proposal in that Committee. It is important for us to wrestle with constitutional innovations, and to consider ideas such as that of confirmatory hearings. I have also listened to what the Government have said, however, and they have by no means closed their mind to the possibility of statutory confirmatory hearings at a later date.

I understand—this is expressed clearly in the Government's response to the Treasury Select Committee report—that the Government are looking to the Select Committee. I understand that they are encouraging the Committee, albeit cautiously, to experiment with confirmatory hearings with regard to members of the Monetary Policy Committee. Certain issues cannot be overlooked. The hon. Member for Grantham and Stamford (Mr. Davies) speculated that a member of that committee might have had connections with Rupert Murdoch. Rupert Murdoch is a business man with a substantial empire; it is entirely possible that a member of the MPC appointed in the future may, at some point in his or her career, have had a business connection with him. Would it be appropriate for a confirmatory hearing to explore that and make something of it? Not necessarily, surely. Good judgment is involved here.

Mr. Quentin Davies: I am sure that the hon. Gentleman listened carefully to what I said, but what worries me is not that an individual might have worked for Mr. Murdoch at some time. As the hon. Gentleman pointed out, Mr. Murdoch's empire is so extensive that it might be difficult to complete a career in certain spheres—especially journalism—without working for part of that empire at some point.

My fear is that a person of that kind might be able to influence a Government to appoint a certain person. A deal might be made, for instance, whereby a Murdoch nominee would be appointed and the Government would be given a better run in *The Sun*. That is the sort of legitimate concern that Parliament should bear in mind if there is any suggestion of extraneous influence on the Government in the appointment of members of the MPC.

Mr. Cousins: I might have known that that would be a long intervention.

The rather po-faced way in which the hon. Gentleman made his intervention is entirely contradicted by the lip-smacking glee with which he introduced the subject of Rupert Murdoch in the first place. The Government are properly concerned about the issue. For a brief period in her career, a member of the MPC served with the American Central Intelligence Agency. We can all imagine what irresponsible people could make of that at a public hearing.

The Chairman of the Treasury Select Committee, my hon. Friend the Member for North Durham (Mr. Radice), has made it clear that the Select Committee wants to experiment, and to demonstrate to both the House and the public that we, as a group of parliamentarians, are capable of engaging in these tasks properly and responsibly. I think that the Government are entirely right to leave it to us to demonstrate the worth of their proposal, and to enshrine it in statute only after we have done so.

Mr. David Ruffley (Bury St. Edmunds): I support new clause 1. It is important, because it introduces a check on over-mighty Executives who could—as Opposition Members have pointed out—use their power to appoint members of the MPC to install cronies, and to use that body as a political instrument, or a political wing, of the Treasury. In other words, it would not in any sense be independent.

In Committee, that argument was said to be wrong for two reasons. Labour Members said, "We are not going to appoint political cronies; we have not done so thus far." They pointed out that the MPC currently included individuals who were not in any way political, and that the City considered that its current composition was fine and above board. That, however, implies nothing about what the Chancellor of the Exchequer, or other Treasury Ministers, may wish to do in the future. Opposition Members think it perfectly possible that the wily and cunning Chancellor may indeed use all his skills of spin and underhandedness to manipulate all sorts of activities in the new MPC and the new Bank of England. We are worried about what may happen in the future without a measure such as new clause 1.

The second reason for suggesting that there would be no political cronyism was given by the Chief Secretary, who said that the City would not put up with any political appointments. The City would make its displeasure known, and the Chancellor would not dare to install political allies or stooges. That argument was deconstructed convincingly and elegantly by my hon. Friend the Member for Grantham and Stamford (Mr. Davies), who made the entirely valid point that a premium would attach. Investors and traders outside this country, and even in the City, would say, "This is a dodgy committee. We are worried about what the macro-economic management of this currency and this country is all about." There would be a premium when it came to buying and selling. The Chief Secretary did not address that point in Committee, and I think that he should do so. It is not enough to say that the committee will be self-regulating.

A huge power is being transferred to an unelected quango that is like no other quango. In Standing Committee, Labour Members wanted to know the difference between the new statutory body created by the Bill and the Prison Service agency or the Passport Agency. Labour Members must be living on a different planet if they do not understand the difference, which is clear, between those bodies and the one created by the Bill. The difference is that interest rate policy touches the lives and interests of so many people. It affects mortgage holders; it affects the levels at which exporters trade their products; and—because monetary policy affects inflation—it affects everyone's cost of living. Those are huge political issues that concern people's daily lives.

It is nothing short of disgraceful for Ministers, with virtually no consultation, to introduce this Bill and to propose a statutory body comprising unelected placemen and appointees. We should carefully examine new clause 1, and assert the fact that Parliament must be able to hold the Executive to account on big political decisions, such as setting interest rate policy. That must be right.

Opposition Members want to halt the dangerous trend of downgrading the importance of the House that the Government have set in train—by leaking stories to newspapers, by the manner in which they set policy on economic and monetary union, by their errant disregard for the House's practices and by not consulting the House, as they should, in determining their conduct as a responsible Executive. In that spirit, I support new clause 1.

Mr. Michael Fallon (Sevenoaks): I should like to speak briefly to the final four amendments in the group. Before I do so, however, it is my very pleasant duty to congratulate the hon. Member for Newark (Mrs. Jones) on her maiden speech. As the successor to both Richard Alexander and William Gladstone, she has her work cut out. If she emulates the popularity of the former and longevity of the latter, she will be doing very well indeed. It was an extremely fluent speech. I have no idea why she chose to wait before delivering it, but we shall certainly be disappointed if it is as long again before we hear her next speech. The Opposition congratulate her on it.

Mr. Ruffley: In my speech, I was negligent in not congratulating the hon. Member for Newark (Mrs. Jones) on her speech; I wish to do so fulsomely. It was an elegant, beautifully crafted and wonderfully delivered speech, and I should like to congratulate her. I apologise for not doing so earlier.

Mr. Fallon: Before advising the Opposition on the course of action that we should take on new clauses 1 and 3, I should like to speak briefly to the final four amendments in the group: amendment Nos. 3, 18, 20 and 19.

The object of amendment No. 3 is to ensure that the outside appointments to the Monetary Policy Committee really are outside appointments. Currently, five members of the Monetary Policy Committee are Bank of England employees. It should therefore be self-evident that the other four—the so-called external appointees—should not be Bank of England employees. That is certainly the understanding that the Select Committee expresses in its report, which—at paragraph 46, and again at paragraph 50—refers to those members being external.

The Chancellor of the Exchequer, in his statement in May—which is helpfully included as appendix 1 in the Select Committee's report—makes it clear, at paragraph 20, that

"the Government will also appoint four members of the Monetary Policy Committee from outside the Bank of England."

However, it is not clear in the Bill whether that will happen.

The purpose of amendment No. 3 is to make it very clear that those four external appointments must be external, and that they cannot have been employed recently by the Bank. The amendment seems to be so self-evidently useful that I look forward to the Chief Secretary accepting it.

5.45 pm

Amendment Nos. 18, 19 and 20 deal with the length of appointment of Monetary Policy Committee members. Some hon. Members who have spoken in this debate discussed the nature and length of the appointments, and the House should be a little clearer about them. In Standing Committee, it was fairly obvious that the Government have themselves not decided on them.

I am sorry not to see the Paymaster General—who dealt with the Bill in Standing Committee—in the Chamber for this debate. Perhaps he has been—I must not say detained—occupied elsewhere. In Standing Committee, he said:

"This is not an exact science".

He even invited the Standing Committee members

"to wait for us to introduce proposals."—[*Official Report, Standing Committee D*, 27 November 1997; c. 175.]

The Bill is now in the later stages of its passage through the House, and I should have hoped that by now we had had more proposals from the Government on how the appointments will be made, how they will be phased and staggered, and whether Ministers really do think that three years is the right length for membership of the Monetary Policy Committee.

It is precisely because the Government have not yet proposed firm ideas that the Opposition have. Amendment Nos. 18 and 19 distinguish between Monetary Policy Committee internal and external members. In the same sitting of the Standing Committee, the Paymaster General drew that distinction—which I think is important—between internal and external members. We would therefore allow the three-year period to apply to internal members, but suggest the longer period of four years for external members.

I must confess that amendment No. 20 is very much a fall-back amendment. If the Chief Secretary is not prepared to accept our suggestion of differing lengths of appointment for different Monetary Policy Committee members, we still think that there is a case for a term longer than three years—which has been accepted by hon. Members on both sides of the House. The advantage of four years over three years is that such a length is more likely to allow some membership crossover between general elections—which is an important point to which I look forward to hearing the Chief Secretary's reply.

[Mr. Fallon]

I return to new clauses 1 and 3. This has been a very good debate, and a very House of Commons debate—because, ultimately, we are dealing with a House of Commons matter. In Committee, the Chief Secretary himself said:

"the House should consider the merits of such hearings and decide".—[*Official Report, Standing Committee D*, 18 November 1997; c. 28.]

That is exactly what has happened. The Treasury Select Committee has gone off and considered the merits of the hearings, and, in a very persuasive and well-argued report, it has produced its conclusions. Today, the House has debated those conclusions.

Strong support has been shown on both sides of the House, and certainly among Conservative Members, for the principle that lies behind both the new clauses. The principle may be simply stated: to make the Bank—that quango bank—more accountable. If it is right for the Chancellor to delegate his responsibility for monetary policy to the Bank of England, it must be equally right for the House to ensure that its accountability is similarly transferred, and that the House continues to play a role by confirming some or all of the appointments to the Monetary Policy Committee.

I do not think—I sense that it is also the House's view—that there is any reason to delay further a decision on the matter. Nor is there any case for simply relying on further warm words from the Chief Secretary. As its Chairman has told us, the Treasury Select Committee is now likely to proceed on that basis even informally, and that reinforces the case for putting those arrangements into statute.

The only remaining question is which new clause we should put into the Bill, our new clause 1 or the Committee's new clause 3. They are slightly different. The Committee's new clause does not allow for open competition for the appointments, but it is a fuller new clause, and perhaps even better drafted than ours on the key principle.

Most important of all is the principle that as this is a matter for the House, we should perhaps be guided as a House by the advice of our principal Committee in making our decision. Depending on what the Chief Secretary says in his reply, I shall therefore probably suggest to my right hon. and hon. Friends that we withdraw new clause 1, and invite them to support new clause 3.

We have listened to what the House has said. Now we hope that Ministers will have listened, too.

The Chief Secretary to the Treasury (Mr. Alistair Darling): I begin by welcoming my hon. Friend the Member for Newark (Mrs. Jones) and congratulating her on her maiden speech. I understand that she was a journalist before entering the House. She is now a journalist turned politician, so she will know what it is like to be a shark that discovers it has cut itself, and finds itself at the centre of a feeding frenzy, the victim of its former friends.

My hon. Friend made a thoughtful speech and paid a handsome tribute to Richard Alexander who, as many of us remember, took an independent line when he felt that his constituents' interests were at risk. She also spoke in support of the Government's economic policy and of many of the measures in the Bill, which are central to achieving the objective to which she referred, economic stability.

My hon. Friend need have no fear; I am sure that she will have many useful contributions to make in debates both on the Floor of the House and in Committee, and she deserves to be congratulated.

Before I deal with the main debate, which is essentially about confirmation hearings, I shall speak briefly about what was said by the junior shadow Treasury spokesman, the hon. Member for Sevenoaks (Mr. Fallon). I suppose that I must congratulate him on his transfer from the shadow Department of Trade and Industry team, although perhaps the circumstances were not as he might have wished.

The term of office of members of the Monetary Policy Committee was debated at some length in the Standing Committee. We believe that three years is the appropriate time, and it is entirely in line with the interim report of the Hempel committee, which says that three years is a reasonable time. There is an expectation that members will be reappointed from time to time, and we believe that three years is the right period.

Mr. Andrew Tyrie (Chichester): If the Chief Secretary is so sure that three years is the right time, will he explain why he feels that the United Kingdom should be out of step with the Bank of France, which has terms of six and nine years, with the Federal Reserve, which has terms of up to 14 years, and with the Bundesbank, which has terms of eight years?

Mr. Darling: Simply because we are dealing with the Bank of England, not the Bank of France or of anywhere else.

Mr. Tyrie: Answer the question.

Mr. Darling: I happen to think that a term of office of 13 or 14 years is too long. It is for the United States to decide what is appropriate for its country, but I think that that is too long. There is an expectation that the Government will reappoint members from time to time, so three years can become six years or even nine years. Three years is therefore an appropriate period, and I am not inclined to accept the Opposition's advice on that point.

Equally, although I understand what the Opposition say about former employees of the Bank, I am not sure that I would want to take such a hard and fast line and say that somebody could not be appointed, just because he or she had worked for the Bank in the past five years. That may be something which the Chancellor the Exchequer would want to consider in deciding whether an individual was an appropriate person, but there still may be circumstances in which a former Governor or Deputy Governor would be an appropriate person. I do not know; we shall have to see, but I am not inclined to accept the Opposition's suggestion.

I shall now talk about new clauses 1 and 3, although new clause 1 is no longer with us because the Opposition, who presumably did not think that it would command a majority in the House, have withdrawn it. That new clause

raised two matters that the Treasury Select Committee new clause—if I may refer to new clause 3 in that way—does not raise. It required the Chancellor to consult the Treasury Select Committee on a procedure for a competition in relation to appointments to the Monetary Policy Committee—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I must tell the Chief Secretary that no new clause has yet been withdrawn, because the House has not been asked to approve a withdrawal.

Mr. Darling: I apologise, Mr. Deputy Speaker. I was anticipating what would happen if the shadow Treasury spokesman stuck to what he said and withdrew new clause 1. In case he does not, I shall continue to deal with what he said about it.

Mr. Barry Sheerman (Huddersfield): Can we get the record straight? I understand that the reason why the new clause may be withdrawn is that the Opposition cannot guarantee that even their own Members will support it.

Mr. Darling: My hon. Friend may be right, but, in the spirit of what has been quite a useful debate, and one remarkably, although not entirely, unpartisan, I shall address the merits of the points raised. Many hon. Members have thought a great deal about the procedures, and I should like to give the Government's response.

None the less, I shall start by making a slightly partisan point, in the light of what the shadow Chief Secretary said. I welcome the Opposition's conversion to open government. However, I am bound to say that in the 10 years that I spent on the Opposition Benches, I do not remember even one occasion when the Conservative Government ever offered to consult anyone about open procedures for appointing any person to any quango or body for which they had responsibility.

I know that the Tories are changing, and that last September at their conference they said they were terribly sorry and wanted to be a softer and caring party—and now they even want open government. Clearly they are touching and feeling their way to a new Conservatism, and it is all most welcome.

Sir Michael Spicer (West Worcestershire): Will the Minister give way?

Mr. Darling: No, not at the moment, although I shall certainly give way later to the hon. Gentleman, who may not be fully at ease with that change of mood in the Conservative party. First, I should like to make some progress.

My hon. Friend the Member for Great Grimsby (Mr. Mitchell) raised several points about the new clauses, one of which was about the balance of the court. I do not want to accept his amendment, because appointments to the court are Crown appointments, but I agree with everything that he said about the need to have a balance on the court, from the regions, from finance and from business, so that there is a broad representation.

My hon. Friend will understand that I cannot say anything further tonight, other than that I hope that when he sees the appointments that will shortly be made to the court, he will not be disappointed. The Chancellor has made it abundantly clear that he intends to ensure that the restructured court has a far broader base than it has ever had in the past, and, as my hon. Friend will see, we shall make the first moves in that direction in the not too distant future.

Let me set out the Government's approach in general, and then turn to the proposals by the Select Committee in particular. But first I shall make one important preliminary point that should not be overlooked. Tonight's debate has essentially been not about the principle or the constitution of the Monetary Policy Committee, but about whether there should be confirmatory hearings, which are ancillary to those—designed, as my hon. Friend the Member for Norwich, South (Mr. Clarke) said, to enhance the procedures.

We should not lose sight of the fact that the test of the Monetary Policy Committee will be whether it achieves the Government's inflation target of 2½ per cent. That will be the test in which most people will be interested.

I set out the Government's view when I appeared before the Treasury Select Committee last November. I repeat that the Government continue to have an open mind on whether the House should move towards instituting confirmatory hearings, but that we see some practical difficulties that need to be given much thought.

Of course, it is necessary to approach the proposition from the point of view not only of making appointments to the Monetary Policy Committee but of making a whole range of important public appointments.

I accept that the Monetary Policy Committee is clearly of great importance. Its job is to deliver the inflation target, so the calibre and quality of its members clearly matter. Indeed, clause 13(4) acknowledges that, because it provides that the Chancellor is bound to appoint only those people who have sufficient expertise and knowledge to discharge that duty.

I must start with an important matter of principle, a House of Commons matter about which each and every one of us ought to be concerned. At the moment, the constitutional position is that Ministers are responsible to the House for what they do. The Chancellor is accountable for his conduct of the economy and for appointing members to the MPC. If Select Committees are to be given the power of confirmatory hearings and, almost by definition, to choose who might be on the MPC—a number of hon. Members have made it abundantly clear that they would want to exercise some degree of choice, depending on their views on Europe, monetarism or whatever—the MPC appointed might be the appointee not of the Chancellor but of the Select Committee or, perhaps, the House. That is not merely a nice debating point, as an issue of principle is involved.

6 pm

Mr. Charles Clarke: Does my right hon. Friend accept that some members of the Select Committee did not want to influence the appointment or the ideological position—pro or anti-European, anti-monetarist or whatever—but were concerned purely about professional competence and personal independence? Although there may be hon. Members, as he says, who think that the Treasury Select Committee should directly influence the appointments, that is not the view that informed new clause 3.

Mr. Darling: I entirely accept what my hon. Friend says—that those members of the Select Committee who

[Mr. Darling]

support the proposition want to confine their attentions to a very narrow range. However, it has been made abundantly clear in the debate and, bearing in mind the differing views and nature of the 650 Members of the House it is entirely possible—we have heard it tonight—that many hon. Members might want to go well beyond those two narrow steps and to look further.

Mr. Gibb *rose—*

Mr. Darling: I should like to make some progress; then I will give way.

I was pointing out that we might have a situation in which an appointee to the MPC or, for example, the Director General of the Prison Service, was not the appointment of the Minister, who might say, "That's not my appointment. I'm not willing to take responsibility for what the appointee or the body does."

Mr. Fallon: We cannot let the Chief Secretary get away with that. No one is suggesting that the Select Committee would choose who was to be appointed under the statute. Indeed, no one is proposing an amendment to that effect. Both new clauses simply deal with confirmation of appointments made by the Chancellor.

Mr. Darling: The hon. Gentleman is right as far as new clause 3 is concerned. It makes it clear that, at the end of the day, the Chancellor can have his way.

Mr. Fallon: He does so at the beginning of the day.

Mr. Darling: The appointments would be subject to confirmatory hearing and, were the Select Committee to say that the person was not suitable, the new clause is phrased to allow the Chancellor to write explaining his reasons and go ahead with the appointment. The new clause would avoid the precise problems to which I referred, although it would still be the case that the individual might have been so crippled in the process of confirmation that he or she would be put in a difficult position. Were the House to decide to have confirmatory hearings in total—that is to decide that the relevant Select Committee could decide whether someone was to be confirmed—the appointee could become that of the House and not of the Minister.

I raise that matter because we must consider the issues of principle raised by the new clause. That is why the Government's position is that it is a matter that the House as a whole must consider across the board, not simply as an amendment to the Bill.

Sir Michael Spicer: The right hon. Gentleman bases his case, as I understand it, on the fact that the House is making excessive demands of the Government in this matter. The whole issue must be seen, must it not, in the context of the fact that the Government have stripped away the House's ability to render the Government accountable on the Floor of the House on monetary policy as a whole.

Mr. Darling: As I said, the Chancellor of the Exchequer can be held to account by the House at any time for the conduct of the Government's economic policy. The Government have given the Monetary Policy Committee operational responsibility for fixing interest rates in such a way as to achieve the Government's inflation target.

Mr. Quentin Davies: It is fatuous to raise as an objection to a new clause a danger that is explicitly excluded by the wording of that new clause. That is the position here, as the right hon. Gentleman has just acknowledged. Does he not realise that if he pursues an argument on that basis, he is sending the House a clear message that he does not have a case against the new clause at all?

Mr. Darling: I shall develop that argument further. I repeat that there is an issue of principle as regards ministerial accountability—an issue about which hon. Members need to think long and hard.

Mr. Gibb: Given that the Treasury Select Committee stated that it will go ahead with the confirmatory hearings regardless of whether the amendment is passed and given the Chief Secretary's firm opposition to those hearings, how will the Government cope if the Select Committee refuses to confirm one of the appointments?

Mr. Darling: We are debating whether we should incorporate the new clause into the Bank of England Bill. That is an entirely different proposition from that advanced by the Treasury Select Committee, to which I shall return shortly.

To conclude my initial point, ministerial accountability and who is responsible for what are matters about which the House needs to think. The whole question of ministerial accountability has fallen into disrepute in the past few years. If we are to reconsider that area, we must consider the implications long and hard. Neither that argument nor the other arguments that I will advance are fatal to the proposition of confirmatory hearings, but we do not believe that such a measure should simply be bolted on to the Bill; it is something that the House should consider.

I shall deal with the other arguments. My hon. Friend the Member for Norwich, South helpfully set out some of the arguments that I put before the Treasury Select Committee, which I shall deal with briefly. First, I observed that there was a risk that the appointments process would be not about the merits of a particular candidate, but a way of getting at the Government of the day. I accept that no member of the present Treasury Select Committee would dream of doing such a thing, but it must be within our contemplation that a future Select Committee or other Select Committees might decide, depending on the composition of the House—within recent memory a Government did not have a majority—the Opposition, dissident members of the governing party or cross-party, to have a go at the Government by trying to get at an individual. It is not fatal, but it is something which we must consider. If that happened, it would bring the whole system into disrepute.

I also said that I thought that confirmatory hearings of that type might discourage candidates from coming forward. I mentioned John Maynard Keynes, who has been referred to on many occasions. I have been in the

House for only 10 years and my hon. Friend the Member for Norwich, South has been here for only nine months, but I am sure that he will have observed from time to time a tendency for hon. Members to use their privilege as Members to say things that they would never get away with outside the House. For whatever reason, they might decide to have a go at someone appearing before them.

I mentioned Keynes because his economic credentials would have been without doubt. However, were he to appear before the Treasury Select Committee today, although the Gallery would be packed, while many of the journalists and others would be there to hear his General Theory, a number would be there in the hope that he would be asked about his private life, which, even by today's standards, might be thought by some to be rather unorthodox.

Again, I am confident that in the majority of cases that sort of thing would not happen, but it must be within the contemplation of the House that, on occasion, the Opposition or others might have a go at the Government by trying to find out something about an individual appointee that would make it difficult for the Government.

Mr. Radice: The fact is that we have had formal soundings with the members of the Monetary Policy Committee, and all of them have approved of the idea. I accept the dangers to which my right hon. Friend refers, and we must guard against them, but the members of the MPC believe that confirmatory hearings would enhance their position rather than weaken it.

Mr. Darling: I agree. I have spoken to members of the Monetary Policy Committee in anticipation of a visit to the MPC, to which I certainly look forward. As part of the open process that the Government have instituted, the chance for members to advance their theories and approach on inflation would add to transparency. I have not the slightest doubt that my hon. Friend will ensure, when the Select Committee sets up the procedures, that they are fair and that the individuals have a chance to state their case and will be questioned only on matters that are germane to their appointment.

We are discussing specific new clauses, but we are dealing with a general principle. I undertook to set out the Government's position, which is that the idea is worthy of consideration, but that we have a duty to consider not only the advantages but the downside. None of the matters that I have mentioned is fatal to the proposal, but it would be wrong to apply confirmatory hearings to these appointments and not to others that are equally important. Examples could include the utility regulators, the Governor of the Bank of England and his deputies—those are fairly important appointments, after all—and members of the Financial Services Authority. That is why we are not inclined to accept either of the new clauses.

One important point concerning new clause 1 that has not been discussed to any great extent today is the need to ensure that the individuals maintain the high standards of public life that we would all expect.

I remind the House that the Government made proposals last November that would mean adopting a code of practice involving various procedures designed to make the appointments process more open and auditable, because the job and the desired qualifications of the appointee would have to be publicly specified: candidates would have to be identified through advertising or appropriate consultation, and the sifting or selection of candidates would have to be undertaken and overseen by a panel with at least one independent member. If the proposals are acceptable, we will act right across the board to implement them.

We must consider what the Treasury Select Committee would decide on. We have already had some discussion about that. Would the Select Committee discuss candidates' views or the number of papers that they had presented to the academic community, for example? We all know that economists cannot agree, and I doubt whether the Select Committee would always agree about who is best. The choice is bound to be subjective. We should not lose sight of the fact that the key test is whether the Monetary Policy Committee delivers the Government's objective of low inflation.

The Treasury Select Committee has said that it wants to call members of the MPC before it, and I welcome that. The whole House has an opportunity to watch how the procedures develop and work in practice. It could be that many of my fears come to nothing, but they should not be ignored, because we must always guard against dangers. I hope that the Select Committee will bear it in mind that the whole House will be watching to see whether the confirmatory hearings are successful and whether, indeed, they add to the general openness and transparency that the Government want.

The matters dealt with in the new clauses deserve further consideration. We are keeping the proposal under review, but we do not believe that it would be right to institute confirmatory hearings for one set of appointments in this Bill alone. It is the Monetary Policy Committee's job to achieve the Government's inflation target. That is where the main interest lies. The Chancellor remains accountable to the House for the conduct of economic policy.

For those reasons, I urge the House to reject the new clauses. We will keep the matter under review, and perhaps at some stage the House can have a substantive debate on the merits of having confirmatory hearings right across the board.

6.15 pm

Mr. Heathcoat-Amory: We listened carefully to the Chief Secretary. He was highly sympathetic to the concept of confirmatory hearings—but not now, and not for this Bill. His reasons disintegrated before the House. He was afraid that the candidates would be questioned about their private life, and that people could be deterred from standing by the thought that they would be cross-examined by the nasty Treasury Select Committee.

As the Chairman of the Select Committee, the hon. Member for North Durham (Mr. Radice), said in his excellent contribution, the questioning would centre only on the competence and independence of the candidates; that is written into new clause 3, so there is no danger, either in intention or in law, that the questioning could go as wide as the Chief Secretary fears. He gave no reasons why we should not accept the excellent all-party report. We will urge the House to vote for new clause 3.

The Chief Secretary said that the proposal would open up a Pandora's box, and that not only Monetary Policy Committee members but even the Governor of the Bank of England might be subjected to such hearings. That is

[Mr. Heathcoat–Amory]

indeed the case. A glance at new clause 3 shows that it applies to the Governor himself. The right hon. Gentleman did not even read it before inviting the House to reject it.

New clause 3, tabled by the hon. Member for North Durham and others, is well drafted, and we intend to support that, rather than new clause 1. I therefore beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 3

CONFIRMATION HEARINGS FOR BANK APPOINTMENTS

'—(1) The Treasury Committee of the House of Commons may, within thirty calendar days of a nomination being made in relation to an appointment under sections 1(2) or 13 of this Act, make a report to the House of Commons—

(a) stating its conclusion that a nominee for the post of Governor or Deputy Governor meets the criteria of competence and personal independence or that a nominee for membership of the Monetary Policy Committee meets the criteria specified in section 13(4), or

(b) giving its reasons for considering that a nominee for the post of Governor or Deputy Governor does not meet the criteria of competence and personal independence or that a nominee for membership of the Monetary Policy Committee does not meet the criteria specified in section 13(4), and inviting the Chancellor of the Exchequer to reconsider the nomination.

(2) A nomination of which the Committee signifies its approval or on which it decides not to make a report to the House of Commons shall be confirmed by the Chancellor of the Exchequer on receipt of the Committee's report or after thirty days, whichever is the sooner.

(3) A nomination which the Committee invites the Chancellor to reconsider shall not be confirmed until seven days after the Chancellor has written to the Treasury Committee giving his reasons for continuing with the nomination.

(4) The provisions of subsections (1) (2) and (3) above shall apply only when the Treasury Committee has been formally constituted.

(5) If at any time after the passing of this Act—

(a) the name of the Treasury Committee is changed; or

(b) the functions discharged by that Committee at the passing of this Act, or functions substantially corresponding thereto, are discharged by a different Committee,

the reference to the Treasury Committee shall be construed as a reference to that Committee by its new name or to the Committee then discharging those functions.

(6) Any question arising under subsections (4) and (5) shall be determined by the Speaker of the House of Commons.'.—*[Mr. Quentin Davies.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 143, Noes 252.

Division No. 138] **[6.17 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Butterfill, John
Cable, Dr Vincent
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Colvin, Michael
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gorrie, Donald
Green, Damian
Greenway, John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Trend, Michael
Tyrie, Andrew
Wallace, James
Walter, Robert
Wardle, Charles
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Nigel Waterson and
Mr. Stephen Day.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Bayley, Hugh

Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cunningham, Rt Hon Dr John *(Copeland)*
Dalyell, Tam
Darling, Rt Hon Alistair
Davey, Valerie *(Bristol W)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Fatchett, Derek
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Grant, Bernie
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAvoy, Thomas
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marshall, Jim *(Leicester S)*
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
Olner, Bill
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Rammell, Bill
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Graham Allen and
Mr. Greg Pope.

Question accordingly negatived.

Mr. Heathcoat-Amory: On a point of order, Mr. Deputy Speaker. We have just had a Division on a new clause tabled by the Chairman of the Treasury Select Committee, a Labour Member, and signed by two of his hon. Friends. They spoke in favour of the new clause, but when it came to a Division, they failed to support it. Is that in order or is it an abuse of the procedures of the House to table an amendment, speak in its favour and fail to support it in a Division, presumably because one has been improperly leaned on by the Whips?

Mr. Deputy Speaker: From experience, I suspect that this is not the first occasion on which that has happened. Hon. Members are responsible for their own actions. It is not a matter for the Chair.

Clause 3

FUNCTIONS TO BE CARRIED OUT BY NON-EXECUTIVE MEMBERS

6.30 pm

Mr. Darling: I beg to move amendment No. 41, in page 2, line 23, at end insert—

'(2A) At a meeting of the sub-committee the quorum shall be 7.'

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: Government amendment No. 42.

No. 14, in page 2, leave out lines 26 and 27.

Mr. Darling: I said during the debates in Standing Committee on clause 3 that I accepted that the clause was deficient to the extent that it did not contain any specific standing orders. Amendment No. 41 will give the sub-committee a quorum of seven. Amendment No. 42 adapts the existing standing orders for the court.

With amendment No. 41 is grouped amendment No. 14, which was tabled by the Opposition. Its effect would be to remove the power of the sub-committee to delegate its functions to two or more of its members. I believe that that power is important simply because its makes for good management.

Anyone who has ever sat on any committee or has had anything to do with running a business will know that it is common for a board or committee to delegate its functions to perhaps two or three individuals, for them to report back to the parent committee or board, and for the board or committee to make a final decision. Even if the sub-committee delegates responsibility for certain functions to a sub-committee of two or more, it as a whole has statutory and collective responsibility for the duties set out in the Bill.

The Opposition amendment would simply hamper the smooth operation of the sub-committee. Therefore, I urge the House to accept the two Government amendments and to reject the Opposition amendment.

Mr. Fallon: It is in the nature of the grouping of the amendments that the Chief Secretary finds himself replying to an amendment that I have not yet explained, and trying to assume the arguments behind it. Be that as it may, let us begin with Government amendments Nos. 41 and 42.

I hope that the House will not be deceived by the graceful note with which the Chief Secretary moved the amendments. That was not the tone that he adopted in Committee. [HON. MEMBERS: "You were not there."] I have read the proceedings of the Committee, and I am about to quote from them. When the matter was raised in Committee by my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley), the Chief Secretary said of my hon. Friend:

"The hon. Gentleman is talking nonsense."

Now the Government have had to table amendments to meet precisely the point that my hon. Friend raised in Committee—the interaction between clause 3(4) and the rest of the Bill. I had hoped that, in moving the amendments, the Chief Secretary would begin with something of an apology to my hon. Friend.

Perhaps I can remind the Chief Secretary that, when he told my hon. Friend that he was talking nonsense, he went on to say:

"It is sufficient to specify in the Bill the quorum of the court."—[*Official Report, Standing Committee D*, 20 November 1997; c. 64.]

We now learn that it is not sufficient simply to specify the quorum of the court. Ministers have been forced to reconsider and to make it clear that, even if its functions are delegated under subsection (4) to as few as two members, the quorum of the sub-committee must be seven. That is an improvement on the arrangements that the Chief Secretary put to the Standing Committee. I look forward to the expert opinion on that improvement which I know my hon. Friend the Member for Bury St. Edmunds will shortly give.

Amendment No. 42—something else that the Government have had to reconsider—is certainly an improvement. The Opposition welcome the propriety introduced there. These are late changes to the Bill. I sometimes wonder whether Ministers who take great pride in claiming credit for legislation are also prepared to take credit for improving the drafting instructions sent to counsel, presumably some time last autumn, which have now had to be rapidly revised.

We have tabled amendment No. 14. Even with the safeguard that amendment No. 41 provides, which we welcome, it is wrong to delegate to as few as two people the functions of the sub-committee. That happens in some companies, certainly very small companies. I have served on an audit committee and a remuneration committee. Indeed, I have chaired an audit committee of as few as two directors. But I have always felt uncomfortable about doing so. It has always been one of the arguments for strengthening the role of non-executive directors and improving corporate governance that one does not get into the position, especially on matters affecting remuneration, in which as few as two people can decide the large sums of shareholders' money paid.

We are not talking here of some very small company. We are talking about the Bank of England and the most major functions that are now to be entrusted to it. We think that, as a minimum, the quorum ought to be three or four members, but we prefer to delete the subsection altogether. I am happy to give the Chief Secretary one last chance to persuade us that we should not.

Mr. Ruffley: I shall keep my remarks brief, because my hon. Friend the Member for Sevenoaks (Mr. Fallon) has set out clearly the burden of our argument. I was surprised—astonished is probably a better word—that, in Committee, the Chief Secretary did not pick up the non-partisan point that, while schedule 1(13)(2) provides for a quorum of nine for the sub-committee of the court of directors, in practice, it would be possible to sub-sub-delegate to a quorum of two. It is not called a quorum of two, but the provision is for two of the directors to exercise powers on behalf of the whole of the sub-committee. The Chief Secretary denied that, and called it nonsense, but it is clearly the effect of the provision as drafted.

With amendment No. 14, we are merely drawing attention to the unfortunate state of affairs where decisions relating to the important functions discharged by the court of directors could be taken by as few as two individuals. The Chief Secretary says that the whole of

the court will be responsible: there will be collective and corporate responsibility for the actions of those two individuals—if, indeed, two individuals take the decision. He is right, but that is not an argument to prove that the amendment is of no effect.

If everything done in the name of the committee is ultimately the responsibility of the committee, why bother having a quorum of any number? By that argument, there is no logical reason for having quorums at all—we might as well say that one individual can take a decision, and justify that by saying that, at the end of the day, the whole committee is responsible for what that individual does.

It was surprising that the Chief Secretary did not acknowledge that what is effectively a sub-sub-delegation is a potentially dangerous state of affairs. My hon. Friend the Member for Sevenoaks rightly pointed out that we are not dealing with a small or medium-sized company; we are talking about the functions to be discharged by the court of the Bank of England. It is unfortunate that the Bill as it stands would allow as few as two people to take such important decisions. We tabled the amendment to ensure that those potential unfortunate consequences do not come to pass, and, in that spirit of non-political partisanship, I support amendment No. 14.

Amendment agreed to.

Amendment made: No. 42, in page 2, line 25, at end insert—

'(3A) If a member of the sub-committee has any direct or indirect interest in any dealing or business with the Bank which falls to be considered by the sub-committee—

(a) he shall disclose his interest to the sub-committee when it considers the dealing or business, and

(b) he shall have no vote in proceedings of the sub-committee in relation to any question arising from its consideration of the dealing or business, unless the sub-committee has resolved that the interest does not give rise to a conflict of interest.

(3B) In any proceedings of the sub-committee, a member shall have no vote in relation to any question arising which touches or concerns him but shall withdraw and be absent during the debate of any matter in which he is concerned.

(3C) Subject to subsections (2A) to (3B), the sub-committee shall determine its own procedure.'—*[Mr. Darling.]*

Clause 11

OBJECTIVES

Mr. Mitchell: I beg to move amendment No. 25, in page 5, line 2, after 'and', insert

'the highest possible levels of employment, and'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 26, in page 5, line 4, leave out 'employment' and insert

'the level of the exchange rate.'.

No. 1, in clause 12, page 5, line 9, at end insert,

'or

(c) in the event of a conflict between the objectives of economic policy, how that conflict is to be resolved.'.

No. 27, in page 5, line 9, at end insert—

'(1A) In sub-paragraph 1(a), "price" includes the price of houses and land.'.

No. 2, in page 5, line 10, leave out 'both' and insert 'all'.

No. 33, in clause 19, page 8, line 40, leave out 'extreme'.

Mr. Mitchell: This is a Bill to bury Keynes, who was mentioned earlier in our debate. It would be better titled "The Coronation, Enthronement and Miscellaneous Provisions of Eddie George Bill". With my amendment, I want to provide a two-buttock throne—or two thrones, one for each buttock—so that he has objectives other than the single objective that the Government have given him.

I can see why the Government have introduced the Bill: they see it as a measure that will, first, win the confidence of finance and international money markets; and, secondly, commit the Government and the country to stability. The hope is that, if we kneel before finance, show that we are in awe of it and do its bidding, it will be nice and kind to us, and we shall not have to face the problems that we have faced in the past.

However, it is important that, rather than include only the objectives of bankers, we put in the Bill some of the objectives that are important to the people. Those objectives centre on full employment and economic growth, and it is those subjects I want to insert in the Bill as basic considerations for the Bank of England.

I feel that the decision to hand over control of the enormously powerful management lever of interest rates is a mistake. Interest rates control everything in the economy, and are the basic tool of management. They damp down or boost the economy, and control the rate of growth and the exchange rate. Changes in interest rates can lead either to deflation or to expansion. They are the basic, most essential weapon, yet here we are—a democratically elected Government—handing control of them to an appointed Governor of the Bank of England.

The Bank does not represent the interests of the mass of the people of this country—it represents the interests of finance, which have never been favourable to those of the people. I am suspicious of the priorities of finance, and those priorities are bound to be dominant in the Bank of England, which is located in the City and represents the City's views. Giving the Bank control of interest rates is a mistake, and it will not lead to stability, as is intended.

Indeed, the decision to give the Governor the power to raise interest rates has already led to instability, in that rates have been raised four or five times, people are beginning to complain about the rise in their mortgage repayments, and the pound is now overvalued. A move intended to bring stability has actually been destabilising.

6.45 pm

That is implicit in the whole operation: if we are going to manage the economy by means of interest rates and we give the Bank of England control over interest rates, its highest priority in any situation will be to raise interest rates, and it will deal with any problem by raising interest rates. In turn, interest rates affect the exchange rate, and, in the present circumstances, the exchange rate has risen. That effect has been amplified by events in Europe,

[Mr. Mitchell]

because the instability and uncertainty there about what will happen in respect of monetary union, which I hope falls apart as quickly as possible—

Mr. Quentin Davies *indicated dissent.*

Mr. Mitchell: The hon. Gentleman laughs, but it almost certainly will fall apart. That is my prediction, and I will take a side bet from him on that.

Reaching monetary union has caused great instability in Europe—it is like the reign of virtue, in that it would be a nice thing to have, but is very difficult to get to. Those difficulties are bringing money out of Europe into sterling and forcing up the exchange rate. Sterling is a better bet when there are high interest rates.

In Germany, there is a deliberate policy to reduce the exchange rate and depreciate the currency, because that is the only way to expand the economy after the rigours of Maastricht's deflation. The Germans are going in for what might be called competitive devaluation—if we did it, it would certainly be called that. The result is that the pound is now grossly out of kilter with other European currencies.

Two nights ago, a major plastics manufacturer told the all-party group on manufacturing industry that his products were now 25 per cent. less competitive than they were a year ago. Last night, I discussed the employment situation in Grimsby with representatives of Birds Eye Foods Ltd., which is shedding 450 jobs in Grimsby. One of the reasons is the bovine spongiform encephalopathy crisis, but the other is that products produced in this country are now 25 per cent. less competitive in the Dutch and German markets than they were before the rise in the pound began.

We have the insanity of the economy being managed simply by interest rates and that power being given to the Bank of England, which has led to a destabilising deflation in the economy. It is as if our only weapon with which to manage the economy is to bash the engine of growth with a large heavy hammer—that is essentially what we are doing in bashing manufacturing.

That is why I want to put other objectives in the Bill. Amendment No. 26 would insert the effect on the level of the exchange rate as a factor to be taken into account when interest rate increases were being considered, because today's European uncertainties mean that such effects are disproportionate. I feel that we must introduce other objectives, because I do not trust the priorities or skills of financiers and those drawn from a financial background—the sort of people who sit on the Monetary Policy Committee of the Bank of England. I feel that distrust because bankers have never served the interests of the people, and I do not suppose that they will suddenly start to do so.

I recall the famous New Zealand poem that was penned when Sir Otto Niemeyer, from the Bank of England, went out to New Zealand in 1931 to tell the authorities how to deal with the depression. He said that they should act according to a simple formula, "Put up interest rates, fire people." The New Zealand poet, Ard Fairburn, wrote:

"The heart is gold,
The name is Otto
Women and children first, the motto".

That is what always happens—interest rates are raised to pass the punishment on to the people.

Amendment No. 27 calls for a proper measure of inflation, because, if the economy is run on the basis of the inflation rate, it must be properly calculated. The retail prices index is an inadequate, unsatisfactory measure of inflation. Harold Macmillan once said that managing the economy with the information available to him was like trying to catch a train with a 19th-century edition of Bradshaw. Managing the economy according to the RPI is rather like trying to navigate the M25 with a 1936 RAC map of the road system. It is not a relevant measure. I believe that it is entirely wrong to make it the dominant consideration for the Bank of England.

One of the essential problems with inflation is that it is driven by assets as well as those factors that feature in the RPI. That is why amendment No. 27 would include house prices in any consideration of price stability. Inflation is usually caused by loose credit, such as the credit explosion that Nigel Lawson produced in the late 1980s when he was Chancellor. That leads to an enormous asset explosion, particularly in house prices. Such a factor should be included in the measurement of inflation that the Bank of England must take into account.

I object to managing the economy according to keeping the rate of inflation down on the basis of interest rates. Any fool can defeat inflation. The previous Conservative Government managed that pretty well, and qualified for that description as well. All one has to do to reduce inflation is to put people out of work. Unemployment went from 1.4 million in 1979 to more than 3 million in the early 1980s, and reached that level again in the early 1990s. That is why the inflation rate was reduced. It was simply a question of producing a graveyard of workers. Once that happens, inflation falls. That is what the Conservatives duly did.

There is no reason why an obsession with inflation should be the target for the Bank of England; nor should it dominate policy. One cannot have a decent rate of growth and keep inflation at 2.5 per cent. If one had growth at 5 per cent., inflation would inevitably rise above 2.5 per cent., because inflation is associated with growth. It is not true that a reduction in inflation leads to growth. There is no causal connection. Inflation is a characteristic of growth.

For practical purposes, inflation is dead. If one seeks to question that claim, consider the impact of the financial crisis that has hit the far eastern economies. Most of those economies have already devalued their currencies, and the others will follow suit. Their manufactured goods will come pouring into our country at low prices. That will aid our struggle with inflation, because it is won by putting people out of work and making imports cheap, so that people do not buy domestic products. That is ruinous for the domestic economy.

We have suffered from such problems in the past, and they are beginning to re-occur. Closures and unemployment in manufacturing are already being announced, and the situation will become worse in the coming year. We have already had warnings about that from British Steel. A delegation from the Inter-Parliamentary Union that visited Japan was also warned about the impact of the current financial crisis on Japanese and Korean investment in this country. Our manufacturers are already complaining about the problems that they are suffering.

The emphasis throughout the economy is on the coming deflation, which will hit it soon. It is the consequence of one-club golfing, with interest rates as the only method of economic management, carried out on the basis of an inflation-defeating agenda. That policy is not carried out according to any scientific fashion; it is not as though the people in charge know what they are doing. All they are doing is hitting the economy with a heavy hammer.

Other objectives need to be included in the management of the economy. The economic management requirements of the Bank of England should not be tied simply to the level of inflation, as measured by the faulty mechanism of the RPI. The Labour party's objectives must be, are and always will be jobs and growth, in order to maximise the living standards of our people. Those are essential parts of Labour policy. We can achieve nothing unless we achieve economic growth and full employment. That means that other considerations must guide the Bank of England.

I concede reluctantly that, by force majeure, control of economic policy will be handed to the Bank of England. I am opposed to that, but it would be better if it was set a dual target relating not only to the level of inflation, but to the level of employment. Growth should also be included in the second part of the equation. For that reason, amendment No. 25 states that the objectives of the Bank of England in relation to monetary policy should be geared to the

"highest possible levels of employment".

I do not believe that that is a dangerously revolutionary or radical step. That consideration should be included. The Government have mentioned it in clause 11(b), but inflation is the dominant consideration. I want employment to be an equal consideration.

Other central banks have made employment one of their objectives. It is only in New Zealand that inflation is the exclusive obsession, as it is in this country. According to the New Zealand experiment, a written agreement was drawn up between the Reserve bank of New Zealand and the Government to maintain a fixed inflation target, but that has proved disastrous. The experiment has been conducted according to the policy followed in Britain—interest rates have been put up, with the result that the value of the dollar has gone up. Unemployment is therefore rising, and the New Zealand economy is suffering. That will always be the case as long as we opt for such an automatic mechanism of interest rate increases.

I therefore want to require the Bank of England to study other considerations, particularly the maximum level of employment, and to bear in mind the effects of its decisions on the exchange rate. The amendments would guarantee that. That would be a valuable experience for the Bank, because, instead of the easy automatic reflex of putting up interest rates to combat every possible problem, it would be forced to calculate the consequences. It would be forced to work out the effects on the real economy—that of jobs, growth and a competitive industry which can compete in an international market.

That would be a valuable learning process for the Bank of England, but it can happen only if the Bill makes employment and growth, as well as the rate of inflation, matters which it must consider.

Mr. Heathcoat-Amory: It is a pleasure to follow the hon. Member for Great Grimsby (Mr. Mitchell), because he is becoming a rather distinctive voice on the Labour Benches. That used not to be the case. We used to hear a lot of concern expressed by Labour Members about manufacturing industry. I share many of those concerns, because I, too, have a manufacturing background and I represent a constituency with a surprising amount of manufacturing in it. I have always listened carefully to other hon. Members who have expressed similar worries, particularly about the exchange rate. I am afraid that the new Labour party has rather abandoned its roots, so I was particularly struck by the way in which the hon. Gentleman related his concerns about the Bill to worries about the future of the manufacturing industry. Those arguments must be taken seriously.

On Second Reading, the hon. Gentleman spoke along similar lines. On that occasion some of his worries were also expressed by a number of his hon. Friends, most notably the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) and the right hon. Member for Llanelli (Mr. Davies). He summed up his worries about the Bill by saying that the Government had a professed aim of greater devolution of powers from bureaucracy to democracy whereas the Bill was designed to make the move in the opposite direction by transferring power from democracy to bureaucracy. I think that that sums up some more general worries about the Bill.

Unfortunately, many of those voices were not represented in the Standing Committee. I believe that all such hon. Members were excluded from the Standing Committee deliberately and I am afraid that it was packed with many new Members who were most unwilling to speak out about any anxieties that they had; indeed, they hardly said anything, so legitimate worries about the Bill went more or less undebated in Committee, which was a pity.

7 pm

However, this is a new debate on Report, and we have before us an unanswered and unresolved question: how will the Government reconcile their various economic objectives if the going gets tough? Conflicts do arise in economic policy from time to time. The Government are lucky at the minute. They have inherited a golden legacy of steady growth, low inflation and falling unemployment. Things are extremely stable and, on the whole, are going well, although I am afraid inflation is starting to nudge up again and I would not be confident that unemployment will continue to fall throughout the year. Dangers lie ahead.

The hon. Member for Great Grimsby was right in saying that driving the British economy is not an exact science. He gave several illustrations of how difficult it is. A permanent secretary once said to me that running the economy from the point of view of the Treasury was like driving a car with the windscreen blacked out and the rear-view mirrors broken: one certainly did not know where one was going; one had some idea of where one was, but little idea even about where one had just been. That is the difficulty about trying to apply exact science to the setting of interest rates.

To start with, we must be clear in our minds about what the Bill does as it stands. It gives overriding priority to price stability and puts the maintenance of price stability into the hands of an unelected committee, which is given total discretion in setting short-term interest rates.

[Mr. Heathcoat-Amory]

Conservative Members support a low-inflation strategy. We give way to no one in our belief that it is essential to break any inflationary tendencies in the economy and establish a permanent low-inflation culture. We were far advanced on the way to doing so—we met our inflation target of 2½ per cent. or less—by the date of the general election.

However, we know that setting up an independent Bank of England is not necessarily—and certainly not sufficiently—the way to achieve low inflation, because plenty of independent central banks in the world have fairly poor inflation records. Historians will know that the Weimar republic had an independent central bank called the Reichsbank, which was not very successful. Similarly, as the previous Government's record shows, it is possible to establish low inflation and to achieve a low inflation target without an independent central bank, by using the full array of weapons at the disposal of any Chancellor—monetary weapons, taxation and expenditure. We do not agree that giving independence to a central bank is the only way to achieve low inflation.

Moreover, there are dangers in making a mechanical change without having established a low-inflation credential and record. If the Bill as drafted becomes law, if we run into a recession in a few years' time, with unemployment starting to increase, and if inflation still stubbornly remains above—perhaps only just above—the target rate of 2½ per cent., the Bank of England will be obliged to give priority to reducing inflation. It may well continue to increase interest rates, even in the teeth of a recession.

Let us suppose that, alternatively, the economy experiences a supply side shock. Commodity prices might start to rise. Oil prices, which have sometimes increased very fast, might do so again. That might feed through into an increased general index of prices and the retail prices index might increase. In those circumstances, the only weapon at the disposal of the Bank of England and the Monetary Policy Committee of the Bank will be to increase interest rates, and that could easily feed through into higher unemployment. Clause 19 contains emergency provision for all these arrangements to be abandoned and for the Bank to give way to the Treasury. However, if there were a milder shock and inflation drifted up owing to supply side influences, the Bank would be obliged to increase interest rates, not because it thought it necessary, but because it would be required by law to do so.

One can contrast the Bank's lack of discretion concerning policy generally with the example of the Federal Reserve bank of the United States, which does not have an overriding commitment to low inflation. It has several equal objectives, including the maintenance of employment. That bank has been very successful in balancing all those objectives and achieving low inflation combined with low unemployment. Obviously, the overriding commitment to price stability is unnecessary.

Therefore I believe that the hon. Member for Great Grimsby and other hon. Members who have spoken on the subject previously are right to be worried and to ask the Government what they would do in certain eventualities. The Government certainly did not understand that dilemma earlier in the Bill's passage.

I am glad that the Chief Secretary is to respond to the debate because he will recall that he got into a tremendous muddle on Second Reading, trying to explain how the Government did not have as an overriding priority the maintenance of price stability. He was asked about that by the right hon. Member for Caernarfon (Mr. Wigley), who pointed out that the Bill did give that priority, and the Chief Secretary said:

"The right hon. Gentleman is mistaken."

When the right hon. Member for Caernarfon persisted and said that the other Government objectives were subsidiary to the anti-inflation drive, the Chief Secretary said:

"The right hon. Gentleman is reading it the wrong way round."—[*Official Report*, 11 November 1997; Vol. 300, c. 712.]

I believe that, on reflection, the Chief Secretary will realise that actually it was he who got that wrong. The beginning of wisdom is at least to agree about where we are at the minute, so I should be grateful if he would confirm the fact that the commitment to price stability is overriding, and will be by law. I ask him to confirm his understanding of that position, which is little more than asking him to refer to clause 11.

However, we want to ask the Chief Secretary what will happen when there is a conflict between those two objectives, especially if we beget a split between fiscal policy and monetary policy. We all know that budget decisions, which are broadly fiscal, affect inflation, directly by influencing prices and indirectly through monetary factors or the influence of debt management. From now on—this is another change introduced by the Bill—debt management will be taken away from the Bank of England and given to another quango that is controlled by the Treasury.

The way in which debt is managed has a big effect on monetary policy. Whether the Treasury sells debt to the banking sector or the non-banking sector has a great effect on the quantity of money in circulation, and therefore on eventual price levels. It is quite clear—this is a statement and not an opinion—that the Government will affect the dealings of the Bank of England. Therefore, the two could move in opposite directions.

This is not mere speculation about what might happen in future in this country: there are plenty of examples of its happening elsewhere in the world. We discussed the matter at some length in Committee, but I shall refer only to the two best examples to which we alluded. The first concerns the United States in the 1980s under the presidency of Ronald Reagan, whose budgetary and fiscal policies were, by and large, expansionary and potentially inflationary. That situation was dealt with by the Federal Reserve bank under Paul Volcker, who had to put up interest rates very sharply. There was a split between the Executive, who were pulling in one direction, and the monetary authorities, which were pulling in the other.

Another example closer to home is what happened during the period following German reunification. The West German Government failed to finance the cost of reunification by increasing taxes or cutting other expenditure, so they ran a loose fiscal policy and put all the strain of the German anti-inflation drive on to the Bundesbank, which increased interest rates sharply. We now know that that was a major factor in the destruction of the exchange rate mechanism.

Even closer to home, the July Budget sowed the seeds of a potential divergence between monetary and fiscal policies. Instead of dealing with consumption—which the

Chancellor said was in danger of overheating—he taxed savings. Inflation is still above the Government's target. Therefore, the strain had to be taken by the Bank of England, which has increased interest rates four times in addition to the increase that the Chancellor introduced before he transferred monetary policy to the Bank. So there have been five interest rate increases since the Budget.

Mr. Quentin Davies: I am grateful to my right hon. Friend, whose speech I am following with great care. He has made some extremely powerful points. Is he aware that, in answer to a question that I posed in the Treasury Committee, the Governor of the Bank of England acknowledged quite explicitly that, had the Chancellor done what he obviously should have done in the conjunction of last summer and borne down on consumption and incentivised savings—he did exactly the opposite, and taxed savings with the pensions tax and reduced consumption taxes—the burden on monetary policy would have been significantly less and we would now be enjoying lower interest rates and lower sterling parity?

Mr. Heathcoat-Amory: I am very interested in my hon. Friend's comments. He provides powerful and authoritative backing for my point. I had not realised that the Governor had said that—although I am not altogether surprised. It is now generally accepted that the Government made a colossal miscalculation in targeting people who save. They failed to draw expenditure away from consumption—if that was their aim. If the Government are trying to provide an alternative to the welfare state, they should encourage rather than cut savings. The Government are making mistakes not only in each Budget but in each Treasury announcement. They compounded their attack on pension funds last year by announcing the destruction of personal equity plans and tax-exempt special savings accounts and by capping their successor at £50,000. The Government have made a series of mistakes that throw the strain of the anti-inflationary strategy on to the Bank of England.

Amendment No. 1, and the consequential amendment No. 2, ask the Government to explain themselves rather than expecting other people to sort out the mess. It may have been a rather cunning move on the Chancellor's part to try to pass to others the unpleasant business of raising interest rates. In that way the Chancellor hopes to avoid the hostility that attaches to those who increase people's mortgage payments, which is a form of taxation, in complete contradiction to everything that he promised before the election. I do not think that the right hon. Gentleman's plan will succeed because he still has responsibility for such matters—even if he has handed operational matters to the Bank of England.

Our amendment seeks to force the Government to explain how such matters will be resolved. The Government have an inflation target, which is currently 2½ per cent., and several other desirable objectives—two of which are mentioned in the Bill. However, if there is conflict between the various objectives, we want to know how that will be tackled and who will do it. Our amendment also seeks the Government's explanation of the monetary and inflationary consequences of their policies so that they do not set the Bank of England an impossible task.

7.15 pm

As things stand, I seriously believe that, when the economy hits some rough patches, there will be much recrimination and misunderstanding. There is the danger of a direct confrontation between the Bank of England and the Government because the Bank will try to deliver on the inflation objectives but will be hampered in that aim—and possibly prevented from doing so—by the actions of the Chancellor of the Exchequer and the Government who will pull in a different direction. The Government must respond to that serious issue. Our amendments seek to force the Government to think carefully about the matter and to tell the House what they will do.

Sir Michael Spicer: I agree with the hon. Member for Great Grimsby (Mr. Mitchell) on many matters, particularly on the subject of Europe—although we sometimes battle against each other on the "Target" programme. The hon. Gentleman has some interesting contributions to make on European issues. I agree with the amendments' general proposition that Government must make choices between conflicting objectives. My right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) made the same point from the Front Bench.

I do not agree so much with the objectives that the hon. Gentleman is pursuing in some of his amendments. Like my right hon. Friend the Member for Wells, I think that balancing employment against inflation is a false choice. I agree with my right hon. Friend that, when it comes to conflicting objectives, the real choice might lie between fiscal policy and monetary policy. If the Bill is enacted, one part of economic policy will be handed over to a non-elected body, which will be told to get on with it. To that extent, all sorts of potential conflicts—to use my right hon. Friend's words—may emerge in terms of economic policy. As the Government threw out proposed new clause 1, Parliament will have no voice in decisions about conflicting objectives. One feels for Labour Members, who are getting increasingly restless. Suddenly they are becoming frightened. Members of the Treasury Committee, on which I serve, constantly try to probe witnesses in the hope that they will say that the effect of the Bill should be diluted. The hon. Member for Great Grimsby has the merit of trying to amend the Bill to build in different objectives, which is a legitimate aim, although the Government will presumably reject the amendments. As the Bill stands, all the other policy objectives are to be made subject to that of price stability.

The hon. Gentleman argued that price stability was not an important component of employment policy. I do not agree; I entirely accept the position outlined by my right hon. Friend. The hon. Gentleman may find historical examples where growth has been accompanied by inflation, but he would have to concede that for growth in jobs to take place, there must be low inflation and high competitiveness. High savings go with low inflation, because if there is high inflation, there is no point in saving, so the resources from which to invest in jobs do not exist.

It is possible to find historical precedents of inflation going hand in hand with growth, but over time countries that have suffered inflation and especially hyper-inflation

[Sir Michael Spicer]

have not experienced growth—in many cases their employment and manufacturing have collapsed. I accept that price stability is a vital part of a healthy economy.

Mr. Mitchell: Having argued well so far, the hon. Gentleman is moving towards a false conclusion. Growth is inevitably associated with increasing inflation. I can think of only two examples of perfect price stability this century: Salazar's Portugal, and the United States in the three years up to the great crash of 1929. Those are examples of almost perfect price stability, and what growth did that generate?

Sir Michael Spicer: There are many examples in history, ranging from the Weimar republic forwards and backwards, and all over the world, in which, because a currency has collapsed, the real economy has collapsed with it. Historical precedents support the view that price stability is accompanied over time by a sound economy.

I agree with the hon. Gentleman on amendment No. 26, which replaces "employment" with

"the level of the exchange rate",

if that arises from his worry about false exchange rates, which may occur if an independent central bank pushes us towards a single currency.

We have only to look across the channel to see what has happened in France. It has been extraordinary over the past 24 hours. The socialist Government in France seem to believe their own claim that the massive unemployment there has nothing to do with the false exchange rate that they created against the deutschmark, and that they will adopt expenditure policies, the like of which the hon. Gentleman may want to have incorporated in the Bill under his amendment No. 26. I would not agree with that, but I agree with him when he implies that false exchange rates have a lot to do with unemployment.

I do not approve of the idea of taking away a major slug of economic policy and handing it outside the control of Parliament, especially now that the Select Committee is to have no statutory say in the appointment of the board. I do not like that, for the reasons stated by my right hon. Friend. The grave distortions that can emerge between monetary and fiscal policy in that context are self-evident.

Once that decision has been taken—I accept the Government's premise that price stability is an important feature—it is right that the Bill should explicitly restrict the Monetary Policy Committee to dealing with a specific policy objective. I cannot see any argument for handing the whole of economic policy, which is effectively the hon. Gentleman's aim, outside the sphere of Government and Parliament. That is the principle behind the amendments.

The hon. Member for Great Grimsby does not like the price stability objective, and he probably does not like the fact that the Bank of England is to run it, so he proposes giving everything to the Bank of England: employment policy, as he defines it, exchange rate policy—everything should be given to an unelected body. That is the end of democracy. He argues strongly, as I do, against the move in Europe towards stripping our Parliament of its powers and handing them to Europe, yet his amendments would strip Parliament and our elected Government of the ability to make choices between economic policies. That is very serious indeed.

Although I sympathise with Labour Members who are suddenly waking up to the implications of the Bill, the way to put it right is to throw out the entire Bill, not to agree to the hon. Gentleman's amendments. He is effectively saying, "We have put all those powers outside our control, so let us give the Bank even more powers. Let it make the choices, so that Parliament and the Government do not have to do any work, because everything has been given to an unelected outside body."

That cannot be the solution to the worries and dilemmas that many of us share with the hon. Gentleman. The answer is for him to vote against Third Reading and to get 300 or 400 of his colleagues to do the same, and to throw out the Bill. He has about two hours in which to go round the bars and collect all his hon. Friends. We will be with him in the Lobby, if he is prepared to do that.

It is wrong to say, "We do not like giving the Bank of England powers, so let us give it even more powers and choices in the running of our economy." Although I share with the hon. Gentleman many of his initial premises, I could never agree to a group of amendments that gave the Bank of England not only the operational powers to carry out the policy that the Government have set for it in terms of price stability, but the choice between unemployment policy, fiscal policy and so on. The amendments are nonsense in the context of the hon. Gentleman's objectives. I hope that the House will vote against them.

Mr. Gibb: I support amendment No. 1. Clauses 11 and 12 are key to the monetary objectives of the Bank of England, once it achieves independence. Clause 11 states:

"In relation to monetary policy, the objectives of the Bank of England shall be—

(a) to maintain price stability".

Subsection (b) continues:

"subject to that, to support the economic policy of Her Majesty's Government".

It is interesting how the phrase "subject to" has crept into the drafting of the Bill, whereas in letters from the Chancellor to the Governor of the Bank of England and to the Chairman of the Treasury Select Committee, the phrase has always been "without prejudice to". I do not want to go into semantics to see how distinct is the difference between those two phrases, but "subject to" subjugates the pursuit of the Government's other economic objectives to the overriding objective of maintaining price stability.

Clause 12(1)(a) enables the Treasury to write to the Bank of England to set out what the Government understand by the phrase "price stability". Subsection (1)(b) enables the Treasury to write to the Bank of England to set out its economic policy to enable the Bank of England to conduct its monetary policy in accordance with Government wishes.

7.30 pm

There is, however, no mention in clause 12 of what the Bank of England should do when there is a conflict between the Government's economic objectives and the Bank of England's overriding objective of maintaining price stability. That is why amendment No. 1 seeks to add a new paragraph (c), which states:

"in the event of a conflict between the objectives of economic policy, how that conflict is to be resolved."

That enables the Government to write to the Bank of England to specify how that should be done.

There are three principal areas where there could be an important conflict between monetary policy being conducted by the Bank of England and other economic measures being taken by the Treasury and the Government. The first relates to the exchange rate. The Bill gives the Treasury responsibility for conducting exchange rate policy. At the moment, we have a high level of sterling and the Government are also maintaining a tight monetary policy because they fear the re-emergence of inflationary pressures in the economy. Therefore, even today we have the possibility of such a conflict.

The position could arise where the Government were concerned about the high level of sterling. Farmers throughout Britain have lobbied the House this week and they share that concern. As a consequence, the Treasury could conduct a foreign exchange policy of trying to bring down the level of sterling. It would do that by selling sterling into the market. The result of that would be an increase in the money supply in Britain.

Meanwhile, the Bank of England would try to maintain price stability and would monitor the money supply. When it saw the increase in the money supply, the Monetary Policy Committee would want to trigger higher interest rates in order to counter that. It would not know that that increase in the money supply was the result of a deliberate action taken by the Treasury to bring sterling down by selling sterling into the market. It would look at the data and believe the increase to be a normal activity in the economy, along with the shocks and various other influences that affect it. The amendment enables the Treasury to tell the Bank of England what its exchange rate policy is because it sets out what it should do in the case of a conflict.

In Committee, the Paymaster General and other Ministers were asked what the Government's exchange policy was, to which there was no response. Time after time, we asked the Paymaster General how such a conflict would be resolved. It is a genuine conflict. No Minister seems to be able to say how such a conflict should be tackled. At the moment, the Treasury is responsible for interest rate and exchange rate policy, but when the two are split and the knowledge of the two different entities is divorced, there is no way in which one hand will know what the other is doing and there will be conflict. We could end up with the dog chasing the tail. The Government could sell sterling to the market, thus increasing the money supply, leading to their raising interest rates further and pushing sterling up. The Treasury would sell more sterling into the market to bring the level of sterling down, and the vicious circle would continue. It is a recipe for chaos.

The second area where potential conflict exists is in the management of Government debt, which is to be handed over to a quango of the Treasury. Again, there are different ways in which to manage debt. There is, for example, the fully funded method of managing debt. If the Treasury, which is handling debt management, decides to maintain a fully funded policy, and if debt is sold to the non-banking sector when there is a public sector borrowing requirement, the money supply will decrease.

Meanwhile, the Bank of England could well be trying to ease monetary policy because it was concerned about deflationary pressures in the economy. Again, one hand would not know what the other was doing. The activities of the debt management side of the Treasury could do precisely the opposite of what the Bank of England was doing.

The final area of conflict is that between fiscal and monetary policies. Again, fiscal policy makers are divorced from those conducting monetary policy. The Treasury could be busy relaxing fiscal policy for various social reasons—to improve incentives in the economy or to increase spending in certain areas. Meanwhile, the Bank of England, fearful of inflationary pressures in the economy, could be raising interest rates, pursuing a tight monetary policy.

As there is no symbiotic relationship between the two organisations, one could be pursuing a policy directly opposite to that of the other. There would be no incentive in the Treasury to pursue a sensible fiscal policy because it would know that it was not responsible for inflation. All inflationary problems would be dealt with by the Bank of England and, again, there would be a recipe for higher interest rates than would otherwise be necessary.

In conclusion, the amendment seeks to enable that conflict to be sorted out, and to enable the Treasury to write to the Bank of England to put on the record how this inherent conflict, which arises from giving the Bank of England independence, should be resolved by those responsible for Britain's economic policy.

Dr. Cable: This is the best opportunity to say something on the substantive economics of the issue rather than on the constitutional issues that we dealt with before. I intend to speak against the amendments.

Clause 12, which relates to economic policy in general, has just been read out and it makes it clear that the Bill provides for multiple economic objectives. Clearly, if there is an emergency and large-scale unemployment, the Chancellor has powers under the Bill to give employment and growth priority. That flexibility is built into the legislation.

My main comments relate primarily to the speech by the hon. Member for Great Grimsby (Mr. Mitchell). He spoke at some length about sterling and the problems of exchange rates. We have heard more and more about the problems of sterling in the House. Treasury questions are increasingly populated with questions on that subject.

I am probably one of the relatively few people in the world who claim to have read the hon. Gentleman's book on the subject, which I think he wrote with a former Member who has now emigrated to New Zealand. It was an eloquent book, but it had throughout it a fallacy that he has perpetuated this evening, which is not distinguishing between the real and the nominal value of the exchange rate—an important distinction. It is perfectly possible to maintain the competitiveness of one's exchange rate while the value in the markets—the nominal value—is appreciating. That has happened in Germany where, during the past 30 years, the exchange rate has appreciated from DM11 to less than DM3 against sterling. For the most part, German exporters were more than able to maintain—or more than maintain—their competitiveness with the United Kingdom because we had an appallingly bad relative rate of inflation. If we think about real exchange rates rather than nominal rates, the problems raised by the hon. Gentleman are simply not applicable.

[Dr. Cable]

The hon. Gentleman is on sounder ground when he worries about the particular problem that we have now of an exchange rate that is overshooting in the markets. Overshooting in the markets occurs for one of two reasons. One we saw during the early days of Mrs. Thatcher and another in the early 1990s which directly arose from the lack of credibility of those who were carrying out monetary policy. We had a period of lax control of money, a very high rate of inflation and then, over-compensation through high interest rates. The whole purpose of the legislation and of an independent central bank is to prevent such a problem from arising again.

Sterling is also very high because of the EMU premium. We have consistently argued with the Government that they should not procrastinate over EMU membership, but should get on with having a referendum and consider at least early entry, as that would shorten the transition to our having stable exchange rates in relation to European countries. As long as the delay persists there will be uncertainty and an exchange rate premium, because the ecu will trade at a relatively soft rate. In other words, it will be more competitive than sterling would be on its own. The Liberal Democrat argument to deal with that problem is that the sooner we proceed to EMU, the sooner we shall eliminate many of the problems of volatility and over-valuation that have been described.

Mr. Nick St. Aubyn (Guildford): We have heard for many years that the benefit of the euro is that we shall have a hard currency. Now we are hearing from the Liberal Democrats that the benefit will be that we shall have a soft currency. Does the hon. Gentleman understand why those who have doubts about the euro remain totally unconvinced by the arguments on this subject?

Dr. Cable: The possible answer to the hon. Gentleman's question is that people use the words "hard" and "soft" in totally different ways. The argument for belonging to EMU is that the euro will be hard, in the sense that it will have a low rate of inflation, but it may well have a rate that is competitive—one that devalues against the dollar and the yen. Both of those characteristics are possible and desirable, and we would welcome them.

Mr. St. Aubyn: Surely if there is to be a soft euro, it is because of the expectation that, with the participation of states such as Italy, the inflation rate will be higher. If one has a soft currency, there is a very high risk of inflation creeping into the system.

Dr. Cable: I do not think that the hon. Gentleman has read the financial press for many months, if not years. If he had, he would know that the inflation rate in Italy is now very low and that the Italian economy is one of the better managed economies in western Europe.

The other incompatibility that has been raised is the difference between fiscal and monetary policy. It is a genuine technical issue; it is also a political issue. It is perfectly possible for Governments—or, in this case, an independent central bank—to run a tight monetary policy and for it to be undermined by profligate fiscal policy. That is why the Liberal Democrats argue very strongly that this measure should be followed by another, which we would call the Fiscal Responsibility Act, which would make a set of rules for fiscal policy to match those in the Bill. Were those complementary measures to be taken, many of the difficulties that have been described in this short debate would not exist.

Mr. Darling: This has been an extremely long debate for what is a fairly short point. I will try to reply in short measure.

My hon. Friend the Member for Great Grimsby (Mr. Mitchell) and I disagree on a central point. The Government believe that low inflation and price stability are an essential precondition for sustainable growth and high employment. One has only to look at the history of this country since the war—it had high inflation, which was into double figures in very recent memory, and the boom and bust, with swings between one extreme and another—to realise that instability was one of the main reasons why we have not had the long-term sustainable growth that competitor countries have had.

If my hon. Friend were to ask any investor or business what it wanted more than anything else, it would say that it wanted certainty and stability. That is why we attach so much importance to price stability. I know that my hon. Friend disagrees with that. I do not claim to have read the books that he wrote with our former colleague, Bryan Gould, but I know that central to their belief was the argument that rising inflation was not necessarily a bad thing. I have to disagree with him.

Where I do agree with my hon. Friend is that interest rate policy is not the only matter with which the Government need to concern themselves. We have made it clear that we intend to maintain fiscal as well as monetary stability. That is why we are ensuring that public spending will be maintained in a sustainable way and that is why we are taking steps to expand the capacity of the economy, so that it can grow in a sustainable way, as was not possible in the past.

Central to monetary stability are confidence and certainty. The rationale behind our setting up the Monetary Policy Committee is that the markets and the general public will know that the Government are serious about their commitment to long-term price stability. We have already seen the benefits of that, because long-term rates fell almost immediately following the announcement by my right hon. Friend the Chancellor earlier this year.

I shall now deal with a point that the Opposition made much of on Second Reading, and to which they returned in Committee. They should look at clause 11, which is written in plain terms. The key objectives of the Monetary Policy Committee are

"to maintain price stability, and . . . subject to that, to support the economic policy of . . . Government, including"—

my hon. Friend the Member for Great Grimsby will no doubt note—

"objectives for growth and employment."

It is precisely to encourage sustainable growth and employment that we want to ensure price stability. A plain reading of clause 11 makes it abundantly clear that the Bank, in achieving the Government's inflation target of 2.5 per cent., must have regard to the Government's other objectives—growth and employment. That means, among other things, that if there were some violent shock to the

economic system, the Monetary Policy Committee would have to take account of the Government's policy on growth and employment to decide the time frame in which it would reach the inflation target of 2.5 per cent.

7.45 pm

We have also made it clear that if the Bank does not believe that the inflation target will be met and that the rate will deviate by more than one percentage point from its target, it must write an open letter to the Chancellor explaining why the rate will not reach the target and the period within which the MPC expects to meet it. The point of all that is that the House and everybody else will be able to judge what the Bank is doing and be satisfied that it is acting in accordance with the strictures established by clause 11. It is as clear as day to anyone who wants to see it. The problem with the Opposition is that they are not concerned about clause 11. It is becoming increasingly clear that, after eight long months, they are edging towards outright opposition to the idea of giving the Bank operational independence. That is their real objection. They have no real interest in the wording or phraseology of particular clauses.

The Government are responsible for exchange rate policy and for fixing the inflation target. There is no conflict. The Chancellor of the Exchequer is, as always, accountable to the House for the overall conduct of economic policy, so there is no dubiety about the framework that we have established. We are ensuring that we get something that this country has wanted for many years: price stability and economic stability, which, more than anything else, will benefit the long-term prospects for growth and employment.

Mr. Mitchell: I am very disappointed at the Minister's reply, although I expected him to say what he did. The point that he made about the Government being responsible for exchange rate policy provokes me to ask: if they are responsible for exchange rate policy, why is the exchange rate so high? Given the manifest problems of industry and agriculture—the rise in imports, the difficulties with exports, the threat to close capacity and therefore lose jobs—why do not the Government act and exercise their responsibility for exchange rates by getting them down? The answer is, of course, that it is interest rates and the uncertainties in Europe that determine our current exchange rate and the current over-valuation, which will be disastrous. I do not agree with my right hon. Friend on that; nor do I agree with my right hon. Friend that low inflation is the precondition of economic growth.

I do not defend high inflation—nobody is advocating high inflation—but some degree of inflation is an inevitable concomitant of growth. There cannot be growth without some degree of inflation. We are making low inflation more important as a priority than growth. Growth and jobs should be the Government's central priority. Inflation should be treated as a residual, not the determining aim of policy, as seems to be imposed on the Bank of England. Although my right hon. Friend said that the Government can introduce objectives of growth and employment, and the Bank of England has to support that, the paramount requirement—according to Maastricht—is to maintain price stability, and subject to that, because it is paramount, to support the economic policy in respect of growth and employment.

I had hoped for some more concessions because we are embarking on a doomsday machine. We are locked into a target of 2.5 per cent. inflation, which risks doing severe damage to the economy. It is wrong of the Government to abdicate their democratic responsibility for economic growth and jobs to bankers, who will always act like bankers. However, there is no point in my going on because the new Government have decided their priorities and will pass this Bill tonight. They have a responsibility to be right in what they do and say, and I do not think that they are. We shall live to regret this day because of the inflexible requirements that the Bill imposes on us.

I realise that my fellow Members of Parliament want to get away, as I do. I was told that I am building up extraordinary resentment among northern Members. I am a northern Member, and my fellow northern Members are gathering on these Benches solicitously to persuade me. It would have been better to have discussed this matter in Committee. Given their large majority, the Government should not be frightened of appointing people with dissenting opinions to Standing Committees. Had they done so, we could have had a longer discussion in proper and appropriate circumstances, rather than trying to discuss this matter now, late at night, with hon. Members pressing to go home. It is a question of the Government's confidence in their priorities, which they should allow to be thrashed out in the appropriate environment.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 14

PUBLICATION OF STATEMENTS ABOUT DECISIONS

Mr. Mitchell: I beg to move amendment No. 30, in page 5, line 41, at end insert

'and an estimate of its effect on inflation, economic growth, employment and the exchange rate.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 36, in page 6, line 2, after 'markets', insert

', act to restrict or control credit, or require deposits to be made with the Bank by lending institutions.'.

No. 37, in page 6, line 9, after 'markets', insert

'acting to restrict or control credit, or requiring deposits to be made with the Bank by lending institutions.'.

No. 38, in clause 15, page 6, line 23, after 'meeting', insert

'together with the economic analysis on which any decisions taken at the meeting were based.'.

No. 39, in page 6, line 27, after 'markets', insert

'act to restrict or control credit, or require deposits to be made with the Bank by lending institutions.'.

No. 16, in page 6, line 41, after 'record', insert

'the principal views expressed by individual members and'.

No. 40, in page 6, line 42, after second 'of', insert

', and the case put forward by,'.

No. 22, in schedule 3, page 23, line 2, at end insert

'and, if he exercises his right to speak, his views shall be recorded in any minutes published under section 15'.

Mr. Mitchell: I continue to build my campaign for the support and affection of northern Members.

This group includes two categories of amendments. The first category comprises amendments Nos. 30, 38 and 40, which require the Monetary Policy Committee and the Bank to tell us their views, the basis of their decisions and dissent, and the prospectus that will arise from their decisions. We want them to justify those views in terms of their expectations so that they can be questioned and discussed.

I do not believe in the wisdom of bankers and monetary experts. It seems to be a kind of Gadarene wisdom. One has only to watch City commentators on television; they appear on every channel whenever there is a change, or prospect of a change, in interest rates and all chant the same nonsense. They return unabashed the following week when their forecast has been proved wrong and say the opposite with equal confidence. That is not wisdom; it is a lemming-like philosophy.

I want bankers to learn on the job and justify what they do. Amendment No. 30 would require them to tell us what they think will result from their decisions. Let us have it spelt out so that we can judge it and assess whether they were accurate or wrong. Amendment No. 38 would require bankers to give the economic analysis on which their decisions were based and say why those decisions were taken. Amendment No. 40 requires bankers to give their individual views.

Those requirements are simple and straightforward. If the views are based on consideration and thought, those concerned will not be afraid to tell us what they are, so that we can judge them for ourselves. It is a process of popular education and of education for the Bank as well. After we set up Select Committees, it was noticeable how much more effective ministerial replies and defence of policy were. I hope to get the same from the Bank.

The remaining amendments, Nos. 36, 37 and 39, deal with a major problem in our economy: how we control credit. Over the years, there has been a shift away from managing the economy by direct control. Labour's post-war triumph was based largely on direct control of capital, labour and investment. When the Conservatives came to power in 1951, they shifted the balance by using interest rates as a financial stimulus. In the 1950s, interest rates became more important in economic management and generally went up. In 1972, continuing the process of relaxation, the Conservative Government introduced measures which effectively abolished the regulator and led to the first huge credit bubble.

In the 1980s, the process of removing controls continued. The corset was swept away until we were left managing the economy only by interest rates, which led to even bigger fluctuations than before. It was boom-and-bust fluctuation; credit bubbles were allowed to form and asset prices increased. Because house prices were increasing, people could borrow more. Asset prices increased further because more money was in circulation, until suddenly the Government had to act. They did so in 1990 by joining the exchange rate mechanism. The economy was deflated and the bubble was pricked.

It is ridiculous to manage the economy in a boom and bust way. However, it is implicit in our inability to manage credit rather than just use interest rates to squeeze credit and check credit booms. I want other requirements to be introduced. The Monetary Policy Committee could suggest other methods of controlling credit. For instance, it could limit the percentage of house value that would be lent in a mortgage. The Bank of England could require any lending institution to ask for deposits. Interest rates could be charged on those deposits and the deposits required could be varied according to the nature of the loan granted by an institution. It would be possible to overfund or underfund the public sector borrowing requirement.

I do not necessarily have the perfect means of controlling credit, but the simple measure of rationing credit through interest rates is not the only means. We should look at other ways of controlling credit, not just wash our hands and say that we cannot control it. If we abdicate the responsibility of looking for new methods of managing credit, we inevitably accept that boom and bust will continue. If the Government accept the amendments so that, as well as proposing changes in interest rates and market dealings, the Monetary Policy Committee looks at ways of managing, restricting and controlling credit, we shall have another weapon to deal with the problem. It will be more than one-club golfing.

Other means of dealing with the issue may be more effective and direct, or may be necessary to supplement interest rates. They may also lead to a smaller increase in interest rates than we have had in the past. I want the Monetary Policy Committee to be able to consider those options and recommend them if necessary.

Mr. Heathcoat-Amory: I, too, want the Government to provide and publish more information about their economic policy, particularly their monetary policy, which is why we tabled amendments Nos. 16 and 22. Amendment No. 16 relates to clause 15, which deals with the publication of minutes. The House will recall that my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) established the procedure for the routine publication of the minutes of the meetings at which interest rates were set. That was a revolutionary advance, because for the first time outside commentators and the markets could see exactly how monetary policy was being set, and how interest rate decisions were being taken.

8 pm

At that time, the minutes described in some detail the views of the main participants. The interest rate was set by the Chancellor of the Exchequer: it was his decision alone, after consulting others and after taking the advice of, in particular, the Governor of the Bank of England. The views of the two main participants, the Chancellor and the Governor, dominated the subsequent minutes.

Our amendment seeks to extend that to include all the main participants, so that the views of every member of the Monetary Policy Committee are minuted. No longer will an individual or institution make the decision: it will be made by all the individuals on the Monetary Policy Committee, by vote if necessary. The views of all members will be just as important as the views of the Chancellor and the Governor were previously.

The Government came into office with a great commitment to openness and transparency, and supported the public's right to know. They followed that up recently

by publishing a White Paper called "Your Right to Know", in which they described a presumption in favour of openness. We all accept that a good deal of financial and Government information must be confidential. Market-sensitive information can be kept secret, as proposed in the White Paper. However, there is no case whatsoever for keeping secret the views of the members of the Monetary Policy Committee when the minutes are published six weeks later. After all, the Bill provides for their votes to be recorded, so it is a modest step forward to require their main views to be set out in those minutes.

The men and women on the Monetary Policy Committee are not accountable to the House. They will not even be the subject of confirmatory hearings. Therefore, it is important that we, in the outside world, know their views. If a group of individuals on the committee consistently get it right, their reputation will be enhanced, but we are entitled to know if some individuals always get it wrong.

Our proposal also provides a good defence against impropriety. We would have preferred confirmatory hearings to test the views of individuals before they are formally appointed to the committee. That was the opinion of the Treasury Select Committee, but for some mysterious reason the Labour members of that Committee did not back up their views by joining us in the Division Lobby earlier. This proposal is perhaps a poorer substitute, but at least it would salvage something of our earlier intentions if the views of those individuals were made known as they evolve through discussions on the Monetary Policy Committee.

We should extend that proposal to the Treasury representative on the Monetary Policy Committee. They may or may not attend, but they have the right to do so: they will have a voice, but no vote. It is important for the outside world to know of the Treasury's views as expressed at that meeting. We want to know what influence the Treasury has on the committee, what view it has on the direction of the economy and what impact budgetary decisions and fiscal policy have on the committee's deliberations. That can be done only if the minutes record the views of the Treasury representative expressed at that meeting.

There is no conceivable reason why our modest but important request should not be granted. It is entirely in line with the Government's expressed views about the public's right to know. We are not suggesting that the views of those individuals on a change in the interest rate should be made known to the markets immediately. There may be a case for keeping them back for a little while if a decision causes market disturbance, but it should be merely a delay, and not a permanent suppression of the views expressed. That may be particularly important if allegations are made that individuals or a group of members on the committee are biased or prejudiced in their actions. An individual who is usually wrong may be reappointed by the Chancellor because an election is coming up and the individual concerned is always in favour of expansion of the economy and low interest rates, which may help the Government of the day to win another term. The best defence against that is openness and disclosure, so that the world can see whether individuals justify their place on the committee by reason of their competence and record in judging the economy right.

For those reasons, I seriously urge the Government to give effect to their protestations of belief in openness, and accept these amendments in the spirit in which they are offered.

Mr. Gibb: I support my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) on amendment No. 16. Clause 15(4) provides for the minutes of the committee's deliberations to be published, and for voting preferences to be recorded, but it does not provide for the views expressed by members of the committee to be recorded. The Government are not providing information on the economic views held by members of the committee, and the Select Committee on the Treasury, when it participates in confirmatory hearings, will not be quizzing members of the committee on their economic views. Therefore, the only way that we can know their views is for them to be published in the minutes.

Economic policy and the conduct of monetary policy are not part of an exact science. That view has been backed up by eminent people such as Sam Brittan, Tim Congdon and Lord Eatwell. Those matters are of wider interest. People outside the confines of the Monetary Policy Committee and the Bank of England want to analyse the committee's deliberations, so that they can establish in the weeks, months and years ahead who was right and who was wrong. Decisions on monetary policy remedies depend on the forecasts provided by the committee. If an inflationary period is forecast, the committee will recommend to the Bank of England that it raises interest rates and tightens monetary policy. On the other hand, if the economic position is forecast to be deflationary, it will recommend a looser monetary policy and lower interest rates.

Such an economic analysis would be useful for the economy, for the country and for academic study. It would be useful to analyse the forecasts, so as to establish whether the recommended remedies have turned out to be correct. A wide debate of that kind took place for a few years, when we had the so-called Ken and Eddie show. Although their views were not necessarily recorded in the minutes, we could see the final recommendation. For example, we knew on one occasion that the Chancellor was recommending no interest rate rise when the Governor of the Bank of England was recommending a rise. In due course, the Chancellor was proved correct.

The debate that took place during the Ken and Eddie show informed the wider debate in the country as a whole. I urge members of the Government to remove the partisan expression from their faces, to consider seriously the effect that the amendment would have in raising the level of informed debate about the conduct of economic policy and to accept it.

The Economic Secretary to the Treasury (Mrs. Helen Liddell): I am always amused when the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) talks about the Ken and Eddie show. The point of the Bill is to rectify the failings of the Ken and Eddie show, during which partisan politics intervened in the setting of interest rates, to the economy's cost.

We resist the amendments, not because we are opposed to openness, but because many of them are unnecessary. They relate to parts of the Bill that already provide for openness. In other contexts, the amendments are

[Mrs. Helen Liddell]

contradictory: in a number of respects, the amendments tabled by my hon. Friend the Member for Great Grimsby (Mr. Mitchell)—about which I shall say more shortly—contradict what he wants to achieve in relation to openness.

As we discussed the issues fully in Committee, I do not intend to delay the House unduly, but I think it necessary to deal with a number of points, in a reasoned way. I know that there has been criticism relating to the fulness of some of the information given in the minutes of Monetary Policy Committee discussions, and I am sure that the committee will take those criticisms on board; but I believe that the amendments would have a negative effect.

Speaking to amendment No. 30, my hon. Friend the Member for Great Grimsby spoke—as he had earlier—of the impact of our proposals on

"inflation, economic growth, employment and the exchange rate".

The amendment is quite unnecessary. If it were adopted, the Bank of England would have to publish a statement about the effect of changes in monetary policy on inflation, economic growth, employment and the exchange rate every time such changes were made. The Bill already provides for the arrangements for monetary policy in the United Kingdom to be among the most open in the world, and, in particular, for the publication of a statement after the debates of the Monetary Policy Committee.

If a regular statement were published along the lines suggested by my hon. Friend, his amendment would be unnecessary. Press notices already accompany the conclusions of each MPC meeting, and, in the event of a change in interest rates, the main factors underlying the decision are set out—factors that, typically, include inflation, economic growth and the exchange rate. If my hon. Friend needs to be convinced, I suggest that he look at the notices that followed interest rate changes in August and November last year.

Amendments Nos. 36, 37 and 39 would have a contradictory effect. They would weaken the commitment to transparency, because they would allow the Bank to delay publication of a decision to impose credit controls, or to require deposits from lending institutions, if it decided that publication of that decision was likely to impede or frustrate the action.

I am aware of the commitment of my hon. Friend the Member for Great Grimsby to the concept of credit controls; indeed, we discussed such matters in detail during an Adjournment debate not long ago. My position has not changed since then: there is no evidence to suggest that credit controls would be effective when we have open, global capital markets. They can easily be circumvented. We know from our own economic history that such controls have been tried in the past, and have failed.

I refer my hon. Friend to the minutes of the August meeting of the Monetary Policy Committee, in which such quantitative controls were considered and rejected. There is no sign that the Bank cannot control inflation without credit controls; indeed, low and stable inflation over time, which is the aim of the Government's economic policy, should lead to less volatile interest rates. The volatility that we are currently experiencing is largely due to the last Government's failure to take overall economic considerations into account in the run-up to a general election.

8.15 pm

Mr. St. Aubyn: I am curious to know whether the Economic Secretary agrees that, although credit controls may not work, reserve requirements may be an important factor in the operation of monetary policies. That has been the case in a number of countries; does the hon. Lady see a role for such requirements here?

Will the Economic Secretary acknowledge that, for all her trenchant criticism of the last Government, they did at least meet the inflation target by the end of their tenure? Because of their tax-raising activities since the moment they took office, the present Government have signally failed to do the same.

Mrs. Liddell: That—if I may use an expression that I had cause to use to the hon. Gentleman in Committee—is baloney. We observed the discussions about the setting of interest rates during the Ken and Eddie show, and we have had a lengthy discussion. Yes, the last Government managed to hit the target once, but there has been a cost to the overall structure of our economy, and, indeed, the whole concept of the Ken and Eddie show has been brought into disrepute.

I am not sure why amendments Nos. 36, 37 and 39 were tabled, other than to give my hon. Friend the Member for Great Grimsby another opportunity to expound his theory about credit controls. Other amendments relate to the detail that goes into the minutes in relation to economic analysis. In amendment No. 38, my hon. Friend asks for fuller economic analysis to be included. Again, I ask him to look at the minutes that have been published. The minutes already include comprehensive discussion of economic developments, and a summary of the analysis presented by Bank staff. The quarterly inflation report—which is much respected by economic commentators and others—also contains the Bank's economic analysis. I do not think that amendment No. 38 would add to the information that is already provided.

Amendments Nos. 16 and 40 bring us back to issues that were discussed fully in Committee, when I understood that the Opposition had accepted the force of the Government's arguments. Let me repeat what I said at the time. We do not want the legislation to be overly prescriptive, for a very sound reason: we want members of the MPC to be free to be as frank as possible in their discussions at the meeting.

One of the reasons why we must resist the amendments is our experience in the United States, where the Federal Open Markets Committee publishes a transcript after about five years. Members of that committee have increasingly been in the habit of reading out prepared statements. We do not want that kind of discussion in the MPC; we want the fullest and frankest possible exposition of views on the state of the economy and the impact on the inflation rate.

The voting record of individual Monetary Policy Committee members is available, and will therefore make it clear where each member stands. Although the thought might seem unusual in the House, Monetary Policy Committee members might change their mind during a

debate, and we must give them that opportunity. Should they decide in economic discussion to change their position, they should feel free to do so.

I reiterate, however, the point that I made earlier: we should like there to be fuller and perhaps more transparent minutes of Monetary Policy Committee meetings. I am sure that the committee will respond to those concerns.

Mr. Gibb: What will happen when we try to read the minutes of the Monetary Policy Committee? We will look at the voting record, read the text of the opinions expressed and try to correlate one with the other, but we may not get it right. Would it not be far clearer, easier and more open to publish names next to the views?

Mrs. Liddell: I reiterate the point that I made about the FOMC. Whenever such practice has become enshrined in procedure, it has led to a reduction in economic debate and the delivery of prepared statements, because people know that their views will be fully represented when the minutes are published. There is about five years' delay in publishing those minutes.

The right hon. Member for Wells (Mr. Heathcoat-Amory) made a point about the Treasury representative's role in the meetings. The minutes already include a full record of discussion at the meetings, including the views expressed by the Treasury representative. Regardless, that representative does not have a vote and, therefore, does not take part in the decision-making process. I therefore believe that amendment No. 22 is also unnecessary.

Therefore, because of the contradictory nature of some of the amendments, and because the amendments are unnecessary and could conflict with the Monetary Policy Committee's purpose and the nature of its debates, I ask the House to resist the amendments.

Mr. Fallon: It is up to the hon. Member for Great Grimsby (Mr. Mitchell) to defend his own amendments and to decide what to do with them. However, I should like to respond to the debate and to the Minister's reply on amendment Nos. 16 and 22.

The Economic Secretary really did deploy a poor argument against amendment No. 16. She tried to criticise the arrangements that she inherited, although those arrangements delivered very low inflation—inflation lower than we have now—and were working well. Bizarrely, she then went on to criticise her own arrangements. She admitted to the House that the current Monetary Policy Committee minutes were not full enough. She accepted that criticism, and even almost invited the Monetary Policy Committee to improve its way of recording its decisions.

The Economic Secretary introduced a total red herring by making an analogy with the Federal Open Markets Committee. We do not want to be overly prescriptive. However, the amendment does not suggest that transcripts should be published, as happens with the FOMC; it simply suggests that, when the main views are noted, the name of the member who expressed those views should be included with them, as happens with any minute of, for example, a Cabinet Committee.

It is important to realise, as the Economic Secretary did not, that the new arrangements introduced by the Government are regressive. Under the previous arrangements, we knew the Chancellor's views and we knew the Governor's views. It is fair enough to say that the views of the more junior officials attending the Ken and Eddie show were not recorded, but at least we knew where the Government stood, and we knew where the Bank stood.

Now that the Chancellor has withdrawn from the exercise, it is even more important that we know the position of the Governor and the deputy Governor of the Bank and of the external members of the Monetary Policy Committee. It is precisely because the Chancellor himself has withdrawn from the exercise that it is important for us to know the Treasury's view and the Treasury representative's comments. Therefore, I again commend amendment No. 16 to the House.

The Economic Secretary rather tried to brush aside amendment No. 22. Exactly what the Treasury representative will do on the Monetary Policy Committee is unclear in schedule 3 to the Bill. The matter was unclear until the point was raised in Standing Committee by my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb), who pressed the Government on it. It then emerged that the Treasury representative was not some observer or a mere assessor but would be playing something of a supervisory role.

I shall quote the words of the Paymaster General—where is he, by the way? He dealt with the subject and the procedure in Standing Committee, and it is about time that he attended the proceedings on them. It is a shame that he has not done the House the courtesy of attending the conclusion of our proceedings on the Bill. Nevertheless, when pressed in Committee, he revealed the Treasury representative's role. He said that the Treasury representative would ensure that

"the actions of the Monetary Policy Committee"—

would not—

"be violently at odds with Treasury fiscal policy."—[*Official Report, Standing Committee D*, 27 November 1997; c. 187.]

We discover, therefore, that the Treasury representative is no mere notetaker; he has the freedom to intervene in the debate.

The Treasury representative could be a very senior Treasury official. As Ministers are Treasury officials, a Treasury Minister might attend Monetary Policy Committee meetings. The Economic Secretary, the Paymaster General—if he finds time—or the Chancellor might attend the meetings. If relations continue to deteriorate, perhaps the First Lord of the Treasury might want to go along to the meetings to get a grip of what is going on.

It is therefore all the more important that we ensure that, if the Treasury representative does intervene, his or her views should be recorded. If all the other amendments to clause 15 fall, I hope that the Government will think again on amendment No. 22.

Mr. Mitchell: I did not expect the Economic Secretary to rush to her feet to accept my amendments. She has a fairly unique characteristic for a Treasury Minister: I do not feel bad when she rejects my amendments or arguments with her steely charm. She has exercised that characteristic in this debate. However, I reiterate my plea for openness. I should like more openness to be built into the Bill, as it would have been by my amendments.

Monetary policy should be made the subject of a national debate in which all people and interests can participate. We do not want interests—whether

[Mr. Mitchell]

manufacturing, finance or farming interests—to submit to the wisdom of bankers and monetary economists as if it were some type of divine wisdom. Such wisdom may be the rationalisation of a prejudice, a vested interest or a set of attitudes, and policy must be publicly argued and justified. Requirements for openness would have accomplished that, and I wish that they could have been built into the Bill.

I wish also that we could include amendments to find some alternative to rationing money by high interest rates and some way in which to manage credit. I wish not to prescribe or require such measures but to include in the Bill the ability to develop desperately needed methods and systems for managing credit.

The United Kingdom now has a terribly competitive market and too many institutions pouring out credit, inciting people to spend and to run themselves into debt. Credit is pouring out so much that we sometimes have a laxative-type economy. In managing our economy, we are unusually dependent on interest rates. Booms and busts—wild fluctuations—are therefore built into our economy and are almost inevitable.

The first result of the attempt to provide greater stability, by giving independent power to the Bank of England, has been to increase instability. In real terms, interest rates are now at almost record levels and are certainly higher than in the 1960s and 1970s.

That will have a dampening effect on the economy. Indeed, it is already happening. Comparative boom, which we had, will become bust. We must find a way of regulating things better to stop that. I was distressed to hear the Economic Secretary say that there was no way of controlling credit. If that is so, how can we control interest rates?

If we are as subject to international markets and international fluctuations as that, there is no way of producing stability in the economy. Instability is inevitable, and all the international trends will wash straight in. That is a counsel of despair, against which I must warn my hon. Friend.

We must try to find a way of managing credit. I would rather that opportunity were in the statute, but it will not be. I see little point in pushing amendments to a Division at this time of night, but I am sure that the Government are committed to openness and will expand and develop the idea as time goes on, even if that is not written into legislation as tightly as I should like.

I am certain that the Government will be driven by the fluctuations in the economy to find a better way of managing and controlling credit than the simple use of interest rates—the one-club golfing technique—has allowed them. Content in the knowledge that those things will happen, even if more slowly than I want, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 17

POWER TO OBTAIN INFORMATION

Amendment made: No. 43, in page 7, line 21, after 'institution' insert

', or a former authorised institution.'.—*[Mrs. Liddell.]*

Clause 21

TRANSFER

8.30 pm

Mr. Fallon: I beg to move amendment No. 15, in page 9, line 36, at end insert—

'(2) In exercising the functions transferred under subsection (1) the costs of the Authority shall not exceed the costs incurred by the bodies previously responsible for exercising these functions, as adjusted for inflation.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 4, in clause 26, page 11, line 13, at end insert—

'(2C) Before exercising the powers contained in subsection (2A), the Authority shall consult those persons likely to be affected by the imposition of fees, and shall publish any representations it receives on that subject".'.

No. 23, in page 11, line 13, at end insert—

'(2D) The power to charge fees under this section shall be exercised so as to ensure that the costs of regulation under this Act are proportionate to the benefits.'.

No. 5, in page 11, line 27, at end insert—

'(3C) Before exercising the powers contained in subsection (3A), the Authority shall consult those persons likely to be affected by the imposition of fees, and shall publish any representations it receives on that subject".'.

No. 24, in page 11, line 27, at end insert—

'(3D) The power to charge fees under this section shall be exercised so as to ensure that the costs of regulation under this Act are proportionate to the benefits.'.

No. 6, in clause 40, page 16, line 5, at end insert—

'(2A) Regulations under paragraph 1 of Schedule 6 shall not be made unless a draft thereof has been laid before and approved by the House of Commons.'.

No. 8, in schedule 6, page 38, line 37, at end insert—

'(3A) A condition of the imposition of fees under this paragraph is that in any year following 1998 they should not, taken together with the implied value of the cash ratio deposits for the time being required to be maintained under section 6, exceed the total amount of such fees payable in 1998, adjusted for retail price inflation, unless both Houses of Parliament, by resolution, have given their approval for that amount to be exceeded.'.

No. 35, in page 38, line 37, at end insert—

'(3A) The power to charge fees under this schedule shall be exercised so as to ensure that the costs of regulation under this Act are proportionate to the benefits.'.

No. 9, in page 38, line 41, at end insert—

'(aa) provide for the reduction of fees in cases where the expenses of the Authority incurred in carrying out the transferred functions are minimised by the record of the authorised institution.'.

No. 10, in page 39, line 17, leave out 'instrument in writing' and insert 'statutory instrument'.

Mr. Fallon: I acknowledge that this large group of amendments covers a subject that was raised at some length in Committee, but we make no apology for

returning to it. There is widespread concern about the costs of supervision involved in the transfer of responsibility.

It is to the Government's credit that they have recognised that concern right from the start. Ministers have used phrases such as "bearing down on costs", and suggested that costs should be no greater under the new arrangements than under the existing arrangements. We need to find a way of translating those good wishes into the statute to ensure that a duty is imposed that will bring about the desired results.

If Ministers are sincere in wanting to bear down on costs, as I believe they are, they cannot possibly have any objection to amendment No. 15, which is one of the range of amendments that we suggest. It would simply cap costs at their existing level, adjusted for inflation as the years unfold. I cannot see how Ministers could resist that amendment.

Amendments Nos. 23, 24 and 35 would ensure that the concept of proportionality, which was also proclaimed by Ministers in Committee, and by the Economic Secretary in her speech outside the House last week, can be placed in the statute.

I understand why the earlier amendment on proportionality suggested by my right hon. Friend the Member for Wells (Mr. Heathcoat–Amory) in Committee was felt to be incomplete, in that it was rather too narrowly drawn and covered only a certain sector. The new amendments on proportionality go much wider, and I therefore hope that they will be more acceptable to the Government.

I hope that there is no hang-up about the concept of proportionality. It is there in Ministers' speeches and is recognised in the consultation documents by the Financial Services Authority. I therefore hope to see a favourable reaction by the Economic Secretary.

Amendments Nos. 4 and 5 try to extend the consultation already provided for under schedule 6 to the fee-charging powers of section 43 of the Financial Services Act 1986 and section 171 of the Companies Act 1989. The reason is simple: if we do not amend the Bill in that way, we will have differing degrees of consultation under different statutes, and that is undesirable in principle. I would in any case want to see an improvement in the consultation, and the same should apply to all fees imposed under the provision.

Amendment No. 6 can be considered with amendment No. 10. It raises an important point which I believe was not considered in Committee, which may represent an inadvertent lapse in the drafting of the Bill. Unlike many of the other instruments that set the new fees structure, the instrument under schedule 6 is not subject to parliamentary scrutiny.

That is wrong. The supervision fees represent substantial sums, and it is wrong to give the Financial Services Authority virtual freedom to raise taxation. If the Bank's regime for cash ratio deposits will be subject to affirmative resolution under schedule 2, the authority's regime should also be subject to proper parliamentary scrutiny. I should be most surprised if that amendment were thought unacceptable.

Finally, amendment No. 9 introduces a new concept in that it provides for remission or reduction of fees for good compliance. In other words, it would ensure that well-established institutions with good track records of compliance that had not troubled the authorities would have their fees progressively reduced—or at least the authority should have the power to reduce their fees. That is because the costs of supervising them will be lower. It is not only sensible in itself but builds into the new system a strong incentive for better compliance as the system beds down.

I fully accept that the amendment may not be as perfectly drafted as parliamentary counsel would wish, but I hope that the Economic Secretary will at least react positively to the idea, even if she does not like the amendment.

I notice that paragraph 18 of the Financial Services Authority's consultation document says:

"The charge made should be proportionate to some measure of the size of the bank and the nature and extent of its business."

We should take the hint and build into the fee-charging mechanism some incentive for banks to ensure that the costs of supervising them are kept as low as possible.

Mr. St. Aubyn: I believe that I can tell the House what happened when the third chapter of the Bill was first announced. I have it on the reliable authority of a book called "Blair's Hundred Days"—the inside story of that period. According to that book the Governor of the Bank of England, who is referred to as "George"

"has gone through an experience that all bankers dread—being robbed in broad daylight."

The purpose of the amendments is to ensure that the Government, having shown their capacity for grand larceny, do not proceed to go on robbing banks in London in broad daylight. They have only themselves to blame for the fact that we feel it necessary to table the amendments.

If the entire concept in part III of the Bill had been thrown open to the type of consultation that would have been appropriate—at the very least, some sort of consultation with the Governor of the Bank of England—perhaps by this stage we would have had more confidence in the protestations, promises and general charm offensive that we experienced from the Economic Secretary in Committee and from her colleagues.

I agree that we are disappointed not to have the Paymaster General by the hon. Lady's side. There was nothing more charming than watching them working in harness on the Bill. We raised some important questions about part III with the Paymaster General in Committee and hoped that by now he would be in a position to answer them, particularly those relating to the activities of banks in offshore tax havens and how they might impact on banks in London. Who knows, he may pop up unexpectedly—as he did in Committee—before the Report stage is over and provide us with some illumination.

The point about cost is that we are not sure that the Government and the Bill demonstrate an understanding of what has driven the extraordinary success of the financial market in London. Underpinning that success was the good judgment of the Bank of England in administering a light touch to the wholesale market that is based in this city. It is fair to say that there were some failures of the banking system—there are always failures. If one tries to devise a system in which no failures can take place, one removes the principle of moral jeopardy and, as a result, people are simply tempted to chase the highest rates of

[Mr. St. Aubyn:]

interest from the most dubious, highest-risk-taking financial institutions, with the result that the entire system comes under threat.

The risk of failure always has to be there and, as we all know, there have been at least three major failures in the past 18 years. I suggest to the House that each of those teaches us a lesson about the three guiding principles for the supervision of banks under part III. Our amendments would enable the new head of super-SIB to focus on those guiding principles, while reassuring banks in London that he would do so in a way that would not impose unnecessary and unreasonable costs on their operations.

The first major failure in London in the 1980s was that of Johnson Matthey. That experience taught the Bank of England that the old way of doing things had to change. Indeed, the Government responded with the Banking Act 1987, as well as changes in the regulation of financial services in London. We needed to create a new legal framework for banks operating in this financial centre, which is what the previous Government did.

8.45 pm

The second major failure was that of Bank of Credit and Commerce International and on that subject I can do no more than quote carefully the words of the former Chancellor, now Lord Lawson, who said in his memoirs:

"it is very rare indeed for there to be a major supervisory problem in which fraud is not involved".

He goes on to explain that, even where the problem in the system originates elsewhere, fraud is often the means by which it is concealed and therefore it grows to be a much bigger problem when it finally hits the news.

My colleagues and I are deeply concerned that, in the construction of part III and the later clauses to which the amendments relate, little is explained or put into effect in relation to how the new regime proposes to attack fraud. There is a great deal to be said for the new super-SIB, in its operations in the London market, being given the power to root out fraud wherever it suspects it may exist.

I would very much welcome the considered comments of the Economic Secretary and her assurance that, having studied the matter carefully, she is completely confident that sufficient powers would exist as a result of the enactment of the Bill to deal with any possibility of fraud in the banking system in London.

The Barings crisis is the third factor that comes across from the lessons of recent years. The collapse of Barings was partly the result of fraud—the result of a dealer in another centre opening up what he called his, "Six, six, double six account", which involved fraud. Above all, the Barings collapse came about through a lack of understanding, first, on the part of the directors of the bank, but also by those who supervised them. It was either a market risk that led Barings to pay out hundreds of millions of pounds from London to its operation in Singapore—a risk on a scale that it should have known was way beyond its legal powers or what the Banking Act enabled it to do—or the money sent to Singapore must have constituted a credit risk. Again, it was a risk on a scale that it was not empowered to take under the terms of its banking licence. The directors of Barings should have understood that, and so should the supervisors of Barings at the Bank of England.

That brings us to one of the most important points. Whatever supervision system is constructed under the Bill, it must employ people who understand how the system works. Having such people costs money, but it is important for the Government to ensure that, under the new regime, the money is spent on having the right people, but so efficiently that the burden on banks in London is not excessive.

Many of the burdens would result from demanding information. What matters is not the cost of the people at the centre of the new investment board, but the costs imposed on the banks in terms of the amount, the precision, the regularity and the detail of the information that they are required to submit. It is far more important that the key figures are given accurately and regularly to the Bank of England than that the minutiae of the operations of each bank in London are demanded of them. In Committee, the Economic Secretary was very helpful. She made some important statements about how the Government intend to bear down on the costs of banks in London.

Although he was too modest to press the point, in amendment No. 24, my hon. Friend the Member for Sevenoaks (Mr. Fallon) took care to quote the Economic Secretary's exact words. Through the amendment, we are simply asking her to put her money where her mouth is, because it says exactly what she said at column 298 of the *Hansard* of our Committee proceedings. I would be curious to know why she should have any reluctance to accept that amendment.

Unfortunately, proportionality alone is not enough. Smaller banks in London have a vital role to play. They may often be the motors of innovation and new products. This is where the idea of proportionality comes unstuck. Mr. Howard Davies, who is to be the head of the super-SIB, explained to a Back-Bench meeting at the House before Christmas that one way in which it is proposed that the burdens of regulation will be limited is that banks are to be allowed to take some risks with a modest proportion—about 5 per cent., I believe—of their capital.

The difficulty is that small but sound institutions in London would need to use more than 5 per cent. of their capital to launch a new product and make it succeed. They would have to go over all the expensive regulatory hurdles that the new framework threatens to impose, at a time when no one knows whether the new products, services or markets are worth that investment of time and money; if, indeed, such a small institution could afford it.

I hope that the Government will show that they accept that, while no system of regulation can be perfect, in a sound regulatory system the good will drive out the bad. London is an excellent financial centre for a bank to establish itself in, but it is by no means the cheapest or the easiest. Indeed, it is an extremely competitive marketplace.

For a bank to survive in London it must have a profitable operation and a first-rate reputation. If either factor fails, the bank's borrowing costs will go up, its ability to do business will shrink, and the pressure of its overheads will oblige it to withdraw gracefully from the scene.

It is the job of other banks to know which are the safe and the less safe banks. That is the market intelligence that drives the strength, security and reputation of the

London market as a whole. No regulatory system, however expensive, can do better than that market system and that market intelligence. The Government should have no hesitation in accepting some constraints—that is all that the amendments would impose—on the charges that may be imposed on banks, which by and large will rely on their own market intelligence to ensure that they do not lend to other banks in London at an unacceptable risk.

Mr. Tim Loughton (East Worthing and Shoreham): Does my hon. Friend agree that the risk to banks operating in London will be heightened by what is happening on the continent? It is generally recognised that London is one of the more costly places in which to operate, because of the regulatory costs placed on the many hundreds of foreign banks in the City. At a time when the financial system on the continent is being liberalised, it would be easier and, indeed, cheaper for many of those banks to up sticks and move to the continent, especially in the context of a single currency, if that ever comes about. By not being more liberal on charges on banks in London, the Government can only encourage that movement.

Mr. St. Aubyn: That is a concern which we must all share. It is immensely encouraging that so many international banks, especially German banks, are concentrating operations in London. They might have been expected, in the build-up to the creation of the euro and a Euro-central bank in Frankfurt, to want to move there. Far from it: they have been scaling down operations in Frankfurt and coming to London because, as the global world of financial services becomes ever more competitive, economies of scale must be achieved.

Provided we have control over the costs of supervision, the natural advantage that London has built up in this vital part of our economy will ensure that those banks remain here. It would not take a great deal to drive them out to another centre. Because of the lack of consultation before part III was unveiled to the world last May, banks in London are concerned that there may be more surprises in store once the Bill is enacted and some of the other instincts that we have seen betrayed under the skin of new Labour come to the surface.

Either the amendments should be accepted or we should get some cast-iron assurances, perhaps from the Chancellor himself—I am delighted to see him here tonight—about the costs that will be inflicted on banks in London.

There is another risk, which I thought that my hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton) might be about to allude to: the risk in transition. It is well known that, when the supervision of savings and loan institutions in the United States moved merely hundreds of miles, I believe, the disruption caused to staff and to the information-gathering process was identified by many who later studied the problem as a key cause of the institutions' immensely expensive collapse. Unless we have strict control over the administration costs of the new supervisory body, there is a real additional risk that the transition costs will be extremely high for banks in London.

My hon. Friend the Member for East Worthing and Shoreham mentioned banks on the continent and I have mentioned those in the United States. It is striking, and a point worth making, that, although there were regulatory or banking failures in the London market under the old system from which we are moving away, they cost the British taxpayer scarcely a penny. In contrast, the collapse of Credit Lyonnais in France cost taxpayers there the equivalent of billions of pounds. Indeed, the scale of collapse of savings and loans institutions in the United States was measured in hundreds of billions of dollars.

It is an extraordinary achievement in a fast-changing world that, whatever deficiencies or mistakes may have been made in the Bank of England's supervision under the old regime, the cost to the British taxpayer was virtually nothing. It is incumbent on the Economic Secretary to the Treasury to assure us that she does not envisage any circumstances under which the taxpayer might be forced to make up for mistakes in any market upset under the new regime, in which she and her colleagues are taking a much more pivotal role.

When we discussed such regulatory matters in Committee, the Economic Secretary suddenly launched into a discussion about pensions. We are dealing primarily with wholesale markets. I look forward to debating with her the Conservative party's record in government on pensions at an appropriate time, but she should resist the temptation to do so on this occasion. We have a proud record of building up pensions provision in this country. I hope that she will—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman is asking the Economic Secretary not to do what he is starting to do. The amendments are quite tightly drawn, and I would be grateful if he would stick to them.

Mr. St. Aubyn: I am grateful to you, Mr. Deputy Speaker, for that point.

We believe that the Government are trying to win credibility through introducing the Bill and through what they have said during the passage of it, but unless they accept the amendments, they will not establish sufficient credibility to reassure the banks in London.

9 pm

Mrs. Liddell: I commend the hon. Member for Guildford (Mr. St. Aubyn) on his after-dinner speech. I hope that he gets the job.

On a couple of occasions during the debate, I found myself checking the subject matter of the amendments. We are talking about the cost of regulation, which the Government take extremely seriously. I am delighted to note that Conservative Members have been reading the collected speeches that I have been delivering over the past few weeks. I hope that they find a cure for their insomnia soon.

As we said repeatedly in Committee, it is important to recognise that the Bill is about the transfer of the existing structure of banking supervision from the Bank of England to the new Financial Services Authority. I stress again that the Bill is about the transfer of the existing structure of banking supervision. The Government's proposals for financial services regulation comprise a two-part process. We are taking the opportunity to transfer banking supervision at the moment because we have a Bank of England Bill before us. It is about 40 years since the last such Bill was before the House. We are currently

[Mrs. Liddell]

consulting and drafting a financial services reform Bill, which will be introduced in the next Queen's Speech. Several points raised in the debate relate to that next stage of reform of financial services regulation.

I am grateful to Opposition Members for recognising the strength of the Government's view on the cost of financial services regulation. We have made numerous statements both in and outwith the House on the need to contain the costs of supervision.

Conservative Members have on a couple of occasions alluded to the costs of financial services regulation in this country. We have had extensive discussions with the banking community and the wider financial services industry in this country and internationally. They pay tribute to the benign nature and cost-effectiveness of this country's banking supervision. That is what we want to continue. We want to continue a regime of financial services regulation for the banks which allows them to thrive in the City of London—and, indeed, in the city represented by the Chief Secretary to the Treasury, my right hon. Friend the Member for Edinburgh, Central (Mr. Darling).

I regret that I do not find it possible to accept the amendments tabled by the hon. Member for Sevenoaks (Mr. Fallon) and his right hon. Friends. To some extent, they go against the intention fully to consult the financial services community on the future structure of the cost of financial services regulation. At present, we are operating within the structure that was laid down by the Conservative Government in the Financial Services Act 1986. We take on board the stated intentions of the Financial Services Authority on costs.

As for amendments Nos. 8 and 15, as the hon. Member for Sevenoaks pointed out, my right hon. Friend the Chief Secretary to the Treasury was specific in *Hansard*, column 77, of the Standing Committee proceedings about the lack of wisdom of putting in the Bill a ceiling on costs or fees that would be unnecessary and inflexible. We have already said explicitly that we expect the Bank and the FSA to bear down on costs. I am happy to repeat the Government's intention that the overall burden on the relevant institutions in aggregate should be no greater than it is today. We would prefer it to be lower.

Mr. St. Aubyn: Can the hon. Lady give a further assurance that the proportion of the burden borne by smaller banks will not grow—that the proportions borne by the smaller and larger will remain roughly the same?

Mrs. Liddell: We have made a statement about proportionality. Later this evening, we shall discuss cash ratio deposits, which are another element of the costs on banks and other financial institutions, including the building societies. A consultation process is taking place. We believe that the financial services community is best placed to advise the FSA on the costs that should be levelled and the relationship between costs and effectiveness. If costs are disproportionate to the effectiveness and the nature of regulation, the overall impact of regulation is reduced.

As for amendment No. 9, the FSA has already made it clear that, this year, it will consult on its longer-term proposals for a comprehensive charging regime covering all the types of firms that will be regulated by the FSA. I imagine that any right-minded person would accept that that is a logical way to proceed. I reiterate what my right hon. Friend the Chancellor said when he launched the FSA in October last year. There will be a specific statutory requirement on the FSA to be efficient and effective.

We have also concluded that we should give specific responsibility to the FSA to deal with financial crime. The Solicitor-General and I have already made extensive speeches on the matter and there can be no doubt about the Government's view on it.

Mr. Fallon: I fully take the point that the FSA is to consult on the final regime, but, as the Minister referred earlier to the Government's intentions and wishes, will she say that the Government support the principle of amendment No. 9?

Mrs. Liddell: In general terms, we have already made that clear in the debates in Committee. I would not wish anyone to assume from that that we have any attraction to the concept of caps. Caps can sometimes be used as targets. That would be a most unacceptable way to proceed. If we were to set a cap, people might believe that that was the figure aimed for. That is one of the reasons why we have a reservation about the use of caps in relation to fee setting.

Amendment No. 9 would also require the FSA to reduce its banking supervision fees for banks with good track records. The amendment does not specify whether it is the cost of regulation or the inherent riskiness of the business that should be taken into account when setting the level of fees. The FSA has again undertaken to consult this year on the future charging regime. That is a more acceptable way forward, as that consultation will take into account the costs of regulation and the riskiness of the business. I assure the House that there will soon be a whole new framework for financial services regulation, which will include a statutory responsibility on the FSA to take costs into account.

Amendments Nos. 4 and 5 relate to a large extent to the wholesale market. In that respect, we seek to rely on section 43 of the Financial Services Act 1986, which was passed by the Conservative Government and which provides for a special wholesale markets regime, with lighter-touch regulation than for retail financial services. I understand that that is sometimes referred to as the "grey paper". Section 171 of that Act makes similar provision for settlement arrangements for the wholesale money markets and, at present, only one body is regulated under that section.

The amendments would also impose a requirement to publish representations. I do not see that it would be helpful to introduce another bureaucratic requirement, because that in itself would be costly; but I can assure the House that the FSA has made it clear that it is of a mind to make available any representations it receives, provided those making the representations have not said that they wish them to be treated in confidence. I hope that, on the basis of those assurances, the House will reject the amendments.

I have to make it clear that the FSA has undertaken a major process of consultation, which is going on at the present time and which will be extended throughout this

year. When we reach the next stage of reform of the financial services sector, the Government will publish the Bill in draft. It will be published in spring or summer this year so as to give the financial services community an opportunity to comment on the structure of the legislation. *[Interruption.]* I see that the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) is worried by the words "spring or summer". I am a Scot, and summer comes rather later to my part of the world, so I am always a bit variable about when spring and summer actually begin.

I accept the points made by the Opposition and recognise that they have paid tribute to the Government's determination in respect of costs. However, I must emphasise that we are currently transferring the existing structure of banking supervision from the Bank of England to the FSA and that we are in the process of a much bigger reform. We do not want to constrain the consultation that is to take place as we structure the FSA for the future, so I ask the House to reject the amendments.

Mr. Fallon: I have to say that I am somewhat disappointed, but first I want to correct the Economic Secretary on one small point. Time has passed more quickly than she thought: it is not 40 years since the last Bank of England Act was passed, but 51 years.

I am particularly disappointed that, from the point of view of the Government, the hon. Lady did not accept the principle underlying amendment No. 9. I do not believe that she addressed amendment No. 6 at all, although that omission might have been inadvertent. She may not be allowed to speak again, but I shall give way if she cares to intervene in my speech. I asked why schedule 6 alone was not subject to affirmative resolution. That would strengthen the statutory protection and give comfort to those who have to pay the fees, so there is a case for parliamentary scrutiny.

Mrs. Liddell: I inadvertently missed out the references to schedule 6. I was conscious that colleagues on both sides of the House were beginning to look at the clock.

Under schedule 6, the relevant procedures are set out and state what the regulations can cover, as well as the consultation requirements. To repeat what I said earlier, we are transferring existing functions. The hon. Gentleman should reflect on the fact that this approach was adopted by his Government in the Financial Services Act 1986, and that is the model which we have followed. The purpose of providing for fee regulation to be made by the FSA is to mirror schedule 9 to the 1986 Act, which governs the collection and use of fees by the FSA under that Act. We do not see any sense in applying a different system in the Bill.

9.15 pm

Mr. Fallon: I am grateful to the hon. Lady for that intervention. The only difficulty is that it leaves us with two different regimes. There is an affirmative resolution procedure for the fees recovered through the cash deposit system, whereas the order to be laid according to the FSA procedure under schedule 6 will be not be subject to any parliamentary scrutiny.

Be that as it may, we have tried to tempt the hon. Lady with a range of different methods of cost constraints. We have suggested capping, indexation, proportionality and the reduction of fees for good compliance. The amendment would not have required reduction, but merely provided for it. It would have been up to the FSA to devise its own scheme.

Our amendments even offered the hon. Lady the possibility of using her own words as a form of cost control, because, in the end, that is all that we and those who have to pay the fees have to fall back on. We have heard the speeches of the Chief Secretary and the Economic Secretary. We have heard about her wishes, and we even heard about something else that she called "an explicit statement". We have heard her say that it is the Government's intention to bear down on fees. In the end, however, they are not the Government's fees to set; they will be set by the authority. That is why we think that it is important to get it right and put it in statute.

The debate has quite convinced me that this is a matter that may well attract attention in other place. In the meantime, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 2

CASH RATIO DEPOSITS

Amendment made: No. 44, in page 19, line 11, leave out 'within the meaning of' and insert 'authorised under'.—*[Mr. Betts.]*

Mr. Fallon: I beg to move amendment No. 21, in page 21, line 5, leave out

'to be representative of persons'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 7, in page 21, line 7, at end insert

', and shall place in the Library of each House of Parliament a summary of all representations received.'.

Mr. Fallon: I welcome the Treasury's early publication of its consultative document. It is not the weightiest of documents, but at least it was published in good time, and it appears to be suitably green. It is important that it is green. When the Minister replies, I hope that she will confirm that the Government are still reasonably open-minded on the definition of eligible liabilities and about the thresholds and the banding levels that will apply. Huge sums of money are involved, and it is important to get it right, because, although the first order can be revised once it is laid, according to the consultation procedure laid out, I suspect that that order will largely set the pace.

The City needs some reassurance that the consultation process is absolutely genuine, because of the sums involved. It needs to know that the views of institutions will be heard. That is the objective of amendments Nos. 21 and 7.

Amendment No. 21 would ensure that all eligible institutions are consulted, not simply their representative bodies. I do not believe that that represents a huge extra burden of paperwork—indeed, the Bill limits the consultation to those institutions that are materially affected. I look forward to the Economic Secretary finally welcoming one of our amendments.

[Mr. Fallon]

Amendment No. 7 ensures that the representations received are not simply ignored. We are simply asking that, as happens in the case of many other consultative processes, a summary of those representations be placed in the Library of the House, so that all involved can see the balance of the views expressed, and the extent to which the order that is laid takes account of those views.

While we are on the subject of cash ratio deposits, perhaps we should address the little matter of the explanatory memorandum, which I gather is to be altered when the Bill is reprinted. Perhaps the Minister will explain why we must alter the explanatory memorandum; why we are bound by the statistical office of the Commission to do so, or indeed whether we are bound by Eurostat to do so; why that issue was not clarified before the Bill was drafted; and whether the change means that the Government can get away with a lower central Government expenditure total and—who knows?—easier qualification under the Maastricht criteria. Some clarification in support of the Chief Secretary's letter would be welcome.

Mr. Gibb: I merely ask whether the Economic Secretary has addressed the economic concerns expressed by the Building Societies Association. Specifically, I wonder whether she can give the House, the City and the country an idea of the percentage that the Government are likely to choose. The Building Societies Association believes—as I do—that the percentage, which was 0.35 per cent. of eligible liability, should be considerably lower in view of the reduction in activities. Can the Government confirm that it will be lower, and will they give an idea of the percentage that is likely to be applied in future?

Mrs. Liddell: I shall address that point with the point that the hon. Member for Sevenoaks (Mr. Fallon) made about the consultation process. There has been genuine consultation—I am glad that the hon. Member for Sevenoaks acknowledges that—and we shall be guided by the advice that we receive from those directly affected by cash ratio deposits, especially bearing in mind the fact that many new institutions—the building societies—now become eligible for cash ratio deposits as they move away from a voluntary structure.

Before I discuss the amendments, I take on board the point about the explanatory memorandum. I admit that, when I saw the letter that my right hon. Friend the Chief Secretary to the Treasury wrote to the right hon. Member for Wells (Mr. Heathcoat-Amory)—and to the hon. Member for Kingston and Surbiton (Mr. Davey) and my hon. Friend the Member for North Durham (Mr. Radice)—which said that we were complying with Eurostat, I thought that the Pavlovian response of Conservative Members to matters European would cause a reaction; I am delighted to see that I was not disappointed.

The Office for National Statistics has taken Eurostat's advice because Eurostat is developing a system that will give central bank coherence throughout Europe, so that there is a clear read across Europe. It is important for Governments to take seriously the advice of professional statisticians on these matters, and we have done so, in terms of the advice that the ONS has received from Eurostat and advice that we, as a Government, have taken from the ONS.

Regrettably, despite the honeyed words of the hon. Member for Sevenoaks, all these references to charm are getting him nowhere, and I shall resist amendments Nos. 21 and 7. We believe that the suggested procedure in amendment No. 21 would be much too cumbersome. We are happy to take representations from all interested parties, but if we must then consult each individual party, the Treasury would be obliged to consult separately more than 500 banks and building societies.

I believe that Governments, past and present, have, and have had, a great deal of respect for the British Bankers Association and the Building Societies Association. We have forwarded the documents to both organisations, and they have in turn forwarded copies to all their members. We expect to receive responses from the representative organisations and from individual institutions that feel strongly about specific aspects. That process is much more efficient than the one suggested in amendment No. 21.

I am sure that the hon. Member for Sevenoaks is as concerned about Government efficiency and value for money as we are. We believe that it is much more efficient to limit the statutory requirement to consult to those who are representative of persons likely to be materially affected. Therefore, the Treasury is responsible for finding the right representative bodies. If the hon. Gentleman is suggesting that the British Bankers Association and the Building Societies Association are not properly representative, we shall all be interested to hear why he thinks so.

Amendment No. 7 asks that a summary of all representations be placed in the Library of the House. We have done some checking in this area, and we are not aware of any other references in legislation to the placing of documents in the Library. Therefore, we do not believe that it would be appropriate to put that kind of obligation into the legislation.

However, I assure the House that the Government's response to the cash ratio deposits consultation will include a summary of representations received, subject to preserving the confidentiality of those who seek it. We are anxious to be as open as possible while respecting the confidentiality of those involved. We must also respect the need for value for money and efficiency on the part of Government. Therefore, I ask the House to resist the amendments.

Mr. Fallon: The Economic Secretary said that the consultation is genuine; I assure her that the amendments are genuine also. We believe that they will improve the consultation process. Of course it is easier for the Treasury to send out only two letters rather than 500. That is a matter of judgment—and we know who will win the argument. We still believe that, in this instance where large sums of money are involved, it would be better to make the consultation as wide, rather than as narrow, as possible.

The Economic Secretary took a rather hard tone in referring to amendment No. 7. However, she has almost satisfied me with her last assurance. If she will publish a summary of the representations received in the Government's response document, she is 90 per cent. there. At least those who have made representations will

be aware of the balance of views. In light of that assurance—for which I thank her—I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 7

RESTRICTION ON DISCLOSURE OF INFORMATION

Mr. Heathcoat-Amory: I beg to move amendment No. 11, in page 42, leave out line 12.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 12, in page 42, line 12, after 'any', insert 'legally binding'.

No. 13, in page 42, line 12, after 'obligation', insert

'specifically requiring the disclosure of information relevant to the purposes of this Act.'.

Mr. Heathcoat-Amory: This small group of amendments touches on an issue that the Treasury Committee considered at some length, but unsatisfactorily. To be charitable to the Government, I do not believe that they had spotted the issue before we raised it. The debate was answered by the Paymaster General, whose mind was on other things by the time we reached this part of the Bill. It is an important matter, which was not resolved in Committee.

The matter concerns the disclosure of confidential information to the European Union in circumstances of which the House may not approve. It is about the powers of the House, and about the apparently privileged position of the European Union regarding information gathered by the Bank of England in confidence. The Bill makes provision for the Bank to obtain information from institutions, banks and so on, and criminal penalties attach to those who decline to provide that information. That is understandable: the Bank needs a lot of information in order to carry out its tasks.

That means that the Bank of England will possess much important information about the City of London, all of which could be useful to competitors, including other financial centres. There are quite proper restrictions on the uses to which that information can be put and to whom it may be disclosed. There is a table in schedule 7 that sets out the authorities to which information can be disclosed. It also lists the functions in pursuance of which those institutions need the information. All that is right and has our full support.

9.30 pm

However, there is an overriding permitted disclosure that does not have to be listed in this way or approved by the House. That appears at the end of the schedule, where it is specified that all information may be disclosed

"in pursuance of any Community obligation."

The House knows that that goes extremely wide. We have a great many obligations under the European treaties. To give just one example, article 102a of the Maastricht treaty states that member states must

"conduct their economic policies with a view to contributing to the achievement of the objectives of the Community".

Those objectives are defined in article 2 as including

"an economic and monetary union".

There are a number of other very general obligations.

It is easy to see that some organ of the European Union—whether it is the Commission, the Council of Ministers, the European Parliament, or the Committee of the Regions—might want information about monetary policy or about the City of London. A European institution might, for example, believe that the City was gaining certain advantages outside the euro zone because of what it might term a competitive and unnecessary devaluation.

Therefore, in pursuit of our obligation to assist economic and monetary union, European institutions could foreseeably demand information about British monetary policy and about banks and institutions operating in London. That follows logically.

Our amendments would restrict disclosure, by removing the privileged position of the European Union and requiring its institutions to be listed in the table alongside UK authorities and institutions. We do not disagree with the proposition that information should be disclosed to the EU, if it is proper and if the House agrees. The House will shortly approve the institutions listed in the table. Why can it not also approve the European Union as an authority, and list the functions under which disclosure is required? That would put the EU on a par with any domestic institution. What could be fairer than that?

If that does not appeal to the Government, there is an alternative that I commend to the House. That would make it clear that the relevant obligations are legally binding, and it would narrow the obligations to ensure that they specifically require the disclosure of information, pursuant to the purposes of the Bill.

Those are modest requests. They would not inhibit or damage our relations with the EU, if that is what the Government fear. I hope that the Minister will respond positively, as an important matter is involved—the role of Parliament in regulating our relations with other institutions, especially those abroad.

Sir Teddy Taylor (Rochford and Southend, East): After my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) has made the point so ably, I have two questions to ask the Government. The first is why it is necessary to put in the words in line 11. We have been told time and again that European Community law is superior to our law. Surely, if the Bank of England revealed some information and someone challenged it, and if the disclosure was a Community obligation, there would be no problem, so why are the words included?

We are constantly passing laws without thinking through their consequences, and without realising how silly and nebulous they are. It is a huge mistake to think that it is possible to specify Community obligations. I say that, having attended the meeting of the Sub-Committee of the Treasury Committee this morning, and a delightful meeting yesterday at the Bank of England, which was also attended by all the top bankers who operate in this country.

At that meeting, the Bank of England handed out a delightful paper with a red cover stating clearly and precisely that, although the House had been told that Britain was exempt from article 109L of the Maastricht treaty—which, although it sounds small, is terribly important because it refers to fixed exchange rates and

[Sir Teddy Taylor]

member states' obligations to pursue the single currency; all kinds of complicated things—in practice it would have to apply. It said that, because it was part of the monetary regulations relating to the euro, it would be enforceable in English courts. The Minister may wonder why the Bank of England referred to English courts, not British courts, but it did refer to English courts.

Basically, the Bank of England was saying that, although the House of Commons thought, and thought rightly, when the previous Prime Minister, a dedicated and sincere person, came back and said that we need not worry about article 109L because we were exempt from it, nevertheless it will apply. This is a constantly moving situation, and there is no way in which we can specify our Community obligations.

The next thing that I hope the Minister will bear in mind is that, as we approach the two years of convergence with the other currencies before we join, a complex and difficult situation will arise with fixed exchange rates. The one thing that seems abundantly clear from our own experience in the UK is that a certain number of those currencies will be under enormous pressure. There is no doubt that the United States will have an interest in such matters.

Why on earth should the Bank of England be obliged to surrender information when it may be against our national interest, simply because it may believe that it is relevant to a Community institution?

Who decides on these matters? Does the Bank of England decide, or does the European Community simply say what must go? I have always been suspicious of any legislation relating to the EU because, unfortunately, we have been misled time and again. I can think of many examples when we have been given the clearest of promises, only to find, sadly, that those promises are thrown out of the window.

The day before yesterday, a large number of farmers came to the House, and we have had some fishermen recently. Those poor old fishermen were given clear and precise assurances, but, unfortunately, the European Court threw them out, and the obligation simply disappeared.

The Minister must say why on earth we need this line at all when there is no need for it, and when the obligation is superior to our law. Secondly, is it fair and reasonable to include words which impose an obligation, when other countries will not be aware that information relating to them will be passed over without their knowledge?

The line should be removed, as suggested in the amendment, but if not, I hope that the Minister will at least accept the wise and intelligent suggestions of my right hon. Friend the Member for Wells, who I hope will some day have responsibility for looking after such matters and sorting out the horrible mess that we have ended up in with European legislation.

Mrs. Liddell: I hear the baying of Pavlov's dogs. We have just seen a vignette of the problems currently being experienced in the Conservative party. Schedule 7 is not about disclosure to the EU but about avoiding the possibility of the Bank and its officials being faced with a conflict between EU and UK laws.

This is not a measure taken by the Government to advance our position in Europe. The specific provisions in the Bill that the right hon. Member for Wells (Mr. Heathcoat-Amory) seeks to remove exactly mirror section 85(1)(h) of the Banking Act 1987 and section 180(1)(t) of the Financial Services Act 1986. The previous Government included no fewer than 18 identical provisions in the legislation that they enacted. There was one per year on average while they were in office, including the Pensions Act 1995, the Railways Act 1993, the Water Industries Act 1991, the Friendly Societies Act 1992, the Companies Acts, the Gas Act 1986, and the Competition Act 1980. The exemption is in the Bill as a failsafe, to answer the point raised by the right hon. Member for Wells, and the hon. Member for Rochford and Southend, East (Sir T. Taylor). It was not included with any particular obligation in mind. The point is to avoid a conflict of law and a dilemma for officials who might otherwise be potentially open to prosecution for fulfilling a binding legal obligation under Community law. An identical amendment was tabled in Committee. What is more, as regards amendment No. 12, it is clear that the obligations concerned would have to be legally binding.

Amendment No. 13 would unduly narrow the exemption by ruling out disclosure in meeting an obligation expressed in terms of collaboration or co-operation. Indeed, the obligation, the amendment, would do exactly the opposite of what Opposition Members are seeking to achieve. The term "Community obligation" has the meaning given to it in schedule 1 to the European Communities Act 1972, which refers to

"any obligation created or arising by or under the Treaties, whether an enforceable Community obligation or not."

The term "enforceable" in this context refers directly to the applicable Acts of the Community.

Sir Teddy Taylor: I am sure that the Minister will accept that there is always the possibility that the previous Government may have made an error, too. I know that the previous Government achieved great things, but they made some mistakes. What is the point of putting in the line in question if Community law is superior to our law? How could a case arise? I just want to know why it has been included.

Mrs. Liddell: The hon. Gentleman is showing an obsession with this matter. We are seeking to give protection to officials of the Bank so that they are not put in an invidious position. Opposition Members seek to put them in an invidious position. The Government cannot, therefore, accept the amendments. I urge the House to resist them.

Mr. Heathcoat-Amory: That response rather typifies the Government's whole handling of the Bill. The Minister agreed that we are talking about legal obligations, which is not clear from the Bill as drafted, yet she is unwilling, for unspecified reasons, to accept the amendment, or, indeed, to table one of her own that will make the matter clear. The phrase "Community obligation" is incredibly vague and incredibly wide, and it was our intention to restrict it to what is more properly the intention of the House and, I think, the Minister. I am not surprised by her response, because she has done this before at other stages in the Bill's progress. We will not press the amendment to a Division because we want to get on to Third Reading so that we can review the Bill in its entirety. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 8

TRANSITIONAL PROVISIONS AND SAVINGS

Amendment made: No. 45, in page 43, line 5, leave out from 'satisfied' to 'shall' in line 6 and insert—

'(a) any requirement to consult before making an order under this Act, or

(b) any requirement of paragraph 2(1) of Schedule 6,

that requirement'.—*[Mrs. Liddell.]*

Bill reported, with amendments.

Order for Third Reading read.

9.43 pm

Mr. Darling: I beg to move, That the Bill be now read the Third time.

This is an historic Bill. For many years there has been much talk and discussion about the merits of an independent central bank; indeed, there have been many debates in the House. On entering office we made it clear that we believed that the best way to obtain price stability and a commitment to low inflation was to give the Bank of England operational independence to meet the Government's inflation target of 2½ per cent. The Bill is a cornerstone of the Government's economic strategy. It is a major step forward. The passing of the Bill will put in place another plank in our economic policy.

We have already made it clear that we want to promote stability and long-term growth. We are prepared to face up to the long-term issues, which the previous Government ignored for far too long. Those include the need to end the damaging cycle of boom and bust, which has affected this country badly for many years, and to put in place a framework for long-term stability. Controlling inflation is an essential precondition for growth.

We are taking steps to tackle the structure of unemployment and to equip people for the future by improving educational standards and providing opportunities for people to acquire skills. The welfare-to-work reform and the new deal for the young and the long-term unemployed are major steps forward that no Government in recent history have attempted. Our tax and benefits system will be overhauled so that it encourages work and makes work pay.

We have encouraged long-term investment; we shall abolish advance corporation tax; we have announced cuts in corporation tax, with more to come; we have overhauled the private finance initiative; and we have provided leadership so that we can influence Europe in the interests of this country.

The reform of the Bank of England is a major part of that strategy. It shows our determination to achieve economic stability and low inflation, which is good for business, for savers, for pensioners and for anyone on low and fixed incomes. The new Bank of England will have one of the most open and accountable systems of any central bank in the world. It has a clear target. Its procedures are open; as we discussed this evening, there are many ways in which its policy and commitment are open to scrutiny, by this House, the country and the world at large. That marks a commitment to openness and transparency which this country has not seen before.

This country depends on its international trade and on markets having confidence in the Government's ability to deliver economic stability and low inflation. The independence of the central bank, the code of fiscal stability and the pre-Budget report are all planks in the same strategy to ensure that there is openness. Openness brings confidence and certainty that the Government will not be moved from their determination to deliver low inflation.

We therefore have a clear policy for monetary stability and for fiscal stability and, unlike the Conservative party, we have a clear policy on Europe. Nine months after the announcement by my right hon. Friend the Chancellor of the Exchequer that we would give the Bank of England operational independence, we still do not know where the Conservatives stand on this question. It is less than 15 minutes before we shall vote and they have not told us whether they are for or against the measure.

Mr. Heathcoat-Amory: The right hon. Gentleman has not been here.

Mr. Darling: I have been here at nearly every stage of the consideration of this Bill and not once have Conservative spokesmen told us whether they are for or against the Bill. The Conservatives are all over the place on this Bill, just as they are divided on Europe. Anyone listening to the debate tonight will have been struck by the fact that every time Europe was mentioned, the Conservative party went into a flurry of confusion and hatred. Every time they looked at a clause that might have involved Europe, all the old divisions and confusion resurfaced

We have a clear idea of the interests of this country, in both European and domestic policy. Reforming the central bank was an essential part of that. In nine short months we have achieved a major reform, which will deliver great benefits for this country. We took action almost immediately on entering office on 2 May last year, and we now have a central bank that is fit for the 21st century and an economic strategy that will rebuild this country. This Bill is a central part of that strategy. I commend it to the House.

9.48 pm

Mr. Edward Davey (Kingston and Surbiton): I do not wish to detain the House for long, partly because the Liberal Democrats' support for the principle of the Bill is widely known and has been long-standing. Uniquely among the major parties, we campaigned for the reform of the Bank of England and we welcome the Labour party's conversion to that policy now that it is in government.

The Chief Secretary to the Treasury explained the benefits of an independent central bank. It is important to have those benefits on record because we have heard so many arguments against an independent central bank. As the Bank of England builds its reputation as an institution that is ready to fight inflation, it is important that public and political support is strengthened and that people recognise the strong arguments for its independence.

I reiterate the comments of the Chief Secretary to the Treasury about the need for the Conservatives to put their view of this policy on record. They should acknowledge their mistakes in government and their failure to produce a strong, anti-inflation policy through an independent central bank. They have still not changed their policy, but it is important that they do so, because for the Bank to be effective in the long term, there must be cross-party consensus on its independence.

[Mr. Edward Davey]

It may be presumptuous of me, as a young, new, junior Member, to give advice to the Conservative party, but I suggest that it will lack credibility if it does not change its position before the next election. Although I am not too concerned about the Conservative party's lack of credibility, it would do this country a great disservice if it did not change its policy, because that could create instability in the financial markets. We would have the intriguing prospect of a flight of capital from this country if a Tory victory at the next election were predicted and it had not changed its policy.

The Liberal Democrats did not give the Bill their total support in Committee because of its shortcomings, especially on accountability. We are disappointed that the Government have not accepted our amendments or any of the cross-party amendments. However, we shall give them our support in the Lobby tonight, because the Bill is a major step forward for British economic policy.

It is important that interest rates have been taken out of the political arena. Economic policy makers can now concentrate on the real issues that determine a country's prosperity, such as investment in education and in research and development, free, fair and sustainable open markets and an open trade policy. That is what determines the long-term economic future.

The Liberal Democrats will support the Government, and we will look with interest to see which Lobby Conservative Members go into if they decide to vote.

9.51 pm

Mr. Heathcoat-Amory: Proceedings on the Bill have been characterised throughout by the Government's contempt for the House, and this debate has been no exception. This huge change in monetary policy, whereby interest rate decisions have been transferred to a committee of the Bank of England, was first announced not to the House but in a letter to the Governor of the Bank of England. That attitude towards the House has persisted.

The Government have rejected the cross-party position on confirmatory hearings. They have rejected a modest suggestion that not only the decisions of the Monetary Policy Committee but the reasons advanced by its members should be published in the minutes, which is in line with the White Paper on the public's right to know. Now the Chief Secretary asks us whether we are in favour of the Bill. It is rather terrifying that the man who is in charge of the nation's finances cannot remember what happened as recently as 11 November. We gave our reasons for voting against the Bill on Second Reading, and nothing has happened since then to change our minds. Indeed, our careful scrutiny of the Bill in Committee showed up a number of deficiencies that were not clear at the time.

The Bill still worries some Labour Members who were not represented on the Standing Committee and who do not like the idea of transferring decisions on economic policy from elected politicians to unelected bankers and officials. All I can say to them is that they have seen nothing yet. If the Government go ahead with their plan to transfer everything to the European central bank in Frankfurt, those hon. Members will know what it means to transfer decisions on the British economy offshore entirely. That, however, is for another day and another debate.

In its current form, the Bill will not appeal to those of my hon. Friends who in principle support the concept of an independent central bank. The Bank provided for in the Bill will not be independent like, for instance, the Bundesbank or the Federal Reserve in the United States, and it does not qualify as an independent central bank under the treaty of Rome as amended at Maastricht. Further legislation will therefore be needed if and when we proceed to full economic and monetary union.

Rather than being independent and having genuine discretion in monetary policy, the Bank will work on a short-term contract from the Treasury. The only discretion that it will have, albeit an important discretion, will be in the setting of short-term interest rates; everything else will be decided by the Treasury. The Treasury will make all the appointments to the Monetary Policy Committee, and will ensure that they are all short-term appointments that will not last even for a full parliamentary term.

That brings us to the mysterious affair of the Treasury Committee. Conservative Members adopted in full the suggestions of that all-party Select Committee—

Mr. Darling: Will the right hon. Gentleman give way?

Mr. Heathcoat-Amory: I hope that the right hon. Gentleman will forgive me if I do not. I want to finish my speech shortly.

Conservative Members adopted the suggestions of the all-party Select Committee—chaired by a distinguished Labour Member—in regard to asking for confirmatory hearings. It was a modest request, as the Government had signalled in the Standing Committee that they were in favour of the principle. We wanted to ensure not that the House should have nomination rights, but simply that we could make certain that the Bill's requirements were implemented in regard to the competence and independence of candidates for membership of the MPC. That, as I said, had all-party support. Indeed, the Chairman of the Select Committee tabled an amendment to that effect, and one of his hon. Friends—also a member of the Select Committee—spoke in its support.

A Division was called, and all those Labour Members mysteriously disappeared. So much for democracy in the Labour party—but it should worry the House, as an institution, when, after the Opposition have picked up a modest, serious and well-argued proposition advanced in a Select Committee that has subsequently been tabled as an amendment and pressed to a Division, Labour Members are pulled off it by their Whips.

Other deficiencies came to light in the Standing Committee. I must say in passing that most of them were discovered by Conservative Members. The Liberal Democrats are fond of saying nowadays that they are the only people who put up proper opposition, but I must point out that the two Liberal Democrats on the Standing Committee turned up very seldom. I believe that the hon. Member for Twickenham (Dr. Cable) attended only four sittings. As usual, the real task of scrutinising the legislation and providing constructive opposition fell to Conservative Members.

Then there is the mysterious matter of the abstention, or disappearance, of the Paymaster General. We rather wish that he had been present this evening, because we

all have happy memories of his not only attending the Standing Committee sittings, but answering a good many of our debates. For instance, he replied to many of the debates about the method of appointment to the MPC. Yesterday, when we debated the Paymaster General's tax affairs, he did not turn up for that debate, but I really think that someone should have told him that he could come out of hiding this evening, because we were debating not his personal affairs but the Bill on whose Standing Committee he served.

We have had some inadequate replies to the points that we have made, but that does not completely surprise us. The central point is that our opposition to the Bill does not signal our opposition to low inflation. Whereas we met our inflation targets in the previous Parliament, the Government weakened their inflation target, and then missed it in every succeeding month. They have tried to shuffle off responsibility for those decisions on to the Bank of England. They will not succeed in that. We have no confidence in the Bill, and we will be voting against it.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 207, Noes 116.

Division No. 139] **[9.59 pm**

AYES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atkins, Charlotte
Ballard, Mrs Jackie
Barnes, Harry
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Blears, Ms Hazel
Breed, Colin
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burnett, John
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coleman, Iain
Colman, Tony
Cooper, Yvette
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Darling, Rt Hon Alistair
Davey, Edward *(Kingston)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Fatchett, Derek
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Norman A
Godsiff, Roger
Grant, Bernie
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hoey, Kate
Hope, Phil
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGrady, Eddie
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meale, Alan
Michael, Alun
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
Olner, Bill
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Quin, Ms Joyce
Radice, Giles
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Rooker, Jeff
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Soley, Clive
Spellar, John
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Turner, Dr Desmond *(Kemptown)*
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
White, Brian
Wicks, Malcolm
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Jon Owen Jones and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Colvin, Michael
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen

Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Whittingdale and Sir David Madel.

Question accordingly agreed to.

Bill read the Third time, and passed.

Racism (Armed Forces)

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

10.12 pm

Ms Diane Abbott (Hackney, North and Stoke Newington): In the past few days, we have read in the newspapers of a particularly sad case of a black marine, Mark Parchment, who was subjected to the most horrifying racial abuse and violence in the marines.

Among other things, he was subjected to a special initiation for "niggers", which involved being soaked with a bucket of urine, attacked and having his genitals shaved. He was made to carry a spear on parade at all times and he was routinely taunted and assaulted.

Such episodes of racial abuse and violence in the armed forces are peculiarly tragic because in all cases, they occur with young men who have more than the normal sense of patriotism and of belonging to Britain. It seems peculiarly tragic that young men who really believe that they are British and want to serve their country are being treated in that way. Sadly, the Mark Parchment case is not the only one; it is but one of a series of sad cases to which I wish to draw the attention of the House tonight.

Black and Asian involvement in the armed forces is not new. The black and Asian peoples have had a relationship with the British armed forces going back to the 18th century. During the French revolutionary wars, locally recruited black regiments were first raised in the West Indies. In 1914-18, the Indian army served with distinction on the western front, and by the time of the 1939-45 war it had grown to 2.5 million men.

Thousands of West Indians—as many as 8,000—served with some distinction in the Royal Air Force. Along with other black Britons of my generation, I am often saddened that when this country remembers those who fought and died in the second world war, the contribution of West Indians and Asians is sometimes forgotten. Those people came and fought and died for this country, because they believed that they were citizens of the empire, serving king and country. It is important to remember their contribution.

Sadly, despite that history of centuries of patriotism and commitment to this country and its armed forces, the Army has a history of institutional racism and of operating quotas and exclusions. As late as 1961, the War Office had a 2 per cent. quota on black recruiting; and as late as 1964, it formally banned black and Asian soldiers from the Guards, the Household Cavalry, Scottish regiments and other supporting organisations, including the military police. In 1967, the Army was still operating a formal quota.

In 1989, across the Atlantic in the United States, the Americans appointed General Colin Powell, the child of West Indian immigrants, as head of their joint chiefs of staff. No one, even Conservative Members, who are quick to talk of tokenism and positive discrimination, would argue that General Colin Powell did not serve his country with distinction.

What were the British armed forces doing during that period? Their progress towards even the basics of racial equality was painfully slow. It is important to remind the House that the Commission for Racial Equality first took

up with the military the issue of racism in the armed forces 17 years ago. Throughout the 1980s and 1990s, the British armed forces have spent their time in denial of the problem.

As late as 1990, the then Under-Secretary, Lord Arran, was saying that the armed services had done all that they could to stamp out racism. Tell that to Richard Stokes, who was desperately proud in 1990 to be the first black man to join the Household Cavalry in its entire history: a history, until the 1960s, of a formal ban on black men. He was driven out by hate mail, racial abuse and violence.

Tell that to Jacob Malcolm, who in 1991 was barred from the Household Cavalry because of his colour. Tell it to Stephen Anderson, another black man, who in 1991 was awarded damages for years of racial abuse. Tell it to Mark Campbell, who was the first black man in the Guards. In 1994, he was driven out by the taunts of "nigger", the abuse, the violence and the bed soaked in human urine.

In 1994 again, Geoffrey McKay was awarded damages by the armed forces. He was one of the brightest recruits in basic training, but on his very first parade his sergeant said to the rest of the assembled troops, "We've got a nigger in the troop, lads." Inevitably, like the others I have mentioned, he was driven out by abuse and violence. Eventually, the Army had to pay damages. With such a history of violence, abuse and racism, it is no surprise that two thirds of black and Asian young people—even those who have joined service cadet corps—believe that there is racism in the armed forces.

Today, black and Asian candidates are a third less successful than white candidates. That is a curious statistic. Only 1 per cent. of all black and Asian people are in the armed forces, compared with 5 per cent. in the civil service and 6 per cent. in the population as a whole. Only a handful of black and Asian people are above the rank of colonel. It seems to me very sad that the armed forces have continued to deny the existence of racism in the services and have had to be painfully dragged into the 20th century under the threat of a formal investigation by the CRE.

In the autumn last year, the armed forces launched a big initiative to recruit more ethnic minorities, bring some of their personnel practices up to modern-day standards and implement some measure of ethnic monitoring. It is now important that the Government monitor that process very carefully. It has taken the armed forces 17 years to get to such a stage. We hear all the time about the difficulties of recruiting suitable people to the services, yet, despite a potential pool of recruits in our big cities and communities, black and Asian young men and women are so painfully under-represented in the armed forces.

I am talking about people such as Richard Stokes who, as I said, was the first black man to join the Household Cavalry. I am talking about people such as Geoffrey McKay—and Solomon Raza, who was abused and beaten on a daily basis because his father was a Pakistani. Eventually, one of the beatings put him in hospital with a ruptured kidney and he had to leave the service. Many bright, idealistic young black and Asian men had to be terrorised, abused and brutalised before the armed services reached the standards of basic personnel practice, number-taking and monitoring that we find in any modern business.

Black and Asian people in the Indian subcontinent, Africa and the Caribbean have a history of loyalty to the British Crown which goes back centuries. They want to serve their country, but they are being kept out—I believe—partly through fear following well-documented cases of abuse and maltreatment. The black and Asian community and the wider community want not just policies on paper, a verbal commitment and lip service to be paid to the issue from Ministers and the armed forces, but real commitment, and a line drawn beneath the history of the issue. They want the armed forces to reach out to young black and Asian people to say, "You are welcome, and once you are in the services, you will be treated as equals." Then, the brutality and humiliation suffered by the Richard Stokes, Mark Campbells, Stephen Andersons, Geoffrey McKays, Solomon Razas and Mark Parchments of the world will not have been in vain.

10.24 pm

The Minister for the Armed Forces (Dr. John Reid): I thank my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) for securing this debate. It provides me with an opportunity to reiterate clearly the Government's commitment to encouraging racial equality in the armed forces. In a vignette of the history of the British armed forces, she referred to the honourable, in many cases glorious, role of comrades in arms in the British Army who came from Asia and Africa. She did well to remind us of that.

In supporting that testimony, I wish to add a personal note. My father lost his oldest and youngest brothers in the second world war in what was probably the most glorious hours of the British armed forces when they stood alone against the most poisonous regime ever to emanate from Europe and possibly the globe—the Nazi regime. The poison at the centre of that regime was racism. The eradication of any element of racism inside our armed forces is compelled not only by the history of the black and Asian community but by the history of the whole of the British armed forces and the sacrifices that they have made.

The Government's commitment stems as much from what will be good for the operational effectiveness of the armed forces as from the inherent laudability of the ideal. Armed forces that better represent the society that they exist to defend will be better able to meet the challenges of the 21st century.

Over many years, the armed forces have not enjoyed a good reputation among members of ethnic minority communities. I understand why that has been so. But I, the Secretary of State for Defence and the armed forces do not accept that that perception or experience of reality should be allowed to continue. There have been, as we have heard from my hon. Friend, a number of highly publicised instances across all three services of unacceptable behaviour towards non-white personnel. Over the years, such events, however isolated they may be as a proportion of the personnel in the armed forces, have done immense harm to the image of the armed forces among the black and Asian communities. They ensured that we face an uphill struggle in persuading those from ethnic minority families that they can have a worthwhile career in the services. Although there are few such incidents, that in no way diminishes their seriousness. One act of racism proven to have taken place in the British armed forces is too many.

[Dr. John Reid]

Hon. Members will recall the severe criticisms mentioned by my hon. Friend made by the Commission for Racial Equality, which conducted a formal investigation into the Household Cavalry in 1995. These related not just to the Household Cavalry but to some common aspects of service personnel policy. That critique was followed by a report in 1997 by the Office for Public Management, an independent consultancy, into service and civilian ethnic minority recruiting initiatives, which called for greater commitment and leadership at all levels to the goal of equal opportunities. The Ministry of Defence and the services were challenged to do more to embrace greater diversity and to make greater efforts to create armed forces which better reflected the ethnic diversity of the United Kingdom.

I have been frank on the history and I want to be frank about the present and contemporary efforts. First, to their credit, the services have been prepared publicly to face up to these trenchant criticisms and to recognise the problems. Recognition through that self-criticism is the first and necessary step in confronting and solving the problems to which my hon. Friend referred.

I mention those criticisms because they are an important backcloth against which to consider the position today. However, I do so on the basis that increasing the currently inadequate level of ethnic minority representation in the armed forces is good, not only in its own terms, although it is; nor is it only a matter of correctness—political, social, moral or otherwise—although it is morally and socially justified; but because, in the interests of effectiveness throughout the armed forces, it is vital that we recruit people who represent the widest possible pool of talent in our community.

We want the best for the British armed forces, based on merit, not on background, skin colour, religion or creed. To neglect the 7 per cent. of the population who are of ethnic minority origin would be to ignore a valuable seam of potential recruits. That is a seam that we cannot afford to ignore, for our own sake and for the many reasons I mentioned.

Ms Abbott: It is perfectly clear that Ministers are sincere in what they say. I am even prepared to believe that the senior levels of the armed forces are equally sincere. However, from my experience of working and managing in other spheres of life, I know that it is one thing to get the top management to say the right things, but it is another to make sure that correct practice permeates all the way down through an organisation.

We hear about cases of quite unacceptable abuse and violence, but we never hear of anybody being disciplined for perpetrating these actions against fellow soldiers. Until members of the armed forces know that they can be disciplined for committing acts of gross racist abuse and violence, those practices will continue. The Office for Public Management found that officers saw nothing wrong in calling people "coon" and "nigger" and came out with extraordinary stereotypes, such as the notion that black people cannot fight or that they do not like water.

It is one thing to talk the talk, but what we require of the armed services is that they walk the walk and implement these measures all the way down to the bottom.

Dr. Reid: I thank my hon. Friend for the several points which she raises. Her first point was that words were not sufficient—we need actions. I agree entirely and, apart from expressing our commitment, the Government, Defence Ministers and service chiefs want to examine practical ways in which to implement those policies on the ground—walking the walk, as my hon. Friend puts it, rather than talking the talk. I shall talk about that point later.

My hon. Friend's second point was that she accepts—I am glad that she does—the sincerity of Ministers and service chiefs in this respect, but that that is not sufficient in any organisation. Although not sufficient in any organisation, it is more useful in the armed forces, where the chain of command ensures that subordinate command structures carry out orders to a greater extent than could be achieved in many other organisations. That is in the nature of the armed forces.

Nevertheless, the service chiefs and I are completely in accord with my hon. Friend in the realisation that changing the ethos, culture and educational programme of personnel at all levels of the armed forces is essential. I say that with all due respect to generals, admirals and the hierarchy of all the services, but I have no doubt that, in many ways—operationally and culturally—the dynamo of the British armed forces is often found at the level of sergeants, warrant officers, corporals, and so on. Just as that pertains to our effectiveness as a fighting force, so it does to our effectiveness in changing the culture. I give credit to service chiefs, although their commitment is not a sufficient condition to achieve a solution to the problem.

I mentioned the criticisms earlier, because that was the first step in beginning to solve the problems. A vigorous implementation of policies designed to allow and encourage the recruitment of young men and women from the ethnic minorities is good for the forces, good for the defence of the country and good in terms of the numbers in our armed forces. It is also good because it offers the opportunity to able and talented young people to seek a pathway to progress through a system that offers promotion based on merit and ability, not on background. My hon. Friend has highlighted that change, which benefits all sections of the community.

Since coming to office, we have made plain our unequivocal commitment to stamping out racism. Let me spell that out again to anyone who may be listening to the debate. There is no place whatsoever for racial discrimination within the British armed forces. It will not be tolerated. I can assure my hon. Friend that that commitment is shared by the service chiefs, and is now well understood.

That is also made crystal clear to all personnel serving in the armed forces. We are trying hard to ensure that it is also made clear to those who might be considering applying to join either the Royal Navy, Army, or Royal Air Force, because it will be self-evident to everyone in the House that we recruit not in a vacuum, but from society. Many of the problems mentioned by my hon. Friend are prolific in society, particularly in some of the areas from which many of our recruits are drawn.

Our starting point is that, if we are to attract and retain sufficient young men and women of the right calibre to serve in the armed forces, progression through the system must be based on merit alone, without reference to colour, race, gender or religion, and without fear of harassment or bullying.

On the practical measures which have been taken, all three services have either issued or revised their equal opportunity policies and directives. They leave all personnel, of whatever rank, absolutely clear on where their personal responsibilities lie. The Government are working with the service chiefs to build a climate within the armed forces that ensures that all personnel are free from any form of harassment—racial, sexual or religious.

It is also important for service chiefs to continue to underline publicly their personnel commitment to that cause. In my view, that is more important than leaving it just to politicians. I am particularly grateful to the service chiefs for the manner in which they have done that since the Labour party took office. As my hon. Friend has said, the Army's Chief of General Staff, Sir Roger Wheeler, did just that in October, when he relaunched the Army's equal opportunities strategy. He did so from a platform in a room packed with journalists and others who represent media interests. He did it without the presence of any Ministers or a display of political correctness. Sir Roger, like the other chiefs of staff, recognises that such a strategy is vital for the armed forces.

On that occasion, Sir Roger quite rightly said:

"We must also seek to change the attitudes that affect behaviour".

I also congratulate the Royal Air Force and the Second Sea Lord, Admiral Sir John Brigstocke, who also made clear his public commitment to equal opportunities at the British diversity award ceremony in December. My hon. Friend referred to the problems encountered in the Navy, but, to its eternal credit, it was shortlisted for one of the equal opportunities awards to be given at that ceremony. We should recognise the good that is being done, as well as some of the problems.

Ms Abbott *rose—*

Dr. Reid: I shall give way in a moment, but there is not much time left, and I know that my hon. Friend wants me to respond in practical terms. I should therefore like to list what we are doing.

Before I do so, I should like to note that Admiral Sir John Brigstocke made clear his public commitment to equal opportunities at the British diversity awards when he said that the Navy

"would not turn a blind eye to discrimination in any form."

Such high-level commitments are important, because, ultimately, it is only by influencing attitudes that the true breakthrough will be made.

My hon. Friend has asked me to detail the practical policies in hand. Let us turn from rhetoric to reality, from talking the talk to walking the walk, as my hon. Friend said. We are determined that the quality of our monitoring during recruitment, and subsequently in service, is improved. We are looking at, and want to look more closely at, performance across ethnic group and gender in both recruitment and subsequent career progression. We have made it clear previously that we wish to ensure the widest possible array and talent. If we failed to do so by monitoring, we would pass up a great opportunity to the detriment of the long-term efficiency of the armed forces.

Ms Abbott: Some regiments, such as the Guards and the Household Cavalry, have deliberately excluded black people. Will my hon. Friend introduce cap badge monitoring—monitoring by regiment?

Dr. Reid: Would my hon. Friend do me the courtesy of allowing me to answer the question? She mentioned the Household Cavalry three times. I am delighted to tell the House that, last week, the Major-General commanding the Household Division was in Brixton, mixing with people to find practical ways to take forward one of the initiatives that I shall mention.

Of course the figures will be studied in terms of targets across cap badges. There are no get-out clauses. There is no way out. We want to do that; we are not trying to escape from it.

We realise that we need to work hard to overcome the barriers among some ethnic minorities about careers in the armed forces, so the initiatives that we have taken in Sandwell, and in Newham in London, are crucial. We are working closely in those two boroughs—not using rhetoric, but working with local councillors and leaders of education and the ethnic minorities, and we are trying to find practical ways, resulting from their partnership, to build on the initial work done. We are also looking to involve local cultural leaders and the racial equality councils in that work, because we need to sell the message nationwide and locally—at the highest level and in the streets and on the ground.

I mentioned local visits by senior commanders such as the Major-General commanding the Household Division. Our goal is simple: we want the armed forces better to reflect the ethnic balance of society. I have said that publicly. I have said it to the Commission for Racial Equality and I think that it will accord the new Government and the service chiefs appreciation for the attempts that we have made.

We want it to be widely known that we resolutely wish the number of black and Asian personnel to increase during the next few years. We are providing role models. We have established ethnic minority recruiting teams. We have placed increased emphasis on targeting the gatekeepers who are influential in determining the career choices of young people, and we are seeking to make the best possible use of the ethnic media to communicate the message so that the services recruit and welcome applications.

[Dr. Reid]

Our priority is clear. I was able to announce to the House earlier today, in answer to a parliamentary question, that I have established targets for recruitment from ethnic minorities of 2 per cent. for next year, of 3 per cent. for the following year, of 4 per cent. for the following year and of 5 per cent. for the following year, throughout the British armed forces. Those targets are not ambitious. They will put into practice our resolution to—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at eighteen minutes to Eleven o'clock.

House of Commons

Friday 23 January 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Private Hire Vehicles (London) Bill

Order for Second Reading read.

9.34 am

Sir George Young (North–West Hampshire): I beg to move, That the Bill be now read a Second time.

When the results of the general election became clear on the night of 1 May, I thought that my opportunities to promote transport legislation in the House had temporarily come to an end; but, when I came fourth in the ballot for private Members' Bills, I had an opportunity to return to some unfinished business at my former Department, and to promote this Bill to license London minicabs.

My Bill corrects a long-standing and indefensible anomaly whereby minicabs throughout the rest of the country are licensed, but minicabs in London are not. As a result, those who use minicabs in the capital do not have the protection and security to which I believe they are entitled. My Bill extends that protection and security to them.

I shall present the detailed case for the Bill shortly. First, let me say that I have been in the House long enough to know the hazards of trying to enact legislation by means of a private Member's Bill. More than 20 years ago, when my party was last in opposition, I introduced a Bill compelling motor manufacturers to include delivery costs in the advertised price of a motor car, as it was impossible to buy one without paying those costs. Although eminently sensible, my Bill landed on a legislative snake as it approached the top right-hand corner of the board.

I am also conscious of the fate of earlier legislation similar to mine which was passed by the other place, but foundered here. It is always possible that, as this Bill tries to cross the legislative bridge, a parliamentary troll will appear from underneath and gobble it up; but I think there are good reasons for believing that, on this occasion, a long-overdue piece of legislation will reach the green grass on the other side.

First, there is a political consensus behind the Bill. The last Government were committed to introducing it, and it was in the present Government's election manifesto. Its sponsors come from all three of London's political parties, and include some particularly distinguished parliamentarians. I am pleased to see that the hon. Member for Eltham (Mr. Efford) is also present; I especially welcome his support. He is a former cab driver, and his new career as a Labour Back Bencher has probably deprived him of the opportunities that he used to enjoy of giving us the benefit of his views on current affairs.

I am also pleased to see the hon. Member for Ilford, North (Ms Perham), who probably represents more taxi drivers than any other hon. Member, and my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), who probably represents more users than anyone else. No hon. Member has contacted me expressing opposition to the principle of the Bill; on the contrary, I have been struck by the depth and breadth of support for it.

Secondly, there is widespread support for the Bill outside the House. Last July, the Department consulted a range of representative bodies, all of which were supportive: for example, Age Concern, the Greater London Forum for the Elderly, the National Council of Women, the British Tourist Authority, RADAR—the Royal Association for Disability and Rehabilitation—and the Greater London Association for Disabled People all responded positively. London First and the London tourist board have also contacted me conveying support.

I am especially grateful to the Consumers Association for its long-term work on the subject, and to the Suzy Lamplugh Trust, which organised a successful conference on it last week at Stringfellows—introducing me, and a number of other colleagues, to that establishment for the very first time.

Thirdly, as well as being supported by consumer interests, the Bill is supported by producer interests: the main trade association representing London's private hire cars—the London Private Hire Car Association—and the London Taxi Board, representing the bulk of London's black cabs. The Transport and General Workers Union also supports the principle of licensing minicabs. The London Private Hire Car Association, which represents the respectable end of the minicab industry, has an obvious interest in cleaning it up and in improving public confidence in minicabs. I welcome the work of Steve Wright in campaigning for the Bill.

The owners of London's black cabs have traditionally been cautious about giving their competitors the legitimacy of licensing. I particularly welcome recent statements by leaders of the black cab trade in support of the Bill. I shall return to that. Finally, the Bill is supported by interested statutory bodies. They are the Metropolitan police, the Council of Her Majesty's Stipendiary Magistrates, London local authorities and the Public Carriage Office.

Any surprise about the Bill should relate not to its introduction but to the fact that it has taken so long to get here. In 1976, legislation enabling all local authorities in England and Wales to license minicabs was introduced. London was left out because it had a different regime. London taxis are licensed by the Public Carriage Office, whereas outside London they are licensed by local authorities. Bringing minicabs within the legislation's remit required a different approach in London.

In 1989, Westminster city council proposed that the then current London Local Authorities Bill should empower London boroughs to license minicabs, but pressure from the taxi trade dissuaded the council. The Select Committee on Transport investigated the subject in 1994, and recommended that London's private hire vehicles should be regulated. The Government accepted that principle.

Efforts to bring London into line foundered for a number of reasons. Pressure on Government time often squeezed Bills out. The Bill was not in the Queen's

[Sir George Young]

Speech, nor was it in the previous one. Private Members' Bills hit the anxieties of the black cab trade which was concerned about giving credibility to the minicab by licensing it.

When I say that I have had friendly and constructive discussions with the black cab trade, diplomats might assume that that was code for an argument, but nothing could be further from the case. During the past six months, I have had many meetings with representatives of London's taxicabs, most of whom seemed to be called Geoff. There was Geoffrey Riesel, Geoffrey Trotter and Geoff Kaley. I pay tribute to them for the way in which they approached the discussions leading up to the Bill, and I thank them for their support for the Bill's principle and for the way in which they have expressed the interests and anxieties of their members. I look forward to further discussions with them as the Bill proceeds. It is a pleasure to be able to listen to London's taxi drivers without having to pay them at the same time.

I pay tribute to officials at the Department of the Environment, Transport and the Regions for their enormous help and advice during the preparation of the Bill. The Minister has also been supportive, and I thank her for that. Those are the interests that support the Bill. Why do they support it? First, there is a need to reduce over-dependence on the private motor car in London, and to enhance confidence in and the use of public transport.

Unlike other forms of public transport, black cabs and minicabs have the unique advantage of taking the passenger from door to door. However, unlike any other element of public transport, minicabs are unlicensed. Taxis have been licensed in London since 1654, but minicabs, of which there are perhaps 80,000 compared with 19,000 taxis, are not. A man can come out of prison in the morning after serving a sentence for rape, and be a minicab driver in London in the afternoon.

The minicab is unregulated, and there are no checks on the medical, driving or criminal records of the drivers. There are no restrictions on the suitability of the vehicles, and no requirement on drivers for any knowledge of the city's geography. As part of a broader strategy of promoting public transport and enhancing confidence in its safety and integrity, we need to close the final loophole by licensing London's minicabs, which are the remaining component of public transport. A Consumers Association survey in August showed that 84 per cent. of people who were interviewed in London had used either taxis or minicabs, and that 82 per cent. thought that both should be licensed. Some 54 per cent. of Londoners use minicabs.

Secondly, we are debating not a theoretical risk but a practical one. The vast majority of London's minicabs are responsibly run and provide a good service with reliable drivers. An irresponsible minority are not.

At the Suzy Lamplugh Trust conference last week, we listened to the experience of a girl who had thought she was entering a licensed minicab. She was not, and she was nearly raped. No one should have to go through what she went through. In another case, a woman got into a minicab outside Putney station on a Friday night. The car had all the accessories that one associates with a minicab, such as a two-way radio. After the vehicle moved off, the driver put one hand on the steering wheel while travelling at 70 mph and the other on the woman's thigh and asked for sexual favours. She jumped out when the car pulled over.

Detective Superintendent Bill Grahamslaw told the Suzy Lamplugh Trust conference that last month there were six reported attacks in minicabs, and that is probably the tip of the iceberg. The trust commissioned research on the subject, which showed that 246 out of 1,000 people who were interviewed in the capital had been subjected to incidents such as assault or dangerous driving during a journey in the capital by minicab or taxi. The vast majority of the assaults were in minicabs. The Bill will ensure that those who have been convicted of serious offences do not become minicab drivers.

Thirdly, the Bill will bring wider benefits. The unlicensed cab is not just dangerous: it may not be paying its way through the road fund, insurance or income tax. Some drivers may be here illegally, or may be claiming the dole while working. The Bill will bring them within the warm embrace of the Inland Revenue and the Contributions Agency.

That is the case for the Bill. The case against it used to come from the owners of black cabs, but that is no longer true. I should like to speak about the anxieties of those who are in the black cab trade. The Bill is about minicabs, and does not seek to reform the hackney cab legislation. However, I hope that the Minister's mind is not closed to reform or to further legislation on black cabs if that is necessary.

The testing of "the knowledge" is antiquated, and should be modernised to take advantage of modern technology. There is no reason for it taking two to three years to take the test and get the badge. That compares with nine to 18 months in 1972. I understand that there is now the same number of oral test examiners in the Public Carriage Office as there was in 1972, although the number of people doing the knowledge has doubled. That queue is a barrier to entry to the taxi trade, which needs more drivers.

I am pleased to hear that the Public Carriage Office is working on improvements to the present procedure with a view to streamlining it. It is recruiting more examiners, and, as a result, the intervals between tests are reducing. In the medium term, I hope that it will look to computer-based examination systems, and, in consultation with the black cab trade, will make an impact on the time that is taken to test the knowledge.

Licensing minicabs may have an impact on the other section of the private hire market—black cabs. In the longer term, there may be a more unified industry, with taxi firms also running minicabs, a system of multiple qualifications, or, eventually, a single qualification. Nothing in the Bill prevents reform, but I hope that the advocates of more ambitious legislation will recognise that the Bill's prime purpose is to license minicabs and not to re-regulate taxis. I have listened to the black cab trade, and I am prepared to continue listening.

I shall now turn to the Bill's details. In the main, it follows existing legislation covering minicabs outside London, and to that extent it should cause little difficulty for the House. I shall highlight the main differences as we proceed. The principal one is a reference in the Bill to minicab drivers having appropriate topographical knowledge. Clause 1 sets out the key definitions of such

items as a private hire vehicle, an operator and a booking, and in particular the definition of when a vehicle is being used—on duty, as a non-lawyer might put it.

Clauses 2 to 5 deal with operator licensing. Operators receive bookings for private hire vehicles from the public by telephone or by a direct visit to the operating centre, and arrange for the bookings to be fulfilled by drivers and vehicles. The operator must be a fit and proper person, and the Bill introduces for the first time the concept of an operating centre—the place where the booking is taken. That means that there must be a place rather than a mobile phone number, so that one can check on the operator, his premises and his records. Clause 4 makes it clear that bookings must go through the operating centre, and that the operator must use licensed drivers.

Clause 5 ensures that, if the operator sub-contracts the booking to another operator, the customer is still protected. That provision is not in the existing local government legislation. Clauses 6 to 11 deal with private hire vehicles and the responsibilities of their owners. The vehicles must be licensed, and, as outside London, there are no restrictions on the number that can be licensed. The vehicle must not look like a taxi, it must be safe and comfortable, it may be tested up to three times a year, and it will be subject to spot checks. It must be identifiable so that a passenger knows that he is getting into a licensed vehicle.

At the moment in London, it is illegal to display any mark to say that the vehicle is a minicab. Outside London, vehicles have an appropriate licence plate or roof sign so that someone knows that he is getting into a licensed vehicle. The current system in London promotes the practice of getting into an unmarked car. If the vehicle has a meter, it must be of a certain standard. That is not a new requirement; it replicates what happens outside London.

Clause 12 requires the driver of a PHV to be licensed.

Clause 13 deals with the procedure for getting a London PHV driver's licence. It addresses the key issue of topographical knowledge for minicab drivers. The existing legislation for minicabs outside London contains no equivalent to subsection (3). I have included it in my Bill following the discussions that I have had with the black cab trade.

I referred a moment ago to the trade's anxieties about the legislation; it was explained to me that a requirement for minicab drivers to have an appropriate level of knowledge would do much to allay concern. I believe that such a requirement makes sense anyway—indeed, the outcome of the Department's consultation exercise showed a clear consensus that minicab drivers should have to prove some degree of topographical knowledge. I have therefore included in my Bill a clear provision enabling the Secretary of State to satisfy himself that would-be minicab drivers possess an appropriate level of knowledge of London and general topographical skills. If the wording is capable of improvement, I hope that there will be an opportunity to make the improvements during the Bill's later stages.

Mr. Simon Hughes (Southwark, North and Bermondsey): Will the right hon. Gentleman give way?

Sir George Young: It is a pleasure to be flagged down by the hon. Gentleman.

Mr. Hughes: The right hon. Gentleman knows that I fully support the Bill and his efforts. Does he have an open mind about whether the regulating body for the topographical test for minicab drivers should remain the Public Carriage Office, or whether those powers should be transferred to the Greater London authority, if one is set up, or to local authorities? I make that point because minicab drivers often need much more detailed local knowledge of estates in boroughs such as mine or the right hon. Gentleman's, as well as some limited general knowledge.

Sir George Young: I have a fairly closed mind on that subject. I believe that the regulatory body should be the Public Carriage Office.

A licensed driver must be 21 and must have had a driver's licence for three years—both are higher requirements for London than for outside—and he will be subject to a criminal record check.

Clause 14 requires the driver to wear a badge.

Clauses 15 to 29 contain general provisions in respect of licences granted under the Bill and provide for fees to be charged for the licences. They allow the Secretary of State to delegate his functions under the legislation. I hope that the Minister will confirm that she plans to take such action and to ask the PCO to carry out the functions—the clear preference of those who were consulted. The PCO is happy to do so if invited.

Clause 30 and 31 restrict the way in which minicabs can be advertised, to avoid them plying for hire or giving the impression that they are taxis. Those provisions are unique to London.

The remaining clauses and schedules are miscellaneous and supplementary provisions. Schedule 1 contains provision to use private hire vehicles as well as taxis to replace a train service. That provision will be introduced in London only if it is introduced elsewhere, and the relevant regulations are currently before the House.

The Bill is broadly drafted on purpose, because it has to be flexible enough to stand the test of time, to cope with the evolution of policy, public attitudes and technology. I am happy to leave the detailed implementation to the Secretary of State and the PCO, to which he intends to delegate the regulatory function. But I want to reassure the House that it is the intention of the PCO and the Department to require all would-be minicab drivers to take a topographical knowledge test, the details of which would be determined after consultation. The Bill is clear but flexible, and the inclusion of clause 13(3) represents a significant step forward in minicab legislation.

There is no point in legislating without enforcement. To some extent, the Bill will be self-enforcing: in future, minicab drivers and operators will be cautious about operating illegally, because, for the first time, they will have licences to lose. They will lose them if they ply for hire illegally or use vehicles that are in poor condition. Law-abiding members of the minicab trade will not hesitate to tell the authorities about others who act illegally and provide unfair competition. Not only will resources come from the proposed licence fee, but good value can be secured by learning from the best practices operated outside London and enforcing them in London.

The Metropolitan police will, of course, be maintaining their dedicated team, the cab enforcement section, which comprises four officers whose duty is not only to monitor

[Sir George Young]

licensed taxi drivers but to enforce wider laws to prevent action such as the illegal plying for hire by minicabs. It is the duty of all policemen to enforce the law, including this one, and the PCO will take steps to ensure that all officers are properly informed about the provisions of the Bill, should it reach the statute book. I also understand that the Metropolitan police are considering the possibility of increasing the size of the cab enforcement section for both taxis and minicabs, drawing on licence fee income.

The House will expect something more, and I am glad to say that the Metropolitan police intend to set up a new, dedicated minicab enforcement team if the Bill hits the statute book. The precise numbers are still to be decided, as these are early days, but I understand that the PCO is looking at a figure of about 20 extra civilian staff to staff the unit. The licence fee paid by the minicab trade will finance that team, whose responsibility will be to enforce the Bill, armed with the powers it provides—such as spot checks on licences, on records and on cars. In addition to spot checks, there will be a range of routine checks. Enforcement will not be the poor relation of the Bill.

I hope that I have said enough to persuade the House to give the Bill a Second Reading and send it on its way.

9.55 am

Mr. Tom Cox (Tooting): I start by warmly congratulating the right hon. Member for North-West Hampshire (Sir G. Young) on introducing the Bill, and on the presentation that he has just made. As he said, the subject of the Bill is very much a London issue, but we can learn from the experience of other towns and cities in the United Kingdom that have made more progress on regulating minicabs in their areas than we have done in London. The right hon. Gentleman has given reasons for the lack of progress in recent years.

My position on the Bill is clear. We know that there are a large number of minicabs in London. The Bill does not seek to impose any unrealistic conditions or rules on minicab drivers. What I want to see, and I am sure the people of London want to see, are rules that a minicab driver can operate based on conditions that ensure quality of service, of the roadworthiness of the vehicles used, of passenger safety and of conditions of travel that clearly show the cost of the fare and the identification of the vehicle's driver.

The London Taxi Board is required to follow high standards. Its members accept that, and keep to those standards. That means that all passengers who use London's black cabs are certain about the safety and security standards of the driver and his vehicle. We know that, no matter where we hail a black cab in London, we are certain to receive that standard of service from its driver. I want the same standards to be followed by minicab drivers and those who run the companies throughout the London area.

Nothing that the right hon. Gentleman has proposed in the Bill is unrealistic or imposes harsh conditions on those who drive minicabs or run minicab businesses. The right hon. Gentleman has outlined the all-party support for his Bill, and I hope that, once it goes into Committee, it will quickly pass become law in this parliamentary Session.

From time to time, we all read articles in the press, certainly in the London papers, about London black taxis, the rules that their drivers have to follow and their health and personal integrity. I often pass notices—I am sure all of us do—stating, "Drivers required". One wonders what sort of checks owners and managers will run on the health and integrity of those they employ. What sort of objection could there be to the requirements that will be implemented under the Bill if it becomes law, as I hope it will?

Another crucial point is what is called "the knowledge". Why does it take so long for black cab drivers to learn the knowledge? The right hon. Gentleman has given the House examples of ways in which the time could be reduced. However, it is crucial that those who drive black cabs in London have the knowledge.

In December, I had to attend a meeting in north London. I could not use my car, because it was being serviced. I called a minicab and told the driver where I wanted to go, and then asked him the cost. It is important that people using minicabs inquire about the cost of the journey, because otherwise there could be abuse—especially for those who do not know London and therefore do not have any idea of the probable fare.

I asked the driver to take me to Calvert road in north London. It is off Seven Sisters road. We got as far as Green lanes, which is in Haringey. The driver then stopped the minicab and said, "I'm lost, Guv. Do you know where we have to go?" I said that I was not really certain, so he should look in his "A to Z", as I was sure that we were in the right area. He said, "I don't have it with me, but don't worry, Guv, because I've got my mobile." He telephoned his office and spoke to a colleague called Pete. He said, "Pete, it's Fred here; I'm in Green lanes and I have to go to a place called Calvert road, which is off Seven Sisters road. I haven't got my 'A to Z' so can you tell me how to get there?" His mate then obviously said, "Well, you know, go along this road and you get to such and such a place," and eventually we got to Calvert road. But what a way to run a minicab service in London. That is why what the right hon. Gentleman said about the knowledge is so crucial.

If the Bill becomes law, as we all want, who will regulate its provisions? The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) asked that question in an intervention. I hope that the Public Carriage Office will have that responsibility, or perhaps it will be the new London strategic authority. I envisage no problem in resolving the question of who will be the responsible authority.

The Bill contains important provisions relating to the requirement that cab drivers have to wear badges, and that their cabs display a licence number. That is an important safeguard for those who do not know London well. Surely it is not asking too much to have the name and photograph of the driver prominently displayed in minicabs. In that way, passengers can verify that the person driving the cab is the same person shown in the photograph. I well understand the right hon. Gentleman's point about people who may be in prison one day and driving minicabs the next day. There must be means of identification.

There are two aspects of the Bill on which I wish to comment briefly. The first relates to clause 11. I have already told the House about the minicab that took me to north London. Before the journey began, I asked the driver how much the fare would be. It is important to ensure that there are meters in all cabs, so that, from the moment the passenger begins his journey, he can see

the meter registering the exact cost of that journey. We cannot regulate the industry but then leave it to individual drivers to negotiate costs with the passengers.

I understand that the points I am making could be thought Committee points. However, it is also essential to make these comments on Second Reading. Clause 13(3) states:

"The Secretary of State may require applicants to show to his satisfaction (whether by taking a test or otherwise) that they possess an appropriate level of knowledge of London".

The phrase "may require" is not acceptable—it should be "will require".

I accept that those are the sort of points that should be raised in Committee, and I hope to be a member of that Committee. I am sure that all hon. Members speaking in the debate today, on whichever side of the House they sit, will support the Bill and any minor changes that might be made to it in Committee.

We have the opportunity to bring into line what is without doubt a thriving business. The right hon. Gentleman mentioned the number of minicab operators in London. The Bill will tighten up the operation of the minicab companies and drivers.

Of course, there are some excellent minicab companies in our constituencies, and they have nothing to fear from the Bill. Indeed, they should welcome it, because it will rid them of the cowboys that bring the whole of the minicab sector into disrepute. My message to those who object to the Bill is clear—they should not be running such a business. If this Bill forces those companies out of business, I would welcome it. I am sure that the Bill's sponsors would welcome it and, above all, that the people who use London minicabs would welcome it.

I warmly congratulate the right hon. Gentleman on his Bill. After a number of years in the House, I see nothing contentious in it. I hope that, when it goes into Committee, it will be supported by the Government, and that it will become law this year. I reiterate my congratulations to the right hon. Gentleman.

10.9 am

Mr. Peter Brooke (Cities of London and Westminster): It is a pleasure to follow the hon. Member for Tooting (Mr. Cox), with whom I share the experience of having been a London Member for many years. I congratulate him on his eloquent speech.

I shall be brief, because I know that hon. Members will want to get on to debating the Cold Weather Payments (Wind Chill Factor) Bill, which is promoted by my hon. Friend the Member for Ribble Valley (Mr. Evans). That Bill and the Bill that we are debating are both supported by Age Concern. I was reminded of the wind chill factor by the Almighty as I stood at a bus stop this morning.

I am delighted to support my right hon. Friend the Member for North–West Hampshire (Sir G. Young)—latterly both a London Member and a most distinguished Secretary of State for Transport, even if he is primarily thought of, on the streets of our capital, as a cyclist. He did not allude to the happy coincidence that his Bill should be debated at a time when "Roger Roger" is entertaining us so widely on our television screens.

I have a personal sense of coming full circle. I was first elected to the House in 1977, when *The Times* had a section on notable parliamentary answers of the week—which were about half a dozen in number. My first ever written question was to ask the Minister's Department, or possibly the Home Office, for the number of black cabs—or perhaps, in those days, hackney carriages—that were licensed by the Metropolitan police. I was gratified that the answer that I received got into the notable parliamentary answers of the week, particularly as I infer that a notable answer must also imply a notable question.

For those of us participating in this debate, there is no point in reiterating anecdotal evidence about abuses that have already been rehearsed by hon. Members. However, I will add allegations about contracts with minicab operators for journeys from hospitals and schools. In patient discharges, it is certainly alleged that patients are helped in with their baggage when they return from hospital and are then robbed when they have allowed access to their own home. In the context of schools, it is further alleged that at least one operator—I repeat that it is an allegation—has a criminal record for paedophilia.

My right hon. Friend the Member for North-West Hampshire mentioned my constituency in the context of having more taxi customers than any other constituency. I think that it is probably fair to say that my constituency has a particular strength in black cabs, and that minicabs range more widely in the capital. However, there is one aspect of the minicab trade in my constituency to which I do wish to allude: touting for hire late at night, which has been referred to in the context of theatres.

I do not wish to give the House the impression that I range the West End nightly, like Mr. Gladstone, but I have personally observed what goes on outside night clubs in Mayfair in the middle of the night, at the request of residential constituents who complain of the amount of noise that is generated by slamming doors, and, incidentally, minicab drivers' conversations while they are waiting to tout for hire. I realise that currently no sanctions can be administered against them. Although I believe that touting is now a criminal offence, the law is difficult to enforce. If, because of the Bill, there will be greater sanctions on minicab drivers who behave in the manner that I have described, it will certainly be an improvement for my constituents.

Given my own constituency, I am delighted by the London Taxi Board's support for the Bill. Taxi service goes back over 300 years. The late Mr. Sherlock Holmes was not a constituent of any of my predecessors in the constituency, but his cry has rung down the past century: "Paddington station, cabbie, and a sovereign for you if we catch the train."

Londoners are proud that we have the best taxi service in the world—I refer to black cabs—although, as I remarked in a debate last year, that position was briefly threatened in the past decade. When the wall came down in east Berlin, the Stasi were all out of a job. They all became cab drivers. Briefly, they became the best cab drivers in the world, because all one had to do was to tell them one's name, and they automatically knew the address.

I am delighted to hear from my right hon. Friend the Member for North–West Hampshire that the Government are supporting the Bill. I am further pleased that a London colleague, the Minister for Transport in London, is representing the Government in this debate, not least because I was born and grew up in her constituency, and therefore first experienced a ride in a cab from that source.

[Mr. Peter Brooke]

I gather that both the Select Committee and the Department have taken the view that the cab trade is an integral part of transport. If that means that it is also a part of an integrated transport policy—as I infer from the logic of language it must be—so much the better.

10.15 am

Mr. Clive Efford (Eltham): As you probably know, Mr. Deputy Speaker, I was a London taxi driver for 11 years before being elected as a Member of Parliament. In speaking to the Bill, I shall attempt not to call you governor or guv, or to speak of butterboys or mushes or even of being legalled off. I should, however, like to correct one or two pieces of terminology. The punters are called squire, guv or love; the driver is usually the driver or cabbie; and minicab drivers are called Rog.

The taxi issue has been debated many times in the House, but never before has a badge-holding London taxi driver been able to speak. Too often, we have had to stand by while others have done the talking for us. Whereas some did it eloquently, others have misrepresented our position.

Today's debate is occurring because of the wilful disregard of the law by certain elements of the minicab industry. Many have suggested that the taxi industry has always blocked legislation to license minicabs. The taxi trade has always resented the fact that it is forced to operate in an uneven market—that is true. Controlled by some of the strictest and most tightly enforced regulations, London taxi drivers have often been forced to stand by and watch while their business is swallowed up by minicabs. Minicab operators have always craved the credibility that comes from licensing, although they do not want to comply with any of the regulations that apply to the private hire industry outside London.

In the August edition of the *Private Hire Monthly*, Mr. Steve Wright, of the London Private Hire Car Association, said of the taxi trade:

"We do however have to watch our backs because historically the Taxi Industry has scuppered previous attempts to regulate by getting Parliamentary Bills talked out. The Taxi Trade will almost certainly, through their powerful lobbyists, try to introduce clauses into any potential regulation, we know they still want mandatory knowledge tests and many other unnecessary restrictions on Private Hire Operators and Drivers.

Fortunately most of their proposals have been universally rejected by The Department of Transport and The Transport Select Committee."

In a 1997 poll, 91 per cent. of Londoners said that private hire vehicle drivers should undergo a minimum topographical test. It is worth remembering that Welbeck Cars was the first attempt to break the regulations governing taxi licensing in London and the right to ply for hire, and that, ultimately, Welbeck cars was wound up because of debts to the Inland Revenue. On the latter point, some people might say that there has been no change.

The London taxi trade has for many years been prepared for the licensing of minicabs, but not at any price. The position taken by the London Taxi Board has clearly been supported by the people of London—undoubtedly to the frustration of the private hire association.

I pay tribute to the right hon. Member for North-West Hampshire (Sir G. Young) for the way in which he has consulted all interested parties on the Bill. I have met him to discuss it with him, as have former colleagues from the London Taxi Board. He has shown that he is willing to listen in frank discussions—the outcome of which is a Bill that is almost acceptable to all sides in the debate.

Having said that, the Bill is large. It was published only last Friday and has 40 clauses, some of which are very technical. I am informed that the right hon. Member for North–West Hampshire plans to get the Bill to its Committee stage today, but I understand that there is to be a Committee stage in the House of Lords during which he hopes that amendments will be tabled. In the light of that, I intend to outline in detail some of my concerns about the practical application of the Bill.

The issue has caused much controversy in the past. It is not reasonable to expect the Bill to pass through both Houses without the problems being discussed in detail and amendments being tabled. I hope that the concerns of interested parties will be listened to. I must now offer a few words of caution to hon. Members.

The origins of the London taxi trade can be traced back to the 11th century when the term "hackney" referred to the horse and only later to the horse-drawn carriage. Those carriages were used for travelling from London to destinations such as Dover; gradually, as the metropolis grew, they were used for travelling around London itself.

One of the first people to take a dislike to those early cab drivers was Charles I. He preferred sedan chairs and passed appropriate legislation to protect them. The sedan chair is no more, and we all know what became of Charles I. I caution hon. Members lest they lose their political heads over this issue.

Even in the early days, the hackney coachmen suffered from interlopers—they were merchants and tradesmen who used vehicles for business but when not doing so made them available for hire for travelling around London. The early interlopers, or the forerunners of the minicab drivers, have been around for a very long time. It was the coachmen themselves who demanded legislation to stop the interlopers, so the position of the taxi trade has remained the same to this day. When people deal with the London taxi trade, they deal directly with the people who do the job, which is not the case in any other trade in London.

I still have close links with the taxi trade, and I am happy to be a host to some former colleagues in the House today—Mr. Geoffrey Trotter, the chair of the London Taxi Board, and Mr. Phil Warren, who has written some books of note on the licensed taxi trade. My sister is also a licensed London taxi driver, as was our grandfather, so I have close links with the industry. I am still a badge-holding London taxi driver, although I no longer ply my trade. I am also a former member of the London Taxi Board, which supports the Bill. I could speak for a day on the industry but, lest I be misinterpreted, I must make it clear that I do not intend to talk out the Bill or oppose it today.

The time has come for us to take the first step towards a properly regulated industry in London. The people of London want to be protected from the illegal activities of the private hire industry. They want a system that will incorporate the high standards exhibited by the London

taxi trade. Sadly, the Bill will take us only one step in that direction, but I am prepared to support it as far as it goes.

My knowledge of the industry has led me to the conclusion that what is needed in London is a one-tier system of regulation, a system whereby every driver, every vehicle and every operator is treated in the same way. That is the only practical, enforceable and easily understood licensing system that will work in the capital city. I shall set out the case for the Bill to be seen as the first step towards a one-tier system.

Before I entered the House, I was part of a national negotiating committee for the Transport and General Workers Union. A former colleague of mine, Peter Hagger, drafted a document entitled, "A National Framework for Taxis", which I commend to anyone who has an interest in the subject.

When I talk about a one-tier system, I am not talking about implementing legislation that would overnight deny minicab drivers their employment. Grandfather rights would apply, and the proposals would take many years to come into force. There would be a phased programme to encourage minicab drivers to buy purpose-built vehicles and to ensure that they had a minimum standard of knowledge. I hope that a step towards that can be achieved through the Bill.

Since the first minicabs appeared on the streets of London, Governments of all political persuasions have consistently failed to recognise what an asset the licensed taxi industry is, not only for the travelling public, the economy of our capital or its standing as an international city, but for industry. The manufacture of purpose-built taxis is one of the few remaining British-owned vehicle manufacturing industries. Manganese Bronze owns Taxi International, which is the largest remaining British-owned vehicle manufacturer. I have always held the view that the opportunity for expansion—allowing other companies to develop purpose-built vehicles—has never been appreciated. I shall say more about purpose-built vehicles later.

There are a few facts about the private hire vehicle industry and the taxi industry of which hon. Members need to be aware. A fundamental point is that there is no difference between the jobs undertaken by the licensed taxi driver and those undertaken by the private hire vehicle driver, although many people suggest that there is. At the point of hire, when the request for the job is received, there is an immediate hiring, whether it is of a taxi or a minicab. Even if the job is booked via the radio circuit a week in advance, the job is issued to the next driver in the queue when the job needs to be done. Similarly, a hiring on the street is an immediate hiring. The drivers do the same job at the point where the service is delivered; it is the different regimes that prescribe how the hiring is done that distinguish the minicab driver from the taxi driver. An immediate hiring, whether on the street or through a radio-controlled operator, and whether in the licensed taxi industry or in the minicab industry, is exactly the same from the driver's point of view.

It is essential for public safety that drivers who are licensed to ply for hire are required to comply with the highest standards. That is where the distinction between the licensed taxi and the private hire vehicle is important. The incidents involving minicabs which cause most public concern invariably begin with an illegal hiring. That is an important point, which needs to be remembered. It is with illegal hirings that most physical and sexual assaults, or even rapes, occur. The public need to understand the risk to which they expose themselves when accepting a lift in anything other than a purpose-built licensed taxi.

There needs to be a real difference between the types of vehicle. Regulations must minimise the confusion between the two types of cab. Retaining the right to ply for hire is not simply about the historic right of the licensed taxi industry; it is essential for securing public safety. That is why it is crucial that purpose-built vehicles cannot be used in the private hire industry.

It is also important that private hire vehicles are not made to look as though they are available for hire, which would blur the distinction between the two industries and create confusion in the mind of the fare-paying public. Any form of distinguishing mark—a sign or advertisement on a vehicle—singles out a vehicle as one that can be approached on the street. In this respect, it will be difficult to strike a balance between the rights of the licensed taxi trade and the desire to enforce the Bill.

I am pleased that my hon. Friend the Minister for Transport in London has given her support to the London Taxi Board's code of conduct relating to the decommissioning of taxis, in an attempt to minimise the risk of purpose-built vehicles being used in the private hire industry or, more importantly, as bogus cabs to hoodwink the public. It will ensure that the fixtures that allow taxis to ply for hire are removed when vehicles are sold out of the industry.

In Birmingham, private hire vehicles are currently required to have stickers front and rear and on the side door. The stickers on the side door are a particular bone of contention as they are constantly being stolen. That method of identifying private hire vehicles is currently being reviewed as they are too easily distinguishable on the streets. A number of years ago, private hire vehicles in Birmingham had roof-top signs. However, drivers were encouraged to ply for hire by the fact that the vehicles were so easily distinguishable, and people would approach them on the street. The roof-top signs were subsequently removed and the current signage is under review because the legitimate private hire industry in Birmingham is complaining that drivers are being attacked for refusing to take people who approach them on the street. It is a problem for the taxi industry and the private hire industry.

I am concerned that clauses 30 and 31 do not go far enough to prevent advertisements from being placed on vehicles. That could recreate some of the problems that arise outside London. The Local Government (Miscellaneous Provisions) Act 1976 does not require licence plates to be fitted permanently on private hire vehicles outside London. Clause 10 also allows for the removal of PHV plates. Such a loophole could cause serious problems.

Enforcement officers outside London—most of my information is from Birmingham—have found that PHV drivers remove the licence plates and then ply for hire. When they are approached by an enforcement officer, they claim that they are not working, as they have removed the licence plates. They say that they are not plying for hire, but merely picking up friends. They also allow other people to use their cabs when the plates are removed. It is a difficult matter, which requires tight, enforceable regulation.

[Mr. Clive Efford]

Birmingham is a large city with 9,000 PHV licence drivers. It has an enforcement budget of £200,000 and employs seven enforcement officers. However, last year there were only 50 successful convictions for illegal offences by private hire vehicle drivers or touts. Enforcement officers face a difficult task. The removal of licence plates also allows funeral directors to supplement their income by offering their limousines for hire when they are not being used for funerals. People who opportunistically take away business from the dedicated private hire operators are another difficulty in the industry. They are similar to the interlopers of the 17th century to whom I referred earlier.

A test case, Benson *v.* Boyce, found that only PHV licence holders can drive a private hire vehicle. Therefore, a member of a driver's family cannot drive the vehicle. Unfortunately, it also means that a mechanic cannot drive it, so that anomaly needs to be addressed. The licence plates should not be removable at any time and, once licensed, the vehicle should remain a private hire vehicle at all times. That is crucial to make enforcement as simple as possible.

The House will forgive me for taking up its time by speaking next about the purpose-built vehicle, but that is a subject on which I have a great deal of knowledge from which the debate will benefit. The most obvious benefit of the purpose-built vehicle is the fact that it is clearly identifiable. Hon. Members can walk out of the House and spot at a glance every taxi that passes them. That makes enforcement relatively easy. I appreciate that one does not always want taxis to pass one by, and that is another bone of contention. Minicabs are camouflaged as they resemble any other vehicle on the road, and that makes enforcement difficult. However, as I have pointed out, the answer is not to make minicabs easily distinguishable.

The purpose-built vehicle is specifically designed for the job. The driver is placed higher than in most other vehicles and can see above them on the road. That is an enormous benefit for the customer. Not only does it allow taxi drivers to take evasive action when traffic is snarled up, if there has been an accident or there is a hazard in the road, but it allows them to anticipate hazards that may affect other drivers who are not as well positioned on the road. That makes the purpose-built taxi a safe vehicle, designed for the specific job that it does on the streets of London.

The legendary turning circle is crucial in avoiding unnecessary delays to the punter. If I were driving down King's road in a westerly direction and someone wanted me to take them to the City, an immediate U-turn would be possible in a London taxi.

Drivers are partitioned off from their passengers, which is crucial in terms of safety. In the five years between 1988 and 1993, there were 561 recorded attacks in licensed vehicles—530 in non-purpose-built vehicles that do not have a partition between the driver and the passenger. Only 31 occurred in purpose-built taxis. There were 13 recorded deaths in non-purpose-built vehicles and only two as a result of attacks in licensed taxis. During that period, 95 per cent. of all attacks on drivers or passengers were in non-purpose-built vehicles. There is a strong case for legislation requiring purpose-built vehicles.

Women feel safer in purpose-built taxis as they are partitioned off from the driver. The right hon. Member for North–West Hampshire mentioned a couple of cases involving intimidation during taxi journeys.

The purpose-built vehicle has a number of special features designed for the job in hand. There is central locking on the foot brake to stop passengers running away or getting out while the vehicle is moving and the braking system is specially designed. The vehicle is also designed to take the wear and tear of the job, unlike ordinary family cars or saloon cars that are used in the private industry. That is crucial in considering comparative costs.

One argument often put against the widespread use of the purpose-built vehicle is its relative cost. The initial cost of a taxi is high, but when it is considered over its entire working life—compared with the lifespan of a car which is not built to do the job or to take the wear and tear—the purpose-built taxi is economical. It is mainly the rate at which the driver is forced to pay back the loan he takes out to buy the taxi that makes the initial costs so high. One saying among licensed taxi drivers regarding the new Fairway, which is an extremely expensive vehicle, is that, even when one has paid back £10,000, there is still a fair way to go.

Another important adaptation of the taxi is that it allows wheelchair access. As a councillor and in my negotiations on behalf of the taxi industry, I have always supported the requirement that all taxis should be wheelchair accessible. That and the fact that minicabs operate exclusively in certain areas of London is crucial. The London taxi is often referred to as being wheelchair accessible, but that is not an accurate description, particularly of the new TX1 vehicle, which was launched only a few months ago.

I have already described some of the adaptations that enable the taxi to ply its trade on the streets of London. In addition, it has undergone many adaptations to meet the needs of people with a variety of disabilities, including ramps, a step and a swivel seat, which I found the most useful adaptation for disabled people.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman's speech is interesting, but it relates mainly to black cabs, with the odd mention of private taxis. We are not presenting a case for black cabs, as I call them in Glasgow—or hackney cabs as they are called in London. He must speak more to the Bill.

Mr. Efford: I am trying to set out the difficulties that the Bill will create in certain areas of London that are served exclusively by private hire vehicles. Disabled people could be disadvantaged, because we are not legislating for wheelchair accessibility in both sections of the industry. The need for universal disabled access across London seems to have been overlooked. I hope to be allowed to raise a further point on that in a while.

In my meetings with disabled people, they have recognised that the taxi is about as close as we can get to a vehicle capable of plying its trade on the streets of London and meeting their needs. We can continue to meet those needs only if the London taxi is protected from unfair competition. The requirement on all taxis to be wheelchair accessible was imposed on the industry by a previous Transport Minister without consultation. That has nearly been achieved within the time set.

The intention was that there should be adapted vehicles for disabled people throughout London. As we all know, there are large areas of London in which taxis do not

operate. The Bill does not address the needs of disabled people in areas served only by minicabs. At the time, the Department of Transport said that it wanted to ensure access to adapted vehicles across London, but it has never taken steps to ensure that taxis begin to operate in those areas.

The Bill contains a provision to allow rail operators to replace rail services with minicabs when a service is interrupted or discontinued. I have difficulty with that proposal, as do many disabled lobby groups, the London Taxi Board and others. I understand that the issue is under consideration by Select Committees of both Houses. I am surprised that it is in the Bill. The Department of the Environment, Transport and the Regions has my support in its wish to ensure access to adapted taxis throughout London, but it is also prepared to sanction the widespread use of minicabs to replace public transport with no requirement for wheelchair or disabled access. I understand that all trains are to be accessible to disabled people by the end of the year. How can it be consistent for those services to be replaced by licensed private hire vehicles in London? As ever more contracts disappear from the taxi industry, we can expect the vehicles accessible to disabled people to disappear from London. A cynic might suggest that the issue of accessible vehicles was used by certain elements as a convenient stick with which to beat the back of the taxi industry.

I should like an assurance from my hon. Friend the Minister that the mobility officers in the Department were consulted on that. There seems to be an inconsistency with previous statements.

The famous knowledge sets London taxi drivers apart from all others throughout the world. All of us in the House have a form of knowledge, but I have the knowledge. Many other cities require a topographical knowledge, but few require the extensive knowledge of the London taxi trade. Apart from giving a London taxi driver the incredible ability to decide immediately the best route for the customer, it also demonstrates enormous commitment to the trade. The right hon. Member for North–West Hampshire spoke about the time that it takes to pass the knowledge. I entirely agree with him. There is no reason why it should take two and a half years to pass as a London taxi driver. The only block on the numbers who can qualify is imposed by the numbers who can pass through the doors of the Public Carriage Office to call over their routes. That is a serious blockage, which could cause difficulties for the entire industry if it is not addressed.

Mr. Simon Hughes: I shall not intervene again. The hon. Gentleman knows that I have a cab, but I do not have the knowledge—at least, not to his level. Does he agree that the view of his cab industry, as well as that of the minicab industry, is that the Public Carriage Office needs a great kick up the backside? It is old fashioned, out of date and inadequately resourced. In any other walk of life, it would not get the contract. If it does not do something serious and get itself organised, it should not have the job because it is not up to it.

Mr. Efford: As a badge-holding London taxi driver, perhaps I should choose my words carefully in response to that. The hon. Gentleman is right to criticise the Public Carriage Office, because there is an unnecessary blockage in passing drivers through the knowledge. The London taxi industry has a long history. The taxis and the drivers seem to have adapted, but other aspects of the industry have not adapted as fast.

There are suggestions that the knowledge could be replaced by a tracking device called the Carin, which can talk to the driver as he goes along, telling him where he needs to go, where to turn and where the destination is. It is an interesting device that might be useful to someone travelling round London in their own car without topographical knowledge, but I do not know how we could tolerate licensed taxis parked on clearways while the driver punched in numbers to find the destination. We should not listen to those who say that guidance devices make the knowledge obsolete.

The knowledge creates commitment to the industry. Becoming a professional driver in the licensed taxi industry requires an enormous commitment. The private hire industry does not require a full-blown knowledge of London. Its drivers have a small working knowledge of the area in which they operate, but they should also have a knowledge extending beyond their local area. They should know the location of major points such as stations and hospitals outside their area. The people of London expect at least a topographical knowledge of London.

The casual nature of the private hire industry contributes to the problems that we are addressing. The public have a right to expect that any person who is prepared to offer his vehicle for hire has a basic working knowledge of the area in which he plies his trade. Clause 13 suggests only that the Secretary of State may require a private hire vehicle driver to have topographical knowledge. Nine out of 10 of this country's largest cities require their cab drivers to have such knowledge and I see no reason why London should expect a lesser standard. Some 182 licensing authorities outside London require drivers to have topographical knowledge and 46,500 private hire vehicle drivers from a total of 67,000 outside London must pass topographical knowledge tests. There is no reason why London drivers should be excluded from that requirement.

If it is intended that private hire vehicles be identifiable on the road—we accept that the two different groups of drivers do the same job—the logical long-term conclusion is that we must move towards a one-tier system for the industry in London. That is my view as a licensed taxi driver who has operated across London—it is not the view of the London taxi industry. I have witnessed the abuses of the system and I understand the need for that system to be easily enforceable.

Through my involvement with the Transport and General Workers Union, I have met many union colleagues who work in the private hire industry outside London. Their concerns are often different from those of the London circuit operators to whom we tend to listen. We have heard very little from the minicab drivers in this debate.

Hon. Members should not get the impression that operators are merely innocent victims in this matter and that, if minicab drivers were under their control, all would be well with the industry. The problems associated with plying for hire are often exacerbated by the action of the operators. For instance, all radio circuits have contracts. When a driver takes a contract job, the payment is often withheld for several weeks. Hon. Members will appreciate that that causes difficulties for drivers in the private hire

[Mr. Efford]

industry. Minicab drivers might suggest that the Bill should require operators to pay their drivers the money that they are owed for contract work within a certain period. Drivers face cash-flow difficulties every week as a result of the contract fee being paid directly to the operator and not to the driver.

In order to ensure that the weekly rent is paid, private hire vehicle operators often give minicab drivers contract work for the first part of each week until they have secured their weekly rental income. They then begin to give drivers cash work. That leads to some problems outside London because private hire vehicle drivers are forced to earn cash by plying for hire on the streets of their cities. That also causes difficulties for enforcement officers outside London, and we must be aware of that in our discussions about the details of the Bill.

Operators are also key to the working of an efficient enforcement system. If people must pass the most stringent checks when applying for their operator's licence—including criminal record checks, which the Bill does not propose—they are more likely to employ as drivers fit and proper people who maintain high standards in their vehicles.

We must also address the issue of operators and cross-border hiring. For instance, an operator who is licensed outside London may advertise and operate in London. I am not sure that the Bill precludes that activity. I have spoken to enforcement officers outside London about the Bill and they believe that the invitation to customers to contact an operator is crucial. Operators who advertise in an area should be registered and licensed in that same area. For example, a minicab operator from Dartford who advertises in London should be required to be licensed in London as well as in his local area.

We must also have named operators. The Bill refers to operating centres. Operator's names are not recorded, so they may be blamed for any problems. When enforcement officers arrive at an office and find that there are no proper records, they often hear the excuse: "We've got rid of that operator and sorted out the problem." The person who is responsible for the operating centre, not merely the owner of the minicab firm, should be registered and should undergo the same criminal record checks that are required of drivers. Therefore, the person described in clause 4 as being responsible for keeping the records should undergo criminal record checks and all checks on his business activities that are required of other individuals mentioned in the legislation.

My hon. Friend the Member for Tooting (Mr. Cox) referred to metered fares. I oppose the introduction of metered fares to private hire vehicles as that would cloud the difference between licensed taxis and private hire vehicles. The point of private hire vehicles is that people agree the fare before they begin their journey. The operator records that fare and, if there is any argument about the fare upon the completion of the journey, the agreed fare may be checked with the operator. That is an important point. It would not be possible to agree the fare beforehand if meters were introduced to private hire vehicles.

Operators' premises should be licensed. The Bill does not refer to planning permission for minicab offices. I suggest that minicab operators should be required to obtain planning permission for their offices before they begin operating. There are many examples of operators outside London who have started their businesses without first seeking planning permission. Hon. Members will know that the planning permission enforcement procedure is extremely slow. It is often the case that, by the time planning officers enforce the rules, operators have moved to new premises and the cycle begins again. It is important to address the issue of planning permission for operators' premises.

Criminal record checks should apply to drivers and to vehicle operators and radio operators. That should be a statutory requirement and not merely a request from the Secretary of State. The Bill should state that the Secretary of State requires criminal record checks of all people involved in the private hire industry. Anything less than that is unacceptable. The people of London expect criminal record checks and topographical knowledge to be introduced, and the relevant clauses of the Bill should be amended accordingly.

Although such measures are necessary, they will not affect the bogus touts who cause most of the problems about which hon. Members are concerned. Touting is generally undertaken by individuals rather than drivers who work through an operator. The licensed taxi trade lobbied very hard for a conviction for touting to be introduced into criminal justice legislation. Unfortunately, that has not met with much success. In 1995 there were 107 convictions for touting in London, and in 1996 the total went down to 98. Touting is a serious crime taking place at stations and other termini in London. Foreign visitors are often approached by individuals at the stations and offered rides in uninsured unroadworthy vehicles—and that is their first impression of our capital city. The regulations in the Bill do not apply to those individuals.

The use of the word "taxi" conjures up a clear picture in the minds of the fare-paying public. When someone says "taxi" people think of the FX4, the purpose-built vehicle. The word "cab" is now used to describe both taxis and private hire vehicles, despite the fact that it derives from "cabriolet", the word used to describe the old horse-drawn hackney carriage.

It is vital that there be a clear distinction between a taxi and a minicab, and the naming and advertising of companies plays a vital part in maintaining the distinction. In some places outside London—in Birmingham, for example—printing the word "taxi" is allowed if a private hire vehicle operator has one taxi on his circuit. People often print the word "taxi" in large letters, and add underneath in very small letters "and private hire vehicle". We must be careful how we word the regulations in connection with the use of the word "taxi". Clearly, people use it to mean the hackney carriage. That is an important subject, which needs further discussion in Committee.

The regulations are already there to deal with the problems that we are discussing, but legislation is necessary to create a revenue stream to pay for an enforcement agency. If we wanted to deal now with all the problems that we are discussing, we would find that the necessary laws already exist.

Touting comes under section 167 of the Criminal Justice and Public Order Act 1994. Driving without insurance is a road traffic offence under the Road Traffic Act 1988, and driving without an MOT certificate is

illegal under the same section of the same Act. Plying for hire on the streets of London is a breach of the London Hackney Carriage Act 1831.

So the laws exist to deal with all the crimes that we have heard about today. The only reason that we are in the House today discussing legislation is to create a revenue stream from the industry that is causing the trouble to finance an enforcement agency to tackle the problems as they occur.

I am told that the Public Carriage Office, the enforcement department of Scotland Yard, plans to employ 20 officers for enforcement. I have already said that Birmingham has 9,000 taxis and seven enforcement officers. Yesterday I asked Yellow Pages to do a calculation for me and tell me how many private hire companies were registered to advertise in all editions. That took time, because some firms advertise in more than one edition, but in the end I was told that there were 1,303 minicab firms advertising in Yellow Pages.

Enforcement officers with experience outside London have told me that 20 officers will not be enough to enforce the licensing regime in London, where there are more than 1,000 operators and, it is estimated, between 60,000 and 100,000 minicab drivers. To eradicate illegal hiring will require intensive enforcement. So long as there is widespread use of ordinary saloon vehicles it will remain a serious problem, and enforcement will be expensive.

The Bill will deal with some elements at the more unsavoury end of the minicab industry. The sanctions for those caught breaking the rules should be severe, and those proposed in the Bill are not severe enough.

Licence renewal needs to be done annually, rather than every three years. There are examples outside London, again involving the private hire industry, of licensed drivers with 20 to 30 points on their licences. Because the PHV licence is reviewed only every three years, that fact is not picked up by the licensing authorities.

Moreover, magistrates are loth to take away a private hire vehicle driver's livelihood by banning him from driving. However, as somebody who drove for a living in a capital city for 11 years and did not get even one point, I would say that the fact that someone has 20 to 30 points on his licence suggests that he should not be doing the job.

I have highlighted many of the practical problems by drawing on my knowledge of what goes on outside London. My hon. Friend the Member for Tooting, too, mentioned his experience of the minicab industry. I agree with him that the Bill deserves to progress and to become law, but we should take the time to learn from the experience of enforcement officers outside London and amend the Bill to make it workable.

I suggest that the licence fee for a minicab operator should be £1,000 a year. We should consider that here and in Committee, rather than leaving it to the Public Carriage Office. I hardly think that to require an operator to pay a licence fee of £20 a week will force him or her out of business.

We estimate that there are at least 50,000 minicab drivers in London, and if they paid £50 each that would raise an income of £2.5 million. With more than 1,300 minicab operators, plus the £2.5 million from the taxi drivers, we shall have a significant sum to finance an extensive enforcement agency for the capital city.

Mr. Edward Garnier (Harborough): I am not quite clear what the hon. Gentleman's intentions are. Does he intend the Bill to go to a Standing Committee of this House, or is he content for it to go into Committee in another place? If the former, does he understand that in that case the Bill would be unlikely to reach the statute book?

Mr. Efford: Yes; the point is well made and I accept it. I have had discussions with the right hon. Member for North–West Hampshire and I understand that he intends the Bill to go into Committee in another place. I am satisfied with that, and I thank the House for indulging me this morning. Because I was aware that the Bill was going into Committee elsewhere I have dealt today with some of the detail, and taken advantage of the Second Reading debate to put on record some of my areas of concern before the Bill moves on. I thank the hon. and learned Gentleman for his intervention.

I have spoken about purpose-built vehicles and set out what I believe could be an extensive enforcement system for London. We need to draw on experience outside London. The knowledge system is antiquated and needs to be modernised. It is an unnecessary barrier to the extension of the taxi industry into areas in which it does not now operate.

I am happy to support the Bill, so far as it goes, but I expect significant amendments to be made to the clauses that I have mentioned, to make it enforceable and workable. Anything less will not be acceptable to the people of London. They expect a licensing regime that will tackle those elements of the private hire industry that will try to obey whatever regulations the House lays down. That will require extensive enforcement. We are not talking about the people employed by the operators who are causing the worst problems in the industry, and it is those people whom we must bear in mind when dealing with the enforcement of the licensing regulations proposed by the Bill.

11.9 am

Mr. Tom Brake (Carshalton and Wallington): I congratulate the right hon. Member for North-West Hampshire (Sir G. Young) on promoting a Bill which seeks to rectify a 22-year-old anomaly—the unlicensed minicabs in London. I also congratulate the hon. Member for Eltham (Mr. Efford) on a very, very detailed and knowledgeable speech. I will use a more direct route to make my point.

I would like one small amendment to be made to the Bill, and the hon. Members for Tooting (Mr. Cox) and for Eltham have alluded to it—it is the substitution of the words "may require" with the words "will require" in clause 13, relating to topographical knowledge. If the use of the word "may" is a legal requirement or a nicety of some sort, so be it. If it is not, we should make that change. As has been said, nine out of 10 of the largest metropolitan areas outside London require topographical training. A recent MORI poll showed that more than 90 per cent. of Londoners want that, too.

People taking minicabs should have the reassurance that the driver actually knows where he is going, and that they will be taken by the most direct route. Any distractions, such as trying to consult a map, are extremely dangerous and must be discouraged. After all, that is not acceptable in any other transport service. One does not see a bus driver with the "A to Z" in his lap, trying to find his way. I do not see why that should be acceptable for minicab drivers, either.

[Mr. Tom Brake]

There are a number of reasons why I support the Bill. Many people use minicabs at present, but without necessarily choosing a particular firm. Hospitals and councils use minicabs, and very often their contract has simply gone to the firm that has quoted the lowest tender. By licensing minicabs, people will be certain that they are using a respectable firm and will be picked up and dealt with in a reliable fashion.

Licensing will give minicabs the respectability which is needed if they are to play a part in the integrated transport policy to which hon. Members have referred. They have a key role. We are talking about getting people on to public transport, but people will still need flexibility at the end of their journey to get from the station to their final destination. Black cabs and minicabs have a role to play in that respect.

It might be expected that minicab drivers would oppose the Bill. They do not—they support it. I have conducted my own opinion poll, which I admit was not very scientific. The sample was one minicab driver. I caught a cab near Carshalton station up to Carshalton Beeches, and asked the driver for his view on the Bill. I thought that he would oppose it, because I felt that his car, perhaps, was not entirely roadworthy. However, he said, "It will put the cowboys out of business, mate." He was in favour of it. Minicab drivers support the Bill, and we have heard that the London Taxi Board supports it as well.

In return for the support of the London Taxi Board, we should examine the Public Carriage Office, to which hon. Members have referred. It is ludicrous that there are only five examiners carrying out oral testing on drivers. I understand that the reason why they carry out oral testing is because of the suggestion that taxi drivers cannot actually read. That is a source of concern. There is scope for change, and computer testing will help to speed up the process. It will enable the healthy competition between minicabs and black cabs to continue.

I have promised to take a direct route to make my point, and I would like to finish by asking all hon. Members to support the Bill. I hope that it makes speedy progress through both Houses, so that we do not have to read distressing headlines such as the one in the *Evening Standard* on 30 December: "I thought he would rape me, kill me and dump me by the road." That sort of headline needs to become a thing of the past. I commend the Bill to the House.

11.14 am

Mr. Keith Hill (Streatham): Let me join in the paean of praise, and offer my sincere congratulations to the right hon. Member for North-West Hampshire (Sir G. Young) on promoting the Bill. I do so for three reasons: first, as the representative of a suburban south London constituency with a large number of minicab operators—who have long expressed to me their desire for proper regulation of the private hire trade—and a local public who make extensive use of minicabs and naturally wish to have the assurance that they are travelling in the safest possible circumstances; secondly, as a frequent user of minicabs and black cabs; and thirdly, as a former member of the Select Committee on Transport, whose 1994 report on taxis and private hire vehicles the Bill largely implements.

As the excellent House of Commons Library research paper on the Bill states, the first moves in Parliament to secure the regulation of the private hire trade took place 30 years ago. I suspect that a Bill of this character has been gathering dust in the corridors of the Department of Transport for some time, and that it has been shelved from time to time for not entirely admirable reasons. In other words, the Bill is long overdue, and I am glad that the right hon. Member for North-West Hampshire has bitten the bullet on this issue. I am delighted that the Government are giving their backing to the Bill, and I very much hope that it will reach the statute book at the earliest opportunity.

There are an estimated 40,000 to 60,000 minicabs—perhaps more—operating on London's roads, making literally millions of journeys each year. They carry passengers in road conditions which may be dangerous. In some circumstances, the vehicle itself—unless properly checked—may be dangerous. The driver is in virtually direct contact with the passenger, placing the passenger in a potentially vulnerable situation.

Frankly, it is a scandal that, for so long, both the drivers and their vehicles should have been subjected to no systematic safety checks or scrutiny whatever. I can think of no other major service industry which has been the subject of such sustained administrative neglect—a neglect that the Bill rightly seeks to remedy.

The Bill is right to recognise, by implication, that at this point in time there should be a two-tier licensing system which distinguishes between taxis and minicabs, and lays down minimum standards for each. That was one of the recommendations of the Select Committee in 1994, and was based on the recognition that the black cab and minicab trades are essentially different businesses. Some 90 per cent. of London taxi work is on-street hiring. Minicab work is through telephone hiring, and where it is not, it ought to be. I shall return to this subject later in my speech.

Taxis and minicabs meet different market needs and operate largely in different locations. The vast majority of London's black cabs choose to operate within a six-mile radius of the centre of the city, and only about 2,000 of London's 22,000 black cab drivers now hold yellow badges, restricting them to the 16 suburban sections of the Metropolitan police district. It is in the inner and outer suburbs that the minicabs do their business, filling a market niche which the black cabs—to all intents and purposes—abandoned many years ago.

Of course, minicabs provide a service of less geographic reach, which usually requires considerably less topographical knowledge. That helps to justify and explain the higher fares charged by black cabs. Black cabs and minicabs provide different services and meet different market needs, so there is no reason why the regulation of minicabs—under the proper conditions—should threaten the black cab business. My strong impression is that that is the view taken by the black cab associations, and I welcome their generally constructive approach to the Bill.

The overwhelming majority of minicab operators and drivers are certainly only too eager for the regulation of their industry. They want to deliver a high-quality service, and they want the public to have confidence in the reliability and safety of the service they provide. They are desperate to get rid of the cowboys who do so much damage to their trade. The likely immediate effect of the

Bill is a reduction in the number of minicabs on London's roads, but that can only work to the long-term advantage of the industry. I reiterate that it will not work to the disadvantage of the black cab trade.

The Bill proposes the introduction of regulation at three levels: operator, vehicle and driver. I do not want to dwell on the provisions for the operator or the vehicle, other than to add my support for the importance of regulating operators. After all, they must play the key role in ensuring the standards of the trade. They ought to be providing the vital quality checks on vehicles and drivers on a daily basis.

Clause 4 cites the insurance details of the vehicles as one of the records that the operator may be required to hold. In our Transport Select Committee report, we noted that one of the most worrying aspects of the unlicensed public hire vehicle trade was that passengers often did not recognise that they were not insured against accident and losses. We recommend that PHV drivers should be required to display a certificate of insurance in an easily legible form. I would not want to live or die by that precise recommendation, but I hope that it will at least become an obligation for the operator to ensure that drivers have a valid insurance policy in force at all times.

I particularly welcome the requirement in clause 10 that an identification disc or plate should be displayed. I hope that provision will be made to ensure that they are displayed as prominently as possible. It is essential for passengers to be able to tell before getting into a private hire vehicle whether it is licensed, as they can in the case of a taxi.

On the proposals for the regulation of drivers, I welcome the requirements that minicab drivers should be at least 21 years of age and should have held a full driver's licence for at least three years. We made the same recommendation in the Select Committee report. Those are the conditions required of London taxi drivers, and I see no reason why the same requirements of relative maturity and experience should not be required of minicab drivers.

The Bill is less stringent in its requirement for criminal checks on drivers. Clause 15 stipulates that the Secretary of State "may require" a criminal record check. That stands in contrast to the Government's consultation paper last year, which stated that it was essential that such checks be carried out at regular intervals. It also contrasts with the Select Committee's recommendation and with practice everywhere else in the country.

I recognise the reservations of some operators about the delays involved in the process—delays of between six and eight weeks have been cited. However, since the Public Carriage Office operates under the auspices of the Metropolitan police, that process could and should be faster. The point is that that is a precaution on which the public insist—rightly so, for all the terrifying reasons of violence against passengers highlighted in recent *Evening Standard* and Suzy Lamplugh Trust campaigns among others.

The simple existence of a criminal record should not exclude individuals from being minicab drivers. We ought to recognise that, for some people who have a criminal conviction, or who have even served a criminal sentence, driving may be one way to work their passage back into society. Most members of the public would not feel unduly threatened by someone who had committed, for example, a so-called paper crime, and would not feel that they should be excluded from the job of driving.

It is reasonable to expect that a person with a criminal record for violence or sexual offences should be prevented from acquiring a minicab licence. I hope that the Bill can either be amended to that effect, or, at the very least, that the Government will make it clear that they will make such a ban an absolute requirement of the minicab driver's licence.

The Bill is also permissive on the requirement for topographical knowledge as a condition of the licence. A topographical test is a reasonable requirement. I understand the counter-argument that, since the minicab fare—unlike the black cab fare—is predetermined, it does not matter how long or circuitous the journey may be. However, it does matter if the journey takes 15 or 20 minutes longer than it should because of the driver's lack of familiarity with the local street map. That is not a good service. Nor is it is a good service if the passenger has to pore through the "A to Z" on behalf of the driver, which has been my experience more than once. It is certainly not a good service when the driver ends up lost.

The threshold on the topographical knowledge should not be set so high as to become a barrier to acquiring the licence, but, as most minicab drivers carry out longitudinal journeys, to railway stations and airports, or journeys within a three-mile radius of their operating base, it seems fair that they should demonstrate a familiarity with those routes.

I have said more than once that there is nothing in the Bill to threaten the black cab trade. On the contrary, it will create—to use that hoary old phrase—a more level playing field between the black cab and the minicab trade, if only because the price of greater safety for the public will be somewhat higher costs in the private hire industry. In return for the regulation of minicabs, the black cab trade is entitled to greater reassurance that the practices of touting and plying for hire, which will remain absolutely proscribed for minicabs, will not be tolerated.

According to the House of Commons Library research service—I am grateful for the service's help in this matter, and for the statistics it provided—it is not possible to identify separate figures for the prosecution of minicab drivers for plying for hire. It is suspected that such prosecutions are fairly rare, yet illegal plying for hire is extensive outside clubs, discotheques and even theatres, as we have heard. The black cab trade has the right to expect firm action by the police against such practices.

On the distinctive offence of touting, usually in the form of soliciting for business on foot, since the inclusion of that offence in the Criminal Justice and Public Order Act 1994, there were a total of 130 cautions and guilty verdicts in London in 1995 and 132 in 1996. Set against the potential scale of the offence, with thousands of minicabs on the road and millions of visitors to London each year, I wonder whether the black cab trade can be entirely happy about the vigour with which offenders are pursued.

I believe that the Bill is a major step forward for London, offering proper safeguards for both the black cab and the minicab trades in London. Above all, I believe that it offers the prospect of safer and higher-quality services for the millions of minicab users in London. I whole-heartedly commend it to the House.

11.29 am

Mr. Richard Ottaway (Croydon, South): It is a pleasure to follow the hon. Member for Streatham (Mr. Hill), who made an extremely clear and articulate speech.

The Bill is excellent, and will benefit Londoners. The Conservative party welcomes it whole-heartedly. It will for the first time regulate minicabs and minicab drivers and companies in the capital.

I congratulate my right hon. Friend the Member for North-West Hampshire (Sir G. Young) on his good fortune in the private Members' ballot. They say that luck is the moment when preparation meets opportunity. This is certainly his opportunity, and no one can argue that he is not well prepared, as he served with distinction as Secretary of State for Transport at the end of the previous Parliament. I am encouraged that someone with such an outstanding track record in transport policy and practice should be in the driving seat, as it were. Once the Bill is enacted—who knows?—he might even be tempted to leave his bicycle at home.

I am privileged to have been asked by my right hon. Friend to be a sponsor of the Bill, and I wish him every success. Glancing at the list of sponsors, I notice that it includes a Mr. Piers Merchant. We all know that he had a few personal problems, but at least his heart was in the right place. Perhaps the printers might rectify the matter at some point.

Conservative Members will do whatever we can to ensure the Bill's safe and early passage. The sooner it reaches the statute book, the better. London's 7 million inhabitants and the thousands upon thousands of people who visit our city should enjoy the numerous safeguards it will provide.

Many of us use minicabs. When we book a minicab journey outside London, we do so through a licensed firm. We are picked up by a licensed driver, driving a licensed vehicle. In London, none of those necessary protections exists, because, as my right hon. Friend made clear, a licensing system does not operate in the capital.

Many members of the public book cabs from their homes, and medical staff, patients and visitors use them to travel to and from hospitals. Prison staff, restaurant staff and shift workers use minicabs regularly. Night clubbers in London are especially easy prey for minicabs illegally touting for hire in the street. Visitors to the capital can and do get picked up by unscrupulous drivers, who have been known to charge them the earth for short journeys.

The majority of drivers and vehicles are safe, but a minority endanger their customers and other road users. Either their vehicles are unfit for private hire or, worse, they are ready to mug and attack unsuspecting passengers. That unsatisfactory situation must be changed.

Because London is the only city in which anyone can set up as a minicab driver, people with dangerous criminal records can walk out of prison in the morning, as my right hon. Friend said, perhaps having served time for rape or some other vicious, violent crime, and be on the street by the afternoon, touting for business as a minicab driver. Their time is fast running out.

I have heard of too many instances in which the minicab customer has had an argument, or worse, with a violent or sexually abusive driver. It is a sad fact that women are more likely to receive such treatment. Hon. Members may have read the harrowing articles in the *Evening Standard*, describing a whole range of ordeals that minicab users have gone through. I commend the newspaper for its excellent coverage on the issue. By publicising the sometimes dreadful events, it has been a powerful force in the campaign to promote the Bill.

Some may be surprised to learn that men, too, suffer abuse. A young doctor's experience late one Saturday night in south London is frightening to relate: with not a black cab in sight, he took a minicab that had touted for his business in the street. He got in the front passenger seat, and minutes later the driver pulled over and another man got in the back and demanded money. He pulled out a knife, forcing the doctor out of the car, having taken his house keys and cash. The car drove off. That was a terrifying experience at 4 o'clock in the morning, and one that could easily have ended in tragedy.

People run an unacceptable risk in our city every day, and Conservative Members want it brought to an early end. With the licensing system proposed by the Bill, customers will be able to feel safe in the knowledge that the firm taking their bookings is fit for business. They will know that the driver who collects them has been approved and knows where he is going, and that the car has been passed for hire. That will establish a triple guarantee for safer travel.

For those of us who are concerned about cost, the scheme has been priced at about £4 million a year, as the hon. Member for Eltham (Mr. Efford) said. It will be set up so as to be largely self-financing through licence fees. Fees may rise slightly as a result, but one of the attractions of minicab travel is that fares are quite cheap in any case. It is right that those who use the service should pay for its regulation. In that way, little cost is passed on directly to the already over-burdened taxpayer.

Regulation will also mean the end of tax and benefit fraud in the trade. Some drivers claim benefit illegally. Some firms are not registered for value added tax. In my constituency, the cash-in-the-pocket cowboys are undermining and under-cutting legitimate minicab companies that meet International Standard Organisation accounting standards. That will come to an end.

The hon. Member for Eltham spoke in some detail of the black cab trade's concern and referred to the famous turning circle of the London taxi. That reminded me of the story of the fabulously wealthy billionaire, Mr. Gulbenkian, who came to London in the 1930s and got rather interested in black cabs. When someone asked him what a black cab was, he said, "It's one of those things that turn on a sixpence—whatever that may be."

As my right hon. Friend said, there are approximately 20,000 licensed black taxis in London, offering a service that is unique and of a very high standard. There are more than 2 million passenger journeys a week, and the industry makes an immensely valuable contribution to London's economy, with an annual turnover of more than £700 million.

I am sure that hon. Members who have taken taxis in other capital cities will agree that London enjoys one of the finest cab services in the world—perhaps the very finest. I pay tribute to the way in which the black cab trade has worked so constructively with my right hon. Friend. Not for one moment do I think that it will suffer

as a result of the Bill. Crucially, the law will continue to allow for only black cabs to be flagged down in the street. That is fair and right.

We can reassure the black cab trade: if there is a thriving unregulated minicab trade without the legislation, surely regulation will take the cowboys out of the system and ensure that only approved drivers and vehicles are on the streets of London. There is no threat to black cabs. That is certainly good news for the people of London.

Last week, I attended an excellent seminar on the Bill, organised by the Suzy Lamplugh Trust. It was addressed by my right hon. Friend and by the hon. Member for Richmond Park (Dr. Tonge). The trust is a tremendous example of how courage and great achievement can come from adversity. I pay warm tribute to the hard work and determination of its founder, Diana Lamplugh, and her husband Paul.

The trust has been behind the campaign for the regulation of London's minicab drivers for many years. I hope that its efforts will be rewarded this Session. At the seminar, it became clear that the Bill had the support of the Metropolitan police, the London tourist board, the Consumers Association and the Greater London Association for Disabled People. Moreover, representatives from both the minicab and black cab trades voiced their support for the Bill in principle.

Mr. Efford: Will the hon. Gentleman confirm that the representatives at the seminar all expected topographical knowledge to be included in the Bill?

Mr. Ottaway: I do not know exactly what their personal knowledge was before they came to the meeting, but they agreed that details such as topographical training could be dealt with later by the Public Carriage Office as the appointed licensing authority.

London must not be made to wait a minute longer than necessary to enjoy the same legislation that covers the rest of the country. Each of us has a right to expect the protection and weight of the law to apply to London's minicab trade. The Labour party supported the changes in opposition, and I am pleased that the Minister will confirm today that the Bill will enjoy from the Government the same unqualified support as it has from the Conservative party.

It would be unfair to the black cab trade, with its excellent regulated service, for the present unsatisfactory arrangements to continue in London. It would be unfair to the legitimate minicab trade outside London, and, above all, it would be grossly unfair to Londoners and those visiting our vibrant capital city, if the Bill did not succeed. We support it.

11.40 am

Ms Margaret Hodge (Barking): I am delighted to participate in the debate today, especially—as the hon. Member for Croydon, South (Mr. Ottaway) pointed out—because it affects women in the capital. I am the first woman to participate in the debate, and I join other hon. Members in congratulating the right hon. Member for North-West Hampshire (Sir G. Young) on using his opportunity to introduce this legislation.

If I were to leave the Chamber now and walk to the Members' Entrance, I would probably walk straight into a black cab. If I walked a little further, out of the Members' Gates and down Victoria street, I could probably hail a black cab within a few seconds. If I went a little further, beyond Victoria, I would probably be passed by 30 or 40 black cabs. If I got into any of those black cabs, I would be certain of my safety.

The London taxi has existed in some form for many years, and has been subject to regulation since the time of Oliver Cromwell. The regulatory system has been built up over time, and it ensures that, by and large, black taxis are constantly checked for roadworthiness and to ensure that the drivers have a criminal record check, a medical, a driving test, a financial test and, lastly, the knowledge.

Many people are familiar with some or all of those requirements. We are aware that prices are regulated and metered. The enduring sight of the London taxi is a testament to the quality of the service. Indeed, London's black cab fleet is a tourist attraction, and many a visitor has snapped the timeless design of the Fairway cab.

However, while black cabs are regulated and we know what we get, the same cannot be said for the other form of private hire cars in London—minicabs. Most people are unaware that there is any difference in regulation between the two. In a survey last September in *Which?* magazine, 51 per cent. of Londoners were found to have no idea that minicabs were not regulated.

Most people probably did not know that because London is the exception rather than the rule. It lags behind every other metropolitan district, city and town. Outside London, all minicabs are regulated. Why should London, our capital and a metropolitan area covering some 7 million people, fail to be covered by such obvious legislation? We should grasp the opportunity presented by the Bill to place regulation on the statute book. We cannot allow London's minicabs to slip through the regulatory net again.

When Londoners are questioned about the most important problems facing London, time and again they put transport at the top of their agenda. Minicabs are part of that transport infrastructure, and, with 60,000 to 80,000 operating in and around London, they contribute significantly. In fact, there are twice as many minicabs as black cabs. Outside central London—for example, in my constituency, where there are fewer black cabs—the minicab is often the only form of private hire car available. Another Consumers Association survey showed that more than half of Londoners questioned said that they would use a minicab, but only a third said that they would use a black cab.

Many people rely on minicabs. For those without a car, or when public transport is inadequate, they are the only way to get from A to B quickly. For women, they are essential to ensure that we can get home safely at night. Elderly people often use minicabs when they go shopping. As minicabs are often cheaper than black cabs, they can be for many the only viable option for a journey.

While all users hope that their cab is safe, there are no guarantees. It is a lottery. Minicab drivers have no safety checks. The roadworthiness of cars is not checked. Drivers may have a criminal record, and even, as other hon. Members have pointed out, be convicted rapists. They do not need identification. Each time a woman goes home late at night in a cab, she crosses her fingers and hopes that she will get home safely. Sadly, some do not.

Other hon. Members have mentioned the Suzy Lamplugh Trust and its work, and I join them in congratulating the trust on its campaign. I was shocked,

[Ms Margaret Hodge]

as I am sure other hon. Members were, to find that the trust's survey of 1,000 people who used private hire firms found that a fifth had been subjected to dangerous driving or an assault in a minicab.

In the same survey, 14 per cent. knew someone who had been physically or sexually abused when travelling in a minicab. The *Evening Standard* reported recently that, in the past 12 months, there have been 68 sex attacks on women by minicab drivers, and the Metropolitan police have estimated that more than one rape a week occurred in London minicabs in 1997. Those are violent crimes, and very real dangers.

Many London Members attending the debate today may have had constituents come to them about attacks or assaults. The issue is close to my heart, and I wish to relate an incident that happened to a former member of my parliamentary staff. She was trying to get home at about 1 o'clock in the morning. She was outside a major railway station and tried to hail a black cab, but nobody stopped. Finally, a minicab pulled up. That was illegal—because minicabs are not allowed to ply for trade—but it was late and a cold night, so she got in the cab. She thought that she was safe, because the driver had a two-way radio system and a large aerial on the boot of his car. However, instead of taking her home, the driver started to assault her. Fortunately, my former member of staff is strong and level-headed and, after a struggle in which she was bruised, she managed to escape from the cab. She was then picked up by a black cab driver and taken home for free, but the experience, of course, left her shocked and distraught.

As a mother of three teenage and post-teenage daughters, I worry, like every other parent, about girls' safety when they go out in the evening. I do not let my girls come home except by minicab, and, because of my fear of minicabs, we rely on the one and only Lady Cabs. That is not good enough in a modern capital city. We need to guarantee the safety of everyone who uses minicabs—residents or tourists, men or women. We need to know that, when a minicab arrives, the vehicle is safe and the driver is vetted and medically fit. At present, it is illegal for an employer to carry out a full criminal check on potential drivers.

No professionally run minicab organisation should fear this legislation. They should welcome it, because it will remove from the business the unscrupulous, the illegal and the dangerous—those drivers who give the whole trade a bad name. It makes sense that drivers should face a criminal check and be proficient in driving. If minicabbing is somebody's job, he or she must be competent behind the wheel. It also makes sense that cars should be roadworthy for carrying passengers.

Drivers should also have some local knowledge of the area. Although the destination is agreed in advance, they should be able to read a map. Given that pollution and congestion are increasing, drivers should also be using the quickest and simplest route.

It makes sense for drivers to know where they are going when they pick up their passengers. We must all have been in minicabs whose drivers have not had a clue where they were going. My best example is this: when a minicab picked me up at 4 Millbank to take me to the BBC, the driver simply did not know the direct and frequently travelled route. Finally, it makes sense for drivers to have some form of identification, so that, when passengers step into their cabs, they are secure in the knowledge that the drivers have complied with the requirements of the Bill.

Black cabs need have no fear of the legislation. In the past, black cab organisations have raised objections, and in March 1993, Vivian Bendall—the former Member for Ilford, North—argued in an Adjournment debate that licensing minicabs would undermine the black cab trade. That debate, however, took place five years ago, and the need for legislation is ever more pressing.

As studies by the Consumers Association show, most people think that minicabs should be regulated. As other hon. Members have pointed out, a host of organisations support the Bill. I am particularly glad that the London Taxi Board—which represents 95 per cent. of drivers, owners and manufacturers of London taxis—also broadly supports it.

I believe that the Bill will allow black cabs and minicabs to co-exist, each serving different needs and each operating differently. The added costs that black cab drivers must currently meet will be offset by the fact that only they will be able to ply for trade: it will still only be possible to hire a minicab in advance by telephone. I am sure that the status quo will be maintained—that minicabs will continue to predominate in outer London, while black cabs will be a more frequent sight in inner and central London. There will be few losers, and many winners.

I fully support this much-needed legislation, which will ensure peace of mind and the operation of minimum standards. It will bring us into line with the rest of the country, and will ensure that—tourist or Londoner, young woman or elderly shopper—we can all get into a cab safely.

11.51 am

Mr. Edward Garnier (Harborough): I congratulate the hon. Member for Barking (Ms Hodge) on her concise speech, with which I broadly agreed. I also congratulate my right hon. Friend the Member for North-West Hampshire (Sir G. Young) on his Bill, and hope that it makes good progress. As many hon. Members will know, my right hon. Friend's e-mail address is "cyclebart", followed by "parliament" dot "uk" dot—or perhaps "dotty". I hope that, once the Bill becomes law, he will change his address to "taxitoff". He ought to be recognised in future as one who has done a good deal for the taxi trade in this great capital city.

My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke)—who is not in the Chamber now—made, yet again, a beautiful speech. He is gaining a reputation—if, indeed, he did not gain it in earlier Parliaments—for producing beautifully crafted speeches at short notice. I hope that in future all London taxis will contain the sign "This taxi diverts to the House of Commons when Mr. Brooke is speaking".

The issue is not whether minicabs should be regulated, but the means by which they should be regulated. I hope that the hon. Member for Eltham (Mr. Efford) will not mind if we try to enact the Bill as soon as possible, and allow the Public Carriage Office, or other non-parliamentary bodies, to tighten the regulations after consulting interested parties.

The debate allows us to pay tribute to London's licensed black cab trade. For obvious reasons, the hon. Member for Eltham uttered fulsome praise, both on the

basis of his personal experience and, I believe, from the dispassionate viewpoint of a Member of Parliament. However, many of our constituents and relations who have visited London have been helped by black cab drivers, and the charitable acts performed by the trade as a whole are well known to us. The hon. Member for Barking gave an example of the kindness of individual London taxi drivers to people in trouble.

The debate also gives us an opportunity to make it clear that not all minicab firms should be deprecated for misconduct or for owning and controlling shabby vehicles. It may surprise some Labour Members to hear that I used to work for the *Daily Mirror*. Cabs were provided to take us home, as there was little public transport after midnight. In fact, the form of transport with which we were provided by Mr. Robert Maxwell and his predecessors was the minicab.

Those minicab drivers were excellent people, with clean, neat cars. They were very polite, obviously, but they were also safe to travel with. I do not believe that any of the women who were employed by the *Daily Mirror* at the time were ever in danger. Let us not smear all minicab drivers with the allegations that have been bandied about today.

Hon. Members may wonder why the Member of Parliament for Harborough is speaking in a debate about London taxis, but the Bill will be welcomed by my constituents—especially the taxi drivers who claim to labour under far stricter regulations than those currently applicable to the London minicab trade. Harborough district council is rightly strict in its application of standards of excellence and good conduct to local taxi drivers, a number of whom have lost their licences as a result of misconduct—not necessarily in the context of their work. One taxi driver lost his licence following an assault in a public house, which had nothing to do with his work. The district council rightly took him to court and invited the magistrates to relieve him of his licence, because they did not consider him a fit and proper person to drive a taxi and take members of the public about in it. I am pleased that the Bill will introduce similar checks and standards for London minicab drivers.

Clauses 1, 7, 10 and 14 deal with the standard of vehicles, and with licensing. I agree with the hon. Member for Tooting (Mr. Cox)—who is not here now—that every licensed minicab should display on its dashboard, or in another prominent position, not only the driver's licence but a photograph of him or her. Both should be large enough for a passenger in the back seat to see them properly. I urge minicab passengers to sit in the back of the vehicle. I appreciate the concerns about the safety of women using minicabs, and that simple step would make it more difficult for dangerous men to interfere with them. I agree with the hon. Member for Barking and other hon. Members that, until we properly regulate the minicab trade in London, women will be in danger. I am delighted to see in the House some women Members who may be able to speak about their experiences and those of other women. I am sure that the Minister will support her hon. Friends in doing that.

Another cohort of people who need protection are foreigners, who may be duped by some minicab operators. They can be taken on long journeys at great expense, although those of us who know London and black cab drivers would take a much more direct and cheaper route. I speak about not just protecting foreign users of taxis: we should be careful to ensure also that all taxi drivers, whether in black cabs or saloon cars, can speak and understand English. It is not unusual for users of private hire vehicles to find that the driver not only cannot read a map but is bad at English. I think that it was the master of Balliol college, Oxford at the beginning of this century who said:

"my name is Jowett. There's no knowledge but I know it. I am Master of this college: What I don't know isn't knowledge."

I hope that we can improve the knowledge of private hire drivers so that they can get up to the standard of drivers of licensed black cabs.

I do not accept the concern of the hon. Member for Eltham on his "may" or "will" point about the Secretary of State's ability to make regulations about the knowledge of London. The Bill as drafted is adequate to cope with the problem of lack of knowledge, and I invite the hon. Gentleman not to table amendments.

Clause 4 is valuable because it allows peer pressure. When I first read the Bill, I feared that it did not place an obligation on the operators or radio operators who control the self-employed private hire drivers to ensure that vehicles under their control met the stringent standards that I hope they will have to meet. Unless taxi fleet controllers are so obliged and are in jeopardy of being fined or punished in some other way, minicab drivers will be allowed by careless or reckless taxi firm owners to flout the regulations.

Many minicab drivers are not well off. Some of them may be on benefit and working illegally, and I should like to see that end of the market cleaned up. I congratulate my right hon. Friend the Member for North-West Hampshire on his Bill. I wish it well and hope that it makes speedy progress.

12.2 pm

Ms Linda Perham (Ilford, North): I congratulate the right hon. Member for North-West Hampshire (Sir G. Young) on his good fortune in securing fourth place in the ballot. I congratulate him even more on his wisdom in introducing a Bill on this subject. He knows that he has my support for his initiative because, last week, I tabled an early-day motion welcoming proposals to regulate London's minicab trade and create higher standards of safety and service. The EDM also calls on the Government to ensure the introduction of appropriate checks on drivers in the context of criminal records, health and topographical knowledge, and asks them to put the maximum emphasis on enforcement.

All safety legislation and most philosophies of customer service are based on competence allied to sound procedures so that the right person does the right job at the right time and in the right way. The Bill's main strands concentrate on those objectives. I am pleased to have the opportunity to speak in the debate, as many of my constituents have a significant interest in those issues, either as users of minicabs or through their connections with the licensed taxi industry.

Ilford, North is famed for the number of licensed taxi drivers who live in the area. There has been no precise survey, but they certainly number thousands. Indeed, Geoffrey Riesel, the chairman of Radio Taxis and a member of the London Taxi Board, who will be well known to the right hon. Member for North-West Hampshire and to my hon. Friend the Minister, is one of

[Ms Linda Perham]

my constituents and has been a fruitful source of information. He is here with his colleagues in the Gallery today.

As the House would expect, I also pay tribute to the role of the licensed taxi industry within London's transport services. Across the world, London's taxis are rightly renowned for providing the highest standards of service and safety. Compared to those who live in other international cities such as Paris or New York, the people of London and everyone who works in, or visits, our capital city are extremely fortunate to have such an excellent service. I am pleased to say that other hon. Members have already acknowledged that excellence—it is nice to hear other hon. Members praising my constituents so highly. However, as I have said, many of my constituents have an interest in the Bill because they are frequent users of minicabs. I believe that they have a right to expect minicab regulation to ensure their personal safety as well as a good-quality service.

As a woman who uses minicabs from time to time and as the mother of two teenage daughters who often have to depend on local minicabs for transport, particularly at night, I am well aware of the potential risks involved if adequate checks on cars and drivers are not carried out. I warmly welcome the Bill's intention to put that right.

Only two days ago, I received a letter from a constituent complaining that she had been involved in an accident with a minicab. She said that the driver was uninsured and refused to give any details; in addition, the minicab company for which he worked also refused assistance.

I am pleased to see that a demonstration of topographical competence for minicab licensing is mentioned in the Bill. That is important, as it should enable the legislation to be flexible in coping with changing demands over the years and to provide high levels of safety and service to passengers. I know that there is strong support among Londoners for some form of topographical training for London's minicab drivers. It is safety on which we have rightly focused here today.

To support that view, I refer to the considered views of Mr. David Rogers, the road safety adviser to the Royal Society for the Prevention of Accidents, who writes:

"I can see no good reason for NOT requiring anyone who is offering the service of a taxi (or private hire vehicle) to have a basic understanding of the local topography. There is little doubt in my mind that any form of 'distraction' which takes the attention of the driver from his/her main task—that of managing the vehicle safely—is potentially dangerous and to be avoided at all costs.

In purely safety terms, these controls and actions which are NOT essential to the safe management of the vehicle, should be kept strictly to a minimum. Thus, the driver who consults a map while attempting to drive is fundamentally reducing their ability to cope. It follows then, that the drive who is able, without reference to a map, to carry passengers to their destination is by far a safer driver".

That is perfect common sense.

Hon. Members who are drivers—not least those of us who have recently had to learn the new topography of our constituencies following boundary changes—will be well aware from their own driving experiences that, when we are lost and have to look for road signs or at maps, our driving safety is reduced as our concentration is focused elsewhere.

We can all provide horror stories about journeys with minicab drivers who had no idea where they were heading. My hon. Friends the Members for Tooting (Mr. Cox) and for Barking (Ms Hodge) gave graphic examples of that and the hon. and learned Member for Harborough (Mr. Garnier) also alluded to it. There are obvious difficulties for tourists in London as they may have the added disadvantage of language problems; they may be unable to communicate anything other than their hoped-for destination to the driver.

The knowledge of London examinations were instituted following severe criticism of the service provided by the hackney carriage trade at the Great Exhibition in Hyde park in 1851. Do we really want history to repeat itself at the millennium celebrations around London in the year 2000, when we expect even larger numbers of people, many of whom may choose to use minicabs, to visit the capital? Our capital city is our country's showpiece, attracting millions of visitors. If visitors suffer adverse experiences as they attempt to get around the sights, their negative impressions will be taken back to their home countries and Britain's reputation abroad may be affected.

It is not just transitory visitors who are inconvenienced by such incompetence; it is a problem for the many vulnerable London residents who, for reasons or age or disability, are not able to assist the driver with navigational directions. I am always extremely irritated when a minicab driver expects me to know the exact route to my destination, even though I may never have been there. It is quite simple—I expect a professional driver to be capable of delivering me safely to where I wish to go, without having to worry about carrying the "Master Atlas of Greater London" in my head.

The London Private Hire Car Association is to be congratulated on having fought for such a Bill for many years, but it argues that its drivers need little or no topographical training as they can pre-plan a journey using an "A to Z". That is not a convincing argument, and it goes against best practice already operating in the large metropolitan areas outside London, where private hire drivers and licensed taxi drivers have to pass similar or identical topographical tests. I am also fairly certain that little pre-planning of routes actually takes place, as many jobs are given to the drivers at the last minute or without much notice.

I am disappointed that the association's argument appears to have been made for commercial reasons rather than on the basis of safety or quality of service. While it should be rightly proud of having campaigned for such legislation, it should not seek it on the cheap. This is our chance to legislate for a service that is up to a standard and not down to a price. Without that, inevitably we shall find ourselves stuck in a cul de sac of unfulfilled good intentions or, even worse, going the wrong way down the one-way street of public expectation.

I also understand that the case for knowledge-based topographical training has been made by many professional bodies, including the Confederation of British Industry, London First, ROSPA, the British Incoming Tour Operators Association and, of course, the Consumers Association. I look forward to that issue and others being discussed in more detail with the appropriate regulators, the Minister and the right hon. Member for North–West Hampshire as the Bill progresses through the House.

In particular, I am concerned—as are other hon. Members—about the wording of clause 13(3), which relates to the issue of topographical knowledge. It states:

"The Secretary of State may require applicants to show to his satisfaction (whether by taking a test or otherwise) that they possess an appropriate level of knowledge of London and of general topographical skills."

The word "may" is also used elsewhere in the Bill with reference to other conditions for granting a licence—for example, criminal records and health checks. I presume that that means that the Secretary of State may not require those conditions to be met if he feels so minded. That has certainly caused some apprehension in the taxi industry.

The London Taxi Board also has reservations about other parts of the Bill, including the omission of a requirement on London's operators to display or record fares, given that there is no requirement for fares to be controlled by the Secretary of state; the obligations on owners of licensed vehicles where the Bill is not specific enough about a set period for vehicle checks—unlike other authorities outside London, where six-monthly checks are required; the identification of licensed vehicles where clarification is needed on when, why and how exemptions would be required; and taxi meters.

Although no private hire vehicle is required to be fitted with a meter, there is provision for the testing of taxi meters for vehicles that are fitted with them. The fear is that, without Government control of fares, an unscrupulous operator could set unreasonably high fares and justify them by saying, "It's on a Government-approved meter." The London Taxi Board is against private hire vehicles being fitted with meters.

The LTB also has concerns about the power to suspend or revoke licences. The Bill proposes that action if a driver is convicted of dishonesty, indecency or violence. However, I know from the many black cab drivers to whom I spoke before and after the general election that they would like touting to be added to that list. Taxi drivers feel strongly about touting and about the current non-enforcement of measures prohibiting it. As my hon. Friend the Member for Eltham (Mr. Efford) said, the London Taxi Board is also concerned about the prohibition of signs, notices and advertisements.

As hon. Members have already said today, another potential problem with the Bill is whether the intended regulatory body—the Public Carriage Office—will be able to cope with the licensing requirements that the legislation would delegate to it. Will the PCO really be able to take on a large increase in work load without extra resources and considerable enlargement and internal restructuring, both physically and in human resources?

One reason why we now have so many minicabs in London is that licensed taxi provision has not been able to grow to meet the demand for personal public transport. Such provision has been restricted in size and has therefore concentrated on working in central London, with consequential poor coverage in the suburbs. It is a vicious circle of passengers and drivers looking for each other in the same, relatively limited areas, so that other areas become almost completely neglected.

The Public Carriage Office has a proud history that can be traced back more than 300 years, to the hackney coach office of 1662. The genesis of the Metropolitan police's traffic responsibilities can be found in the London Hackney Carriages Act 1843. In the 10 years following 1903, the PCO was responsible for administering the virtually wholesale change of 11,000 horse-drawn cabs to motor cabs.

Unfortunately, there is little doubt that the main reason for slow growth in the number of licensed taxi drivers is the Public Carriage Office's outdated method of testing for the knowledge. As the right hon. Member for North-West Hampshire said, it can take up to three years to pass the knowledge test, and that is clearly unsatisfactory. The test is administered in a succession of oral examinations. However, only five examiners are based in the PCO, and it often takes six months for candidates to be given an appointment for their next test. Test procedures, not training, are the barrier to entry.

I welcome the remarks made by the right hon. Member for North–West Hampshire about the indications that he has received on staff increases and even about a dedicated minicab unit—although my hon. Friend the Member for Eltham has already expressed reservations about how many staff may be needed in such a unit.

In scrutinising the Bill and in examining the issues, I hope that we shall ensure that the process is reformed. I believe that drivers, as they learn the relevant information, could pass the knowledge test just as quickly using a modern testing system, and perhaps by using a computerised test. I foresee no reason why a strong candidate could not pass a knowledge of London test in six months to one year—which is the time that longer-qualified drivers told me that it took them to pass the knowledge with no changes in the knowledge syllabus.

Testing and the issues that it raises are fundamental to the Bill. The Public Carriage Office will have to introduce topographical knowledge tests for minicab drivers that are stringent enough to ensure that safety and quality standards are maintained but that do not create an unnecessary bureaucratic barrier to entry, as they do in the taxi industry. It would be most encouraging if the Minister would undertake to review the current functions and activities of the Public Carriage Office, so that we can be certain that it will be able to meet the new responsibilities placed upon it. If it cannot meet those responsibilities, what alternatives will be available?

I should be amazed to discover that—regardless of its bureaucracy's efficiency and flexibility—a Public Carriage Office established in 1850 to administer fewer than 11,000 horse-drawn vehicles, with a knowledge radius of four miles from Charing Cross, is really the most appropriate long-term organisation to administer the current 22,000 licensed taxi drivers and more than 50,000 minicab drivers across the 800 square miles of the Metropolitan police district.

I hope also that the Government will consider introducing legislation to enable the Public Carriage Office to charge taxi and minicab drivers for sitting tests. Doing so would ensure that an unfair burden does not fall on the licence fees of those who have already qualified. In addition, I plead for effective and properly funded enforcement to police the new regime. Without that, an illegal and, in many cases, uninsured and unsafe third tier will continue to ply and tout for business at the expense of those in the taxi and minicab industries who go through thorough vetting and testing procedures.

Any hon. Member who has had the opportunity, as the right hon. Member for Cities of London and Westminster (Mr. Brooke) clearly has—he is no longer in his place—

[Ms Linda Perham]

to watch or perhaps record for later viewing, as I did, the early episodes of the new BBC sitcom "Roger Roger" about a minicab firm, may remember a particular scene in the second programme last week. A potential new driver was being interviewed by another new driver so that his suitability could be assessed. Not much progress was made beyond the question, "Have you got a clean licence?"

I am not saying that that sort of casual vetting is true to life, but if it has even a remote resonance, the Bill in its final form should go a long way towards putting in place long-overdue regulation of the private hire trade. My constituents and people all over our great capital city, which is the best place in the world to live and work, deserve no less. We are justifiably proud of our unique black cab service. Let us work together to secure a safe and efficient service for residents, workers and visitors who choose to travel by minicab.

12.20 pm

Mr. Peter Atkinson (Hexham): I congratulate my right hon. Friend the Member for North-West Hampshire (Sir G. Young) on his luck in the ballot and on choosing such a sensible subject for his Bill. This is an ideal private Member's Bill. I also congratulate him on his bravery, because those who have tried to reform the London taxi trade over the years have always suffered as a result—I hope that he does not. The hon. Member for Eltham (Mr. Efford) mentioned Charles I who subsequently lost his head; Oliver Cromwell tried to introduce reform of the trade and was deposed; and the former Member for Epping Forest, Mr. Steve Norris, considered a similar measure in the previous Parliament.

I am sure that all my hon. Friends will welcome the fact that one problem has finally been resolved. Whenever we used to get taxis outside the Palace of Westminster, the taxi driver would ask whether we were Members of Parliament; he would then ask whether we were Conservatives and whether we knew Steve Norris. When we said yes, we would have our ears bent for the rest of the journey about the iniquities of what Steve Norris was proposing. If the licensed taxi trade does not like what my right hon. Friend the Member for North–West Hampshire is proposing, he should be rather careful, when making his elegant way through London's squares, that he is not knocked off his bicycle by an angry taxi driver.

I am grateful to the London Taxi Board for supplying me with material and for supporting the Bill, which is long overdue. Let us make no mistake about it—the Bill will have a profound effect on the minicab business because it will remove an enormous number of people from it. That is a good thing, but it will mean that minicabs will be more expensive and it might reduce the size of the market.

Mention has been made of a special knowledge test for minicab drivers, but we do not know how many minicab drivers there are. There could be 60,000 or even as many as 80,000. In response to the hon. Member for Ilford, North (Ms Perham), let me say that imposing a duty on the Secretary of State to ensure that everyone who drives a minicab should pass a topographical test will mean that he will have the formidable job of testing 80,000 people simply to ensure that they can continue to do what they have been doing for years.

Mr. Efford: The Bill allows for the Secretary of State to accept grandfather rights for existing minicab drivers. If they could demonstrate that they had been plying their trade for a given period, it could be acceptable for them to continue to do so. I think that everyone would find that perfectly sensible. Of course, the Chancellor of the Exchequer might be interested to see whether they could produce their tax forms for the previous three years or so.

Mr. Atkinson: I understand exactly what the hon. Gentleman is saying and I agree that it will be a problem. I anticipate that there will be far fewer people driving minicabs when the Bill becomes law.

I do not use minicabs very often, but the other day I took one from west London to get back here for a 10 o'clock vote. I had to direct the driver as the only place that he knew was Hyde park corner. When we arrived at the Palace of Westminster, I asked him to drive into Members' Entrance and he refused point blank. I suspect that he was an illegal immigrant or an asylum seeker who should not have been working and he insisted on dropping me some distance away. Obviously, when the Bill becomes law, such people will quite rightly go out of business.

It is important that the black cab trade understands which way it wants to go. It appears that the black cab trade is trying to bring the minicab trade closer to it by insisting on a more formal knowledge test similar to that taken by black cab drivers and by regulating the vehicles. My advice to the black cab industry would be to maintain the distance between black cabs and minicabs. There should be a light touch in regulation in terms of knowledge. People who use minicabs should know that, although they may be cheaper, they are distinctly inferior to the black cabs that ply for hire on London's streets. We should not try to bring up the standards of minicab drivers too much, as that would challenge the existing black cab industry, which I greatly support.

The Bill gives me an opportunity to praise the black cab industry. I represent a Northumberland constituency that is rather remote from the affairs of London. Nevertheless, black cabs provide my constituents with an important service. Many of them have been helped by London taxi drivers when they have lost their wallets or got into trouble. One farmer in Northumberland, who had never been to London before, was persuaded to go to the Royal Smithfield show. When he arrived, he found the people and the crowds totally unacceptable, so he hailed a black cab outside Earls Court and said, "Alnwick, please." I am pleased to report that the driver took him there, although the bill was very large. That is the kind of service that black cab drivers give the public.

The hon. Member for Ilford, North mentioned an issue that was raised by the London Taxi Board—whether minicabs should have meters. I agree with the hon. Lady that minicabs should not have meters as that would give an official stamp to the fares being charged. If someone staying at a London hotel asked a minicab driver to take him to Heathrow airport, the meter could be set to produce an extortionate fare. If the customer complained that it was twice what he would be charged in a black cab,

the driver could say that it was the official fare. I understand the problems involved and I await an explanation from my right hon. Friend the Member for North–West Hampshire or from the Minister as to why it is proposed to allow meters in minicabs.

A further point relates to the identification of the vehicle. In provincial cities, there has been a problem with people regarding private hire vehicles as taxis because of the advertisements on the sides of the vehicles. I know that the Bill includes restrictions on the use of the words "taxi" or "cab", but it is important that there should be nothing on a minicab other than the essential identity to show that it is a licensed minicab.

I welcome the Bill and wish it a safe passage through the House. I hope that some of the concerns of the London Taxi Board will be addressed in greater detail when the Bill is considered in another place. It is long overdue and will be welcomed by people who live in London and visitors to the city.

12.27 pm

Mrs. Eileen Gordon (Romford): There is considerable interest in the Bill in my constituency and I thank the right hon. Member for North-West Hampshire (Sir G. Young) for introducing it. I hope that it will not be too long before this overdue legislation is on the statute book.

I represent a part of London with a large taxi driver population. As it is on the edge of London, many of my constituents are also regular users of minicabs. In Romford, we are lucky to have a flourishing taxi rank just by the market that enables the local community to use the services of what I consider to be one of the finest taxi fleets in the world. The distinctive purpose-built vehicles, with their extra space, distinctive shape, regulated fares, wheelchair accessibility and knowledge-trained drivers provide guaranteed safety for all who use them.

I support the main aims of the Bill, although I have some reservations about the detail. The regulation of minicabs in London is important and long overdue. It will improve standards of safety and service for all passengers, especially those who need protection, such as the elderly, women, tourists and the disabled.

Knowing that I would be seeking to speak in the debate, I have done some market testing this week, taking a black cab and a minicab. I took a black cab from the taxi rank opposite Romford station to my home. I could see how much the journey was costing me on the meter. The cab was comfortable, it had seat belts and safety catches on the doors and the taxi driver knew the route. It was a relaxing journey after a long day in this place.

I shall not identify the firm that I used for my minicab journey. When I was picked up, I could not get in on the pavement side because of a large container of—I presume—water on the floor in the back. I had to get into the car on the road side. The driver burped—perhaps I should repeat that; he burped—all the way to my destination. I was not sure whether it was a political comment. I was glad that it was a short journey. The driving may not have been dangerous, but it was fairly unpleasant. When we arrived, the driver said, "What do you think then—about two quid?"

That was not a huge sample for market testing, but it was consistent with my previous experiences. I used a black cab to get here this morning.

We must avoid introducing a watered-down registration scheme that would do little to protect customers and could harm the future of the licensed taxi trade by creating unfair competition. I am sure that all hon. Members want the licensed taxi trade to continue to play an important part in the everyday life of London. That is why it is important—I am glad that this is proposed—that there should be checks on minicab operators, as well as on a driver's criminal record, health, vehicle and topographical knowledge.

As the Government develop an integrated transport policy, taxis and minicabs will play an increasingly important role in our everyday lives. They can ensure that public transport provision is available in areas in which other transport providers cannot operate efficiently, as well as providing an effective alternative to the use of the private car. Taxis allow members of the travelling public to transfer between other transport termini and reach their destination having covered their entire journey by public transport.

Any legislation affecting personal transport services should be scrutinised carefully to determine its potential impact on the licensed taxi industry. The available market for the licensed taxi is relatively small. If demand decreased, manufacturers of the purpose-built, highly specialised vehicle would rapidly become unable to continue to produce it on a sound economic footing. That would soon lead to a terminal decline in the taxi industry.

The topographical training test must be introduced, based on local geographical knowledge. A map-reading test alone will not guarantee high enough levels of safety. The topographical training referred to in clause 13(3) should be a requirement, not at the discretion of the Secretary of State. The clause should say "will", not "may".

We have all been asked for directions by minicab drivers, or seen them flicking through their map book. That is not good enough. They must have a working knowledge of their local streets. That is already the situation in most of the large metropolitan areas outside London, where taxi and minicab drivers have to pass an identical topographical training test.

I also do not agree that, as minicabs are pre-booked, there is time for the driver to look up a pre-planned route. The commercial realities of minicab services dictate that that is not possible. When a minicab turns up, the driver usually asks, "Where to?" Drivers clearly do not have the time to plan journeys in advance—and what happens when passengers change their minds about where they want to go after making the booking? I often do not know exactly where I am going. If I have been invited to a meeting or a reception, I may have the address, but I often do not have a clue how to get there. I rely on the taxi driver to get me to my destination safely. As my family will testify, I have a very poor sense of direction and I do not believe that it is my job to plan a route for someone whom I am paying to get me to the right place at the right time.

I have travelled in minicabs when neither the driver nor I had a clue where we were. We would not accept that from a train driver: he could not say, "I think you turn left at Watford and then take the first right." We would be miffed if a black cab driver did not know the route. So why should we accept that standard from minicab drivers? The large licensed radio taxi circuits operate almost

[Mrs. Eileen Gordon]

identically, dispatching the nearest cab a few minutes before the pick-up time. There can be no justification for not introducing similar standards for both groups.

Sambrook Research International conducted independent market research in 1994 into the operational behaviour of private hire companies. The survey revealed that 70 to 80 per cent. of booking calls to minicab companies requested a car as soon as possible. Almost all minicab companies stated that they allocated their drivers to a job within less than half an hour of the pick-up time. In fact, many claimed to allocate journeys within 10 to 15 minutes of pick-up, depending on which driver was in the area. That empirical evidence strongly suggests that a minicab driver must have local topographical knowledge and should not rely on his ability to read maps.

I wish to refer briefly to the operation of licensing and testing procedures for minicabs and taxis. On a recent visit to the operation centre of Computercab, London's biggest licensed radio taxi circuit, with more than 2,000 drivers—many of whom are my constituents—I was amazed to learn that taxi drivers are still tested for their knowledge on the basis of a one-to-one oral examination. That means that the process is very slow and drivers must wait a long time for appointments. As a result, growth in the licensed taxi industry has been impeded. It is one of the reasons why people cannot find enough taxis on the street and must resort to using minicabs.

During my visit to Computercab, I saw a demonstration of some computer software that could revolutionise the industry. It will allow geographical knowledge to be tested by using interactive computer screens. It is impressive technology and I am sure that it offers one solution to the problem of testing both taxi and minicab drivers in the future. Such tests would be efficient, rigorous and fair and would not compromise standards.

I urge the Minister and the right hon. Member for North-West Hampshire to look at the system and consider how it may be implemented by the Public Carriage Office. I join other hon. Members in making a personal plea for enforcement. Without the resources to tackle illegal minicabs and those who tout and ply for trade, the same problems will be with us even after the Bill is enacted. I hope that the resources from licence fees will be channelled into that area.

While much work clearly remains to be done, I give my support, on behalf of my constituents, to the intentions of the Bill as it passes through this and the other place. We hope to see the development of a much improved personal transport service that will assist the Government in meeting the aims of their integrated transport policy and will ensure a safer and better quality service for those who use minicabs.

12.38 pm

Dr. Jenny Tonge (Richmond Park): I join other hon. Members in paying tribute to the right hon. Member for North-West Hampshire (Sir G. Young) and to the Suzy Lamplugh Trust. I am proud to inform the House that the trust is located in my constituency. Indeed, my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) is a trustee of that trust, as well as a sponsor of the Bill.

I would like to add to the comments that have already been made about Diana and Paul Lamplugh. They are a remarkably courageous couple and I am proud that they are my constituents. The tragic disappearance and loss of their daughter have led them to campaign tirelessly and relentlessly for the safety of my daughter and of all our daughters—and of our sons too. As Diana Lamplugh is always anxious to point out, the issue affects young men as well as young women. Young men can be attacked and abused, just as young women can. I hope that the House will join me in paying tribute to the Lamplughs and acknowledging the debt that we owe them.

Who uses minicabs? The House has dwelt on that subject this morning. We have heard about elderly people and young people. Hospital patients, too, use minicabs. A hospital patient in my constituency who had ordered a minicab to take her home was sent home in her nightie to an empty house. That was the fault of the hospital trust, but it shows how vulnerable minicab passengers can be.

The hon. Member for Eltham (Mr. Efford) has said a lot about disabled people in wheelchairs, but most disabled people prefer minicabs because they find it easier to get in and out of them. Disabled people do not necessarily have a wheelchair and they need to be able to get in and out of the car easily, so they use minicabs.

Minicabs are used in the suburbs. My constituency is in the suburbs and people there rely a lot on minicabs. We must ask why that is so. One reason is that people do not feel safe on public transport late at night. There are no guards on the trains, no staff at the stations and no conductors on the buses, so people feel that they will be safer in a minicab.

The hon. Member for Eltham has now returned to the Chamber, and I must tell him that drivers of black cabs often refuse to go to the suburbs. The one time that I was verbally abused by such a driver was when I asked to be taken to that distant place, Kew Gardens. He said it would take him all night and he did not want to take me there. I ask the hon. Member for Eltham to put his own house in order and tell black cab drivers that they are their own worst enemies. If they want to defend their business against minicabs they must ensure that they give the best service to, and treat with the utmost courtesy, the people who want to use their taxis in the suburbs.

Mr. Efford: I take the point. I am sure that everyone has their own examples of such experiences with London taxi drivers. The six-mile limit was introduced to protect the horses, but there seems to be no limit to protect the working day of a licensed taxi driver. If at the end of a driver's working day he is asked to travel more than six miles in the opposite direction from the place in which he will finish work and go home, it causes him great stress by adding hours to his working day. We must consider the fatigue of the driver as well as the desire of the passenger.

Dr. Tonge: I thank the hon. Gentleman for making that point, because I had intended to talk about that in connection with one of my great worries about the minicab drivers I have come across. I am sure we all have the experience of finding out that many minicab drivers have other jobs during the day. There seem to be no regulations governing how long they can work. They may work hard during the day at one job and become minicab drivers at night. That is not safe either for the driver or for the public, and I thank the hon. Gentleman for raising the subject.

I speak as a parent with three children—now grown-up, thank goodness—who had many hilarious years when they were teenagers trying to get them home safely at

night. I speak also as a doctor in women's services, who has counselled young women who have had terrible experiences. It is sad to say that, in my clinical experience, I have seen many such women who have had bad experiences in minicabs. This is the way I would describe the scenario: "It's very late, and mum and dad have threatened you with I don't know what if you don't get home; you phone a number which may be on one of those cards dropped through the door, or which a friend may have; you go and wait outside, because you don't want to disturb your friend's mum and dad; you wait outside on the pavement so the driver doesn't have to knock on the door, but you are then prey to anyone who claims to be a minicab driver."

I have had rambling tours of the countryside around Elstree studios when minicab drivers have not known the way. However, my best experience has been caused by the fact that the numbering of my road in Kew is very bad and drivers can never find our house. Usually, when a minicab comes to pick me up to take me to Broadcasting house, for example, I go and stand outside on the pavement, swinging my bag—much to the consternation of my neighbours, who wonder what my new job as a Member of Parliament entails.

It is a dangerous situation. Recently, on the borders of my constituency, a young girl came out of a club and was picked up by what she thought was a minicab. She was taken to a side road and raped. That happened within the past seven days.

Once the Bill is enacted, we must have a publicity drive to tell people that minicabs must be licensed and that people must check on that. The polling I have done of young, elderly and disabled people suggests that people already think that minicabs are licensed. They think that because cabs are licensed in other cities, they are somehow the same as black cabs and are quite safe. We know that that is not true. Once the Bill is enacted, we need sufficient publicity to alert people to the fact that they must check that proper licensing has taken place.

In conclusion, we know that the Bill has tremendous support. The National Council of Women, London First, the London Private Hire Car Association, organisations for the disabled and the aged, doctors, teachers, youth workers, Members of Parliament and—most of all—parents desperately want the Bill to become law. I hope that the Bill will have a safe passage with no dissent.

12.47 pm

Mr. Barry Gardiner (Brent, North): Many points have been made during the debate, and one of the hazards of being called later in a debate is that one must scrap much of one's speech. I should like to pay particular tribute to my hon. Friend the Member for Eltham (Mr. Efford). As a licensed cab driver, he not only contributed much valuable information, but proved one point—in a long speech of almost an hour—which no other hon. Member could have proved; that whenever one finds oneself in a confined space with a cabbie, it is the devil's own job to get him to stop talking.

This is the age of jet aircraft, when one airport looks very much like another and one city looks very much like another—they all have their McDonald's and their Benetton. Prior to 1997, I was engaged in a job that took me to many cities throughout the world. The one thing that always helped me to tell which city I was in was the cab or taxi that I took.

In one south Italian city, I took a cab from the docks and asked to be taken to the airport—a journey of some seven miles in a south-westerly direction. I sat in the back of the cab with the map on my lap, watched and traced the journey as we veered round 180 degrees and ended up three miles north-west of where we had started. As we passed that city's famous football stadium, where Maradona was playing at the time, I shouted to the driver to stop and, to cries of, "What's the problem?" I pointed out on the map our start point, our supposed destination at the airport and our present position. We returned to the dock, zeroed the clock and followed the more direct route to the airport.

I have been the scourge of cab drivers in St. Petersburg, New York, Athens, Naples and Barcelona. I have come to know most of the tricks that they exercise on punters: the broken meter; the "times two"; picking up an extra passenger on the way; the picture postcard carefully, if not tastefully, positioned in front of the meter; and, the road closure, that "wasn't there this morning, honestly". It has been a relief to me to return to London and to the black cab—to quality, reliability and safety.

The Bill would lessen the gaps between black cabs and private hire vehicles on those essential points of quality, reliability and safety. I shall focus on safety and reliability. It has been said that in London alone of all our cities a person can finish off a prison sentence for rape in the morning, sign on where there is a sign saying "Drivers wanted" in the afternoon and be driving a woman home unaccompanied late at night. That is a disgrace.

I welcome the fact that clause 13(2) will insist that private hire vehicle drivers must be licensed as "fit and proper" persons. The hon. and learned Member for Harborough (Mr. Garnier) said, "Let us not smear all minicab drivers." The Bill is about ensuring that the proper regulations that everyone would expect to be in place are in place. I also welcome clause 14(3), which insists that drivers must wear their badge in a prominent position so that they can be clearly identified by their passengers.

Reliability is not just about the cars themselves: it is about the extent to which passengers can rely on getting expeditiously from A to B. Clause 7(2) makes a licence dependent on a vehicle being suitable and safe. I urge the House to consider amending clause 13(3) so that it says that the Secretary of State "will"—rather than "may"—require applicants to show relevant topographical skills, so that a passenger can be sure that he or she will complete the journey in due time.

Most minicab companies and drivers in this city are hard-working professional business people, who serve thousands of Londoners every day. That is why reputable minicab firms welcome the Bill, as do I. I congratulate its promoter and I am sure that, with the Government's backing, it will become law.

12.54 pm

Mr. Roger Casale (Wimbledon): I apologise for the fact that I was not here to hear earlier contributions. I wish that I could tell the House that that was because I could not find a licensed minicab, but it was not.

My constituency, in outer London, has several reputable minicab firms that provide employment and make a valuable contribution to meeting local transport needs. We are also fortunate in Wimbledon to be served

[Mr. Roger Casale]

by a fleet of black cabs operating from the new forecourt of Wimbledon station, but as we are an outer London district, those cabs can in practice service only one kind of journey, taking people from the town centre back to their nearby homes.

Despite the relatively good provision of public transport, including an important new bus route through Cannon hill and Morden, set up at the instigation of Merton's Labour council, and the Merton-Croydon tram link, now well under way, many of my constituents rely heavily on the local minicab service, from time to time, to get around town. That is especially the case for elderly people and those without a car, but it is also true of many who travel for business purposes, to other areas of London or to Gatwick or Heathrow, and prefer to leave their car at home.

This morning, I spoke to Merton council's head of environmental services, who reinforced my view that minicabs can provide a service over and above that of black cabs in our area, but had many concerns about safety and insurance. The council does not use minicabs at the moment, but it might if they were licensed. The head of environmental services made the point that minicabs are especially useful for elderly people, who may come into town to shop by bus but need a cab to get home.

The Merton voluntary services council, which is considering setting up a car pool and frequently needs minicabs, has many concerns about the safety of vehicles, which often lack wing mirrors and seat belts, and about the safety of women, who often feel vulnerable and harassed as a result of remarks made by unlicensed drivers.

Demand for and supply of minicab services locally are evidenced by the number of business cards from minicab firms that come through our letter boxes each week. Generally, the only information that can be gleaned from the card is the name of the firm and a contact number. The cards may get pinned up on the kitchen notice board in case of emergency, but as one dials the number, how often do the following thoughts spring to mind? Have the drivers been vetted? Will the driver be suitably qualified? What if the driver does not know the road that I want to go to? I am in a hurry, but will the driver know the best route? Will the car be safe and suitable for carrying members of the public? Will it have been regularly serviced and properly maintained? Who is coming to pick me up?

I understand from the local police that many unlicensed minicabs are used by burglars to get away with their loot from the scene of the crime. Is the driver trustworthy? Will the driver be reckless? Will I be harassed? Will I get to my destination in time? How much will the journey cost?

One word added to the business cards could answer those questions and allay many of the fears and anxieties that frequently prevent people who would prefer to use a private hire vehicle from picking up the phone. The word is "licensed". That is the change that the Bill will make, and that is why I support it.

A further reason for using minicabs is that they are sometimes more cost-effective than black cabs. Why should we accept that those who cannot afford a black cab and who use a minicab instead should have less assurance and safety?

The safety aspect is central to this debate. As the Automobile Association found in a recent survey, taxis are most frequently used in London for leisure trips, especially at evenings and weekends to go to and return from social events. While local minicab firms known to the user are seen as a safe option to get to a destination, returning in a black cab is often seen as a safer alternative, especially by women.

One respondent to the AA survey commented that, in the case of a problem with a black cab, all one had to do was take the driver's number and go to Penton street, and the driver could lose his living. With a four-year waiting list for green badges, few drivers will take a chance. The minicab driver or operator is not in the same position. The risks are all on the side of the person making the journey, and many cannot afford to take that chance.

Sometimes one cannot procure a black cab. I found myself in that predicament—as, I am sure, have many other hon. Members—one night before Christmas, when, with my wife and our baby daughter, I waited from 11 pm to 1 am for a black cab outside the House. Eventually, I called a minicab company in Wimbledon, one of those drivers agreed to come and pick us up from Westminster, but only after I had used all my powers of persuasion to convince them that I really was the Member of Parliament for Wimbledon and needed a reliable rescue operation to get my family home.

London as a whole, and my constituents in particular, need a safe licensed minicab service on which they can rely to supplement the black cab service; to discourage them from using their cars in town; and to provide security and convenience when they go about their daily business. Minicabs are clearly needed to supplement black cabs, whose drivers will continue to have the sole right to ply for trade on the streets or the ranks.

The case for minicabs to be regulated is compelling. Licensing will make travel in and around London safer, and will make enforcement and the outlawing of rogue traders easier to police. Incidentally, the London borough of Merton has told me that it would prefer the licensing to be carried out by the Public Carriage Office and not imposed as an additional duty on local authorities. The regulation of the minicab trade will encourage many to use minicabs in combination with public transport, so it will contribute to the Government's plans to deliver an integrated transport strategy to our capital city, as part of our wider plans for a Greater London authority. I commend the Bill to the House.

1.2 pm

The Minister for Transport in London (Ms Glenda Jackson): I may say with some justification that this debate has shown the House at its best, because we have heard cross-party support for the Bill introduced by the right hon. Member for North-West Hampshire (Sir G. Young) from right hon. and hon. Members, and that support is also shown by the sponsors of his Bill. I am delighted to have the opportunity to support the Bill on behalf of the Government.

The right hon. Member for North-West Hampshire was justifiably generous about the support that his Bill has received from many respected organisations.

He mentioned Age Concern, RADAR, the police and the Suzy Lamplugh Trust. I also wish to pay tribute to all the organisations that the right hon. Gentleman mentioned for the way in which they have for many years campaigned to right this wrong and remove an anomaly that affects London and Londoners.

As many right hon. and hon. Members have pointed out, Londoners exclusively, of residents in our cities, are vulnerable to people who claim to be minicab drivers, but who might have different motives for picking us up in their cars. Many hon. Members have related today examples of the genuine dangers that face us all unless the Bill reaches the statute book.

The right hon. Member for North-West Hampshire mentioned the conference under the auspices of the Suzy Lamplugh Trust at Stringfellows. He disclaimed any previous knowledge of the interior of that establishment, and I entirely believe him, although there was a ribald response from some hon. Members. The right hon. Gentleman told us how the victim of a particularly horrific incident, a woman called Sally, courageously described the dreadful experience that she had undergone in a minicab. Other speakers have described similar incidents.

Three strands have run through today's debate. It is clear that all hon. Members regard topographical knowledge, enforcement and the vetting of drivers, operators and vehicles as the bedrock of the legislation that is needed. The people of London, and, as many hon. Members pointed out, visitors as well—tourists who come to our great capital city—must be assured that the vehicles that carry them are safe, and that they will not be the victims of brutal physical attack.

Those points were made by my hon. Friend the Member for Tooting (Mr. Cox) and by the right hon. Member for Cities of London and Westminster (Mr. Brooke), in their own individual styles. The right hon. Gentleman drew attention to a problem that could make people particularly vulnerable if the Bill is not passed. He referred to contracts—he admitted that this was based on allegation—for the carriage of children in one instance, and of newly recovered hospital patients in another. In the first instance, the driver had allegedly served a sentence for paedophilia; in the second, the driver was known to have served time in prison for the criminal offences of burglary and brutal assault.

The hon. Member for Carshalton and Wallington (Mr. Brake) referred to the requirement for some topographical knowledge. My hon. Friend the Member for Streatham (Mr. Hill), speaking with all the weight and gravitas of one who was a member of the Transport Select Committee when it examined the issue, pointed out—as did other hon. Members—that the minicab trade itself wants the legislation. It is prominent in wanting the cowboys, as my hon. Friend the Member for Streatham called them, to be expelled. My hon. Friend also made the point about topographical knowledge.

I do not think that any hon. Member has suggested that every minicab driver is at heart a criminal, and it would be quite wrong to suggest that. Most drivers are safe, reliable and honest. The Bill is intended to ensure that they are not victims of such allegations; otherwise, the reputation of the whole cab trade—minicabs and black cabs—could be diminished as a result of elements that are clearly criminal.

The hon. Member for Croydon, South (Mr. Ottaway) made the point that I have just made, although probably more succinctly. He said that most minicabs were safe, but he also drew attention to the potential dangers, and gave a graphic example of a young doctor who was threatened. He, too, paid tribute to the black cab trade—not just the London Taxi Board, which supports the Bill. Like other speakers, he drew attention to the enormous benefit that the black cab provides not only for those who travel in it, but for the whole image of London as a capital city. That tribute was echoed by my hon. Friend the Member for Barking (Ms Hodge), who related a particularly dangerous incident stemming from personal knowledge and involving a person who had worked for her. My hon. Friend again underlined the fact that the Bill poses no threat whatever to the black cab trade.

There were tributes by the hon. and learned Member for Harborough (Mr. Garnier), and in support of the Bill hon. Members suggested how to assure passengers that, should the Bill become law, they can be confident of being in a licensed vehicle with a licensed driver. The hon. and learned Member suggested visible identification in cabs, so that passengers could be assured that the driver was duly licensed and checked.

My hon. Friend the Member for Ilford, North (Ms Perham) spoke about the requirement for some topographical knowledge, and about the resources that the Public Carriage Office would require if it is the licensing authority. She also mentioned enforcement and the issue of meters in minicabs, and underlined the fact that all hon. Members who have participated in the debate have examined the issue in some detail. All those who spoke had direct knowledge of the matter, and had thought about the licensing of minicabs. We are debating public safety, and people must be sure when they use the vehicles that they, the drivers and the operators are safe and reliable.

The hon. Member for Hexham (Mr. Atkinson) praised black cab drivers. I think that his contribution was the only one by a non-London Member. He related a story about one of his constituents. That constituent must be wealthy if he can afford to take a black cab from London to Alnwick. My hon. Friend the Member for Romford (Mrs. Gordon) made a salient point when she emphasised that taxis and minicabs are perceived by the Government as part of the public transport system. It is important for them to play a proper role in our integrated transport policy.

The hon. Member for Richmond Park (Dr. Tonge) paid tribute to the Suzy Lamplugh Trust and to Diana Lamplugh, and her speech encapsulated the concerns not just of mothers but of all parents, grandparents and families about the potential dangers that are faced by loved ones out late at night. We must be absolutely reassured about how they will get home if they do not have private vehicles, and public transport is not available. The Government intend to change that. We know that there are inherent dangers in using minicabs in some circumstances.

It seems from his speech that my hon. Friend the Member for Brent, North (Mr. Gardiner) has wide international experience of cabs. He spoke about the need for security and about the reliability of minicabs. My hon. Friend the Member for Wimbledon (Mr. Casale) also spoke about safety not only in the context of the driver but in terms of the vehicle.

[Ms Glenda Jackson]

It is a pleasure to congratulate the right hon. Member for North–West Hampshire not on the happy accident of winning fourth place in the ballot, but on taking the opportunity to present a Bill which the debate has shown to be worthy of support. I should also like to congratulate him on the hard work that he has put into bringing his Bill before the House today. I know how much trouble he has taken in preparing the way for it.

I am delighted that the Government were able to agree that parliamentary counsel should do the detailed drafting, although that by no means lifted the burden of excessive work from the right hon. Gentleman's shoulders. I know that he has been both dedicated and energetic in applying himself to the task. He was generous in paying tribute to my Department; I thank him for that, and I should also like to express my gratitude.

I was tempted to make—indeed, I toyed with the possibility of making—some minor party political pleasantries, but I have decided in the spirit of this morning's debate, with the clear cross-party co-operation that we have heard, not to do so. On mature reflection, I decided that they were rather feeble jokes, anyway. I have no doubt that the entire House is relieved—*[Interruption.]* I hear gratitude pounding in my ears from both sides of the House.

The Government support the Bill. We hope that it succeeds; if by mischance it should not, we shall seek to introduce legislation along the same lines ourselves as soon as parliamentary time permits. We support both the principle of the Bill and its provisions, on which the right hon. Gentleman has been in touch with us and on which he has taken full account of the responses to the consultation that the Government carried out in line with our manifesto commitment. If there should be those who hope that the Bill will fall—I do not believe that anyone of good would take such a view—I cannot, in all honesty, encourage them to think that it will have gone away; it will not.

As more than one hon. Member has said today, it is high time that the disgraceful—I believe that my hon. Friend the Member for Streatham used the word "scandalous"—anomaly of London minicab regulation, or lack of it, was remedied. The right hon. Member for North–West Hampshire described clearly and well how, in almost all the rest of the country, private hire vehicles are regulated, as are taxis. It is only in London, of all our cities, that the minicab trade is unregulated and unlicensed; as all hon. Members have made clear this morning, that must be put right, as a simple matter of public safety. We have, over the years, seen too many attacks upon vulnerable people, particularly women, to allow the present position to continue.

The right hon. Member's Bill seeks to put right the anomaly. In one way, I think that it is right not to overplay the significance of the measure; all the Bill seeks to do is to apply to London the basic system of regulation that already applies throughout the United Kingdom. That is important and necessary, but I do not believe that it will have the dramatic impact on the London taxi trade that has occasionally been suggested.

In saying that, however, I must go on to echo the praise that the right hon. Gentleman and many other hon. Members have this morning given to the London taxi trade for the responsible and sensible attitude that it has taken to the Bill. I am second to none in congratulating the trade on that.

Naturally, those interested in the Bill—I believe that that includes every hon. Member who has been present this morning—have asked for information on a number of points, including who will be the regulatory authority. I can confirm that, as and when the Bill becomes law, the Secretary of State intends to use the power in clause 24 to delegate his functions to the Metropolitan police and, in particular, to the Public Carriage Office. That will be widely recognised as sensible.

The PCO already regulates the London taxi trade, and is generally seen to do so carefully and fairly. It has experience and expertise in the subject, and it also has the right geographical coverage, being responsible for the whole of London. Any smaller unit within London might raise problems of cross-border discrepancies. I am glad to tell the House that the Metropolitan police have agreed to take on that task, and I am grateful to them, as I am sure are right hon. and hon. Members, for that agreement.

Looking to the slightly longer term, I think that it will probably be right for the regulatory function for both taxis and minicabs to pass to the proposed Greater London authority, perhaps by a transfer of the PCO itself. We shall be considering the legislation to establish the GLA with that in mind.

Enforcement has also been mentioned by more than one hon. Member. It was touched on by the right hon. Member for North–West Hampshire, and we all recognise its importance for any system of regulation. I am glad to confirm that the Metropolitan police envisage the establishment of a special unit to enforce the provisions of this Bill, should it become law—checking on licensed minicab operators and drivers, and their vehicles, to ensure that all the requirements of their licences are being fulfilled.

That unit may number about 20, although the precise figure needs to be worked out. It will have the various powers provided in this Bill. Minicab operators will know not only that they stand to be charged with the offences also provided for in the Bill, but that, if convicted, they will face not just a fine, but the loss of their licence, and thus their chance to work in the minicab trade. That is a sanction that has been lacking for far too long in London. The minicab enforcement unit would be financed from minicab licence fees, with no cross-subsidy from the taxi trade.

In addition, of course, it will remain the duty of all London police officers to enforce the law on taxis and minicabs. I know that the PCO will take steps to ensure that all officers are properly informed of the provisions of this Bill, should it become law.

I understand that the Metropolitan police are also considering the possibility of increasing the number of police officers specialising in minicab and taxi enforcement, drawing on licence fee income. Effective enforcement is in the interest of all reputable licence holders in the taxi or minicab trades, who cannot welcome unfair competition from those who try to practise outside the law.

We have also heard about topographical knowledge testing for minicab drivers. Again, it is an issue that hon. Members on both sides of the House highlighted as of great importance. I know that it is an important topic not only within but outside the House.

I would stress the significance of the express provision in clause 13(3) for knowledge testing. There is no such provision in any of the legislation dealing with London taxis, or with taxis or minicabs outside London. My hon. Friend the Member for Eltham (Mr. Efford) was correct to say that local authorities outside London may impose a knowledge test, but clause 13(3) is the first statutory requirement for topographical knowledge. It is a first, and it should be acknowledged as such.

Certainly the provision is in general terms. It provides that the Secretary of State "may" rather than "must" require applicants to show that they posses an appropriate knowledge of London,

"whether by taking a test or otherwise".

Those words were, I should stress, included after careful consideration. I believe that we must have the flexibility to deal with changed circumstances. Experience shows that it is not often that parliamentary time can be found to legislate for taxis and minicabs, and we are sadly aware of taxi and private hire vehicle provisions on the statute book that have not stood the test of time.

I believe that no apology is required for a flexible approach to the drafting of this Bill, but I can confirm that the Secretary of State will be applying the provisions of clause 13(3). New applicants for a minicab driver's licence will be required to show, by passing a test,

"that they possess an appropriate level of knowledge of London and of general topographical skills."

It would not be sensible for me to go into the detail of the precise nature of the test, as that must be for the Public Carriage Office not only to consider but to consult upon. There may well also be transitional arrangements—grandfather rights, in the jargon—for minicab drivers who can show that they have worked consistently in the trade for some appropriate period before the legislation comes into force. I stress that no driver will be exempt from a criminal record check. Nevertheless, the principle of application of clause 13(3) is clear.

I am also aware that there are anomalies or weaknesses in current law on taxis and private hire vehicles, not only for London but for elsewhere, and realise that legislative overhaul is long overdue. The House will realise that I can make no promises on when parliamentary time will be available. I assure the House, however, that the need for change is understood by the Government.

Many hon. Members have expressed concerns about whether the Public Carriage Office will have the necessary resources should the Bill be enacted. It is well recognised that the PCO will require more resources to perform minicab regulation effectively. The PCO will be ensuring that those resources are provided, and it has already started to review its requirement for extra staff and equipment. As the House will be aware, the PCO is the responsibility of the Metropolitan police. As I have already told the House, although I take a very close interest in the work of the PCO, the Metropolitan police are happy that responsibility for it should rest with them should the Bill become statute.

The principle is that licensing costs will be met by the minicab trade from licence fees. I reiterate that there is no suggestion that the taxi trade should pay for minicab licensing. Like many Labour Members, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) mentioned the problem for taxi drivers of delays in taking the famous knowledge test. The issue was also mentioned by the right hon. Member for North–West Hampshire.

I agree with the right hon. Gentleman that that issue, concerning taxis, is separate from the issue of minicab regulation, which is a public safety issue. I confirm, however, that the Public Carriage Office is taking action to speed up knowledge testing, and I will ensure that its attention is drawn to today's debate.

The Public Carriage Office has recruited extra knowledge examiners, and the interval between tests has already been reduced. The PCO envisages recruiting more knowledge examining staff over and above the latest increase. It has also made changes in the system of knowledge testing, with initial written tests rather than a personal appearance. We hope that that change—with the new point system reflecting how well candidates perform at personal appearances—will reduce the load on knowledge examiners.

Hon. Members have mentioned the possibility of legislation enabling the Public Carriage Office to charge taxi and minicab applicants for sitting tests rather than to charge a fee only when the licence is issued. The effect of the current system is to place the cost of dealing with applications when a licence is not granted on those to whom a licence is granted. The Bill contains such a provision, in clause 20.

My hon. Friend the Member for Eltham particularly made the point that legislative overhaul of the law on taxis and private hire vehicles—not only in London but elsewhere—is long overdue. I repeat that I can make no promises of when parliamentary time will be available, but the need for change is well understood by the Government.

I trust that I have been able to assure hon. Members on their concerns. Like hon. Members who have spoken in this debate, I believe that the Bill is long overdue.

It would be entirely improper of me not to mention perhaps one of this debate's most important speeches, which was made by my hon. Friend the Member for Eltham. He brought not only direct personal experience of being a black cab driver but a family history of driving black cabs. It was a genuine privilege to be the beneficiaries—as hon. Members were—of his wealth of detailed knowledge. His argument for the Bill's reaching the statute book was probably as cogent and convincing as any that could be made. His knowledge of what is necessary to ensure the safety of passengers is consummate, and I am grateful to him. I am sure that the right hon. Member for North–West Hampshire is also grateful that someone with such experience should so warmly endorse the Bill.

The arguments offered today by hon. Members of all parties underlined time and again the fact that the Bill is important for public safety, that it has been overlong in arriving, and that we are grateful to the right hon. Member for North–West Hampshire for introducing it. Should it find its way on to the statute book, not only the people of London but those who visit our great capital city will have cause to be grateful to him. I strongly hope that the House will ensure that it receives a Second Reading.

1.30 pm

Sir George Young: With the leave of the House, Mr. Deputy Speaker. The Minister has wound up the debate, so I shall not seek to do so, but I wish to make three brief points. First, I thank all hon. Members who have participated in the debate for supporting the Bill.

[Sir George Young]

The proposition before the House is that the Bill should have a Second Reading. There has been no serious dissent from that principle, so I hope that it may have an unopposed Second Reading.

Secondly, several hon. Members pointed out where they thought the Bill might be improved. There was particular focus on the word "shall" rather than "may", but points were also made about taxi meters and advertisements. I will reflect on those points, hold discussions with appropriate parties, and see whether the Bill might be improved, probably in another place rather than here.

Thirdly, I must mention the speech by the hon. Member for Eltham (Mr. Efford). It was an interesting speech, in which he brought to bear on the Bill his extensive knowledge of the taxi industry. He has a vision of a unified industry with common standards for minicabs and taxis.

If that is where we end up, my Bill is an important first step. It will bring minicabs within the legislative framework; it will provide that the PCO shall deal with minicabs and taxis; and it will provide for a knowledge test. Indirectly, it will reduce the difference between black cab and minicab drivers' tariffs, for the reasons outlined by my hon. Friend the Member for Hexham (Mr. Atkinson), in that we will knock out the irresponsible minority who can under-price because they are not playing the game.

Wherever we are going, the Bill is a first step on that path. Against that background, I hope that it may now proceed on its way.

Question put and agreed to.

Bill read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 63 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Sir George Young.]*

Question agreed to.

Committee on Friday 6 February.

Cold Weather Payments (Wind Chill Factor) Bill

Order for Second Reading read.

1.32 pm

Mr. Nigel Evans (Ribble Valley): I beg to move, That the Bill be now read a Second time.

I have great pleasure in introducing the Bill. I congratulate my right hon. Friend the Member for North-West Hampshire (Sir G. Young) on successfully leading the Private Hire Vehicles (London) Bill to its Committee stage. I wish it a speedy passage on to the statute book.

I was successful last year and came eighth in the ballot for private Members' Bills. My Bill, which dealt with the DNA testing of prisoners already convicted and in prison, passed all its stages in the House in one day. I hope that I am going to be as successful now, and that this Bill does the same. I see no problem with that. I shall be shocked if the Minister allows that but, in view of some of the things that were said 12 months ago, I ought not to be.

I am grateful to pensioners and pensioner organisations for their supporting the Bill and writing to hon. Members. I understand that some of them are lobbying hon. Members today. I also pay tribute to Age Concern for its tireless support of legislation now and in previous years, particularly when the hon. Member for Preston (Audrey Wise) introduced her Bill 12 months ago.

We have all heard about the woman found dead from hypothermia in her home, about elderly people being too scared of getting into debt and not turning their heating up, or not turning it on, and about people having to choose between heating their homes and eating. Every winter, the tabloid newspapers carry such stories. In Scotland, *The Press and Journal* reported that there was no cold comfort for the old and the poor and that blizzards failed to trigger payments. We read such stories year in, year out.

Among elderly people, there is a massive number of excess winter deaths. In 1996-97, 45,600 more elderly people died during the winter than during other seasons. In 1996, 356 elderly people died of hypothermia in England and Wales. I asked the Library of the House of Commons to find out the temperatures around the country at noon today. I picked places at random and included Ribble Valley for good measure, as it is my constituency. To my amazement, Ribble Valley is the coldest of the areas that I chose, at 1 deg Celsius. The temperature in Llanelli is 2 deg, in Glasgow, amazingly, it is 8 deg; it is 4 deg in the Orkneys, and in Poole, where one would expect it to be warmer, the temperature is 4 deg. There is a clear disparity between temperatures in the north of Britain. In London, the temperature is 3 deg, and we know how cold it is outside today.

I have visited the homes of elderly people, as I am sure that all hon. Members have done, and experienced how cold they are. Some senior citizens live in just one room, which they heat. They do not heat other rooms in order to save money. Many belong to a generation that is very careful with money. They do not want to get into debt, so they do not heat their homes unless they can afford to do so and they do not switch on the heating unless they find it absolutely necessary. Pensioners need our support. They need cold weather payments to be based on a more realistic measure of the temperature.

The Labour party recognised that need before the election, but not now. Now is the crunch time for the Government either to back the Bill and honour the commitments that they made 12 months ago or to destroy my Bill and betray the pensioners.

The Home Secretary is touring the country trying to restore people's faith in the Government and politicians. It is a bit rich for the Home Secretary to try to restore faith in politicians if his party, having said one thing to the pensioners 12 months ago, does not support the measure in the House today. If they stop the Bill making progress, the Home Secretary will have a very tough battle to restore credibility and the faith of pensioners especially.

Mr. Nick St. Aubyn (Guildford): Does my hon. Friend agree that, having betrayed pensioners at other income levels with taxes on private health insurance and pensions in general, it would be the biggest and most cynical betrayal of all for the Government to deny and turn their back on the promises that they made to those least well off?

Mr. Evans: I agree. There is no sector of the population that the Government have not attacked, including students. Before the election, they said that they were the friends of students, but as soon as they got into government, they introduced fees. It is the same with pensioners at all income levels.

The Bill is intended to help the poorest sector of the population living in the coldest parts of the country.

Mr. Peter Atkinson (Hexham): Does my hon. Friend accept that, if the Bill does not proceed, the news will be greeted with considerable anger by people in the north-east of England, where the wind chill factor makes the temperature much colder? There has been a strong campaign in the local media in favour of the proposal.

Mr. Evans: Yes, of course I agree. We cannot be ignorant of the concept of wind chill any longer because it is mentioned in weather forecasts time and again. We hear stories of the freezing temperatures in the United States and Canada. People are familiar with the use of wind chill in calculating temperatures. Not just people in the north-east, but people in Scotland, Wales and all parts of the United Kingdom are affected when it gets very cold. We are trying to help the poorest pensioners in those areas.

Mr. David Ruffley (Bury St. Edmunds): Does my hon. Friend accept that the problem of wind chill is also well understood in East Anglia? That is why so many of my constituents have backed the Bill in the local press. He should be aware of the Siberian winds that blow across the North sea, affecting many of my constituents in Bury St. Edmunds.

Mr. Evans: I welcome the support that my hon. Friend gave the Bill as soon as he heard about it. Siberian winds will blow not just through his constituency, but through the House if the Government decide not to give proper attention to the measure, which, as the Opposition, they thought so important when the hon. Member for Preston introduced it just 12 months ago.

Mr. Edward Garnier (Harborough): Will my hon. Friend absolve from criticism the four Labour Members who have put their names to the Bill?

Mr. Evans: I shall refer to the all-party support for the Bill. It had all-party support in the House last time as well. I pay particular tribute to Sir Andrew Bowden, who no longer sits in the House. I was in the Chamber when the Bill was debated 12 months ago. Sir Andrew suggested a constructive initiative with Labour Members to take the measure forward. We wanted to draw up a letter to the leaders of the main political parties so that they could make a commitment before the election that whoever was elected would introduce a measure to take the wind chill factor into account for cold weather payments. He is sadly missed in the House.

The Bill is designed to do a specific job. It is a simple and effective measure that will put an end to the current sad state of affairs. The present system of cold weather payments works well up to a point. It is designed to give extra help to those who qualify when the temperature is at or drops below 0 deg Celsius for seven days. When that happens, those eligible receive £8.50. In 1996–97, payments under the scheme amounted to just over £42 million. The payments are made automatically to those who qualify. The Benefits Agency is obliged to announce it through the local media. The system is easy and the money quickly reaches those to whom it is targeted—the poorest pensioners.

Because payments are made quickly, fuel bills can be paid on time. The Government's one-off payments do not allow for that. That is important to many elderly people, who are being disadvantaged by the lateness of the proposed payments. I urge the Government to ensure that the payments are hurried through the system, because otherwise it will be spring before the money arrives for some. That will be far too late for many pensioners who rely on it.

Although the system works well in general, it has failings. For example, despite drifting snow and gales in Scotland over the past few weeks, the Benefits Agency has confirmed that not a single region has qualified for cold weather payments. That shows that the system needs finer tuning to ensure that all pensioners and others who qualify have enough heat to keep warm without having to take any food off their table.

This Bill is very similar to legislation that the hon. Member for Preston introduced last year. Supporters of the measure include the hon. Lady—she is at least consistent in her support for it—my hon. Friends the Members for Bournemouth, East (Mr. Atkinson), and for Bury St. Edmunds (Mr. Ruffley)—both of whom are in their places—my hon. Friends the Members for Surrey Heath (Mr. Hawkins), and for Cheadle (Mr. Day), and my hon. and learned Friend the Member for Harborough (Mr. Garnier), who is also in his place. Other supporters include the hon. Members for Hackney, South and Shoreditch (Mr. Sedgemore), for Ipswich (Mr. Cann), for Swansea, East (Mr. Anderson), and for Moray (Mrs. Ewing), and the hon. and learned Member for North-East Fife (Mr. Campbell). *[Interruption.]* I thank

[Mr. Evans]

my hon. Friend the Member for Hexham (Mr. Atkinson) for correcting me. My Scottish pronunciation is not as it should be. I am travelling to Edinburgh tonight, Mr. Deputy Speaker, so I shall be able to tell you what the temperatures are there—even if I cannot pronounce the Scottish place names.

I thank those hon. Members for the all-party support that they have given to the Bill. It is important to recognise that support for the legislation has come from all parts of the country, with temperatures that may differ greatly.

There is no technical reason why the system should not be implemented. It is a simple measure that would put little extra strain on the public purse. Age Concern has examined the statistics for the past three years and has estimated that the proposal would add about an extra £8 million a year—or 0.008 per cent.—to the total social security budget of about £100 billion. However, it appears that the Government will not support the legislation.

Where are those Labour Members—many of whom are now members of the Government—who foretold doom and destruction if the measure were not introduced by the previous Conservative Government? In a press release of 26 December, the Secretary of State for Social Security declared—just as she did about bovine spongiform encephalopathy—in melodramatic terms:

"the stark truth is that Britain's poorest pensioners may have to choose between heating and eating."

As late as 13 January this year, the Under-Secretary of State for Social Security, the hon. Member for Southampton, Itchen (Mr. Denham)—who is in his place—wrote:

"we are not prepared to allow another winter to go by, when pensioners are fearful of turning up their heating because they do not know whether they will get the help they need with their fuel bills."

At least the hon. Gentleman did not sign the early-day motion of 21 November 1996, which enjoyed all-party support. Many Labour Members, who are now Ministers, supported that early-day motion, including the hon. Members for Manchester, Withington (Mr. Bradley), for Edinburgh, South (Mr. Griffiths), for Lewisham, East (Ms Prentice) and for Wallasey (Angela Eagle). I repeat: where are they today? Some 176 hon. Members signed that early-day motion on 21 November 1996, yet many of them are not present today. It is important to recall the text of that motion. It stated:

"That this House expresses concern at the ineffectiveness of the cold weather payments system in helping older people to meet fuel bills in winter; notes that the Government has increased the number of weather stations used to calculate cold weather payments from 55 to 70; considers that this, whilst welcome, is an inadequate response; and calls upon the Government to agree to the amendment of the cold weather payments system, as proposed in the Cold Weather Payments (Windchill Factor) Bill, so that the windchill can be taken into account, and also to review how to improve the system for the benefit of Britain's oldest, poorest and coldest pensioners."

I quote the text of that motion because I know the sorts of responses that I shall hear from the Government Benches today regarding the support that the Government have announced already for pensioners. I shall leave it to the Minister to outline that support, which we have discussed in the past. Such assistance is welcome.

However, the early-day motion makes the point that the current system of cold weather payments is not as effective as it could be. In announcing support over two years, the Government have not said that they will suspend cold weather payments. As I understand it, that system will remain in place. If the trigger mechanism is activated, those who are eligible will receive a payment of £8.50. We accept that cold weather payments are necessary in order to assist the poorest pensioners in the coldest areas. However, I contend that this legislation would allow cold weather payments to kick in earlier for the poorest pensioners living in the coldest parts of the country. That is all that we are asking for.

I am sure that the Minister will soon be talking about the support that the Government have given to pensioners. However, I understand that that will be for a fixed two-year period. After the two years, there is no security or long-term planning, and pensioners do not know whether they will still get the support.

What "equality" means for the poorest pensioners living on income support is that the support that the Government have already announced will go to all pensioners, irrespective of where they live. It will be paid equally to pensioners throughout the country. That does not recognise the needs of the poorest pensioners living in the coldest parts of the United Kingdom.

My measure would simply ensure that, irrespective of the extra support, when the cold weather payments come in, they will do so a little more quickly. That is why I believe that my measure is so essential.

I shall finish now because I know that others want to contribute, and I welcome that. I can see the hon. Member for Preston in her place, and I congratulate her on the work that she did 12 months ago in raising the issue. I am delighted to see her here today.

We do not need the Minister to say either that there is no way in which he will even touch the Bill, or that it will go through as it is. He may say that improvements could be made. What we seek today from the Minister is a commitment that will keep faith with what was said by Members belonging to his own party before the general election, because they felt that the subject was so important.

The subject was raised by the hon. Member for Preston and debated fully in the House by a number of Labour Members in opposition. The early-day motion was tabled, too, and many pensioners were persuaded to support Labour at the general election, thinking that, when the Labour party became the Government, such a measure would be introduced.

Six or seven months on, I should have thought that the Government would have taken up such a measure as a matter of urgency, so that pensioners this winter could be assured that, if the temperature dropped below a certain level, the cold weather payments would be triggered earlier. I plead with the Minister on behalf of all the pensioners on income support throughout the country, who will listen carefully to what he says today. Please give them the support that they were promised 12 months ago.

1.51 pm

Dr. Brian Iddon (Bolton, South-East): It is a sad sign of the times when a Government have to consider such a measure to help our less well-off citizens keep warm in their own homes. I am all in favour of any measure that would get people out of the terrible fuel poverty that exists

in this country. However, I believe that there are far more common-sense measures than the complicated scheme that the Bill would introduce.

Surely the real way to help pensioners and others to keep warm, as we should in a civilised society, is to ensure that their houses are warm, dry and well insulated and that they are financially well provided for, and can meet their fuel bills.

In that respect, I remind the hon. Member for Ribble Valley (Mr. Evans) that the Government have set up a major inquiry into the value of current pensions. I remind him also that the previous Administration, run by his party, decoupled pensions from wages and coupled them instead with prices.

For a single pensioner, that has reduced the real value of the pension by an average of £22 a week

Mr. Oliver Heald (North-East Hertfordshire) *rose—*

Mr. St. Aubyn *rose—*

Mr. Ruffley: Will the hon. Gentleman give way?

Dr. Iddon: In a moment.

There lies the crux of the problem. If the previous Government had not got us into that situation, the hon. Member for Ribble Valley would not have had to introduce his complicated measure.

Mr. Heald: Aside from his weasel words—Labour is not proposing to reintroduce the earnings link—will the hon. Gentleman answer this question? If the heating of a home is to be paid for, so that it becomes the kind of warm home about which he talks, must not more money be spent on a home exposed to cold winds and where there is a high wind chill factor than on other homes? That is the purpose of the Bill—why will he not support it?

Dr. Iddon: More common-sense measures could be taken to get people out of fuel poverty across the country, including in the areas to which the hon. Gentleman referred.

When I was the chair of housing at a local authority—I held that post for 10 years, taking over in 1986—I recognised the problem, and it was not as bad then as it is now. I recognised that many people did not have decent heating systems, so we decided to introduce an affordable—modular—heating scheme for all 26,000 council tenants in my borough. That was done extremely quickly so that every house in the public sector was given warmth.

We recognised also that the exterior fabric of the houses was in a poor condition, and our second major programme was to abandon internal refurbishment for a while to concentrate on externally refurbishing every council house, with priority given to double glazing. Indeed, we even set up our own UPVC double glazing plant. That programme is almost finished and fuel bills have gone down greatly for the people who have benefited from those two major schemes.

By reducing housing expenditure across the public and private sectors, the previous Government severely damaged attempts by people to keep warm because the fabric of houses deteriorated dreadfully. In my borough, the amount of money available to spend on housing was cut by the previous Administration by almost 70 per cent. That was one of the problems that they caused. It is remarkable that a member of the previous Administration is proposing to tinker with an existing Act in such a minor way, when they created the major problems in the first place.

Mr. St. Aubyn: Is not it a fact that targeted benefits can help those most in need, and that the Bill proposes a targeted benefit? Is it not a fact also that, in areas such as the hon. Gentleman's, council housing expenditure may have been reduced, but expenditure by the Housing Corporation and local housing associations grew substantially under the previous Government?

Dr. Iddon: It did not grow to the extent that it replaced the devastating cuts in expenditure in the public sector in particular, and in other sectors. Overall, the previous Administration devastated housing in this country. The sole reason why I came to Westminster was that, when I was the chair of housing in a local authority under the previous Administration, I clearly saw that I could do nothing else for the borough of Bolton—Westminster was the only place to get action by arguing for housing to be moved up the agenda.

This Government have done something that previous chairs of housing like me asked the previous Administration to do over many, many years—10 years in my case, but the 18 years of the previous Administration for others. The previous Government refused to release capital receipts from the sale of council houses—purely because of political dogma—and local authorities could not take measures to prevent the fuel poverty about which we are talking. I am pleased that, over the next two years, the Government will allow £800 million of capital receipts to be put into the market to allow for the introduction of common-sense measures to reduce fuel poverty by making homes warm and well insulated.

Mr. Evans: It is absolutely right to insulate homes to conserve energy, and to keep pensioners warm. However, how many pensioners is the hon. Gentleman prepared to see die over the next several years—[HON. MEMBERS: "Shame."] That is what Labour Members were saying when they were in opposition. How many more pensioners will die in the next five years before something is done? The Bill is a short-term measure and will target support on the poorest pensioners in the coldest parts of the country. The measure about which the hon. Gentleman talks is long term and will take 20 or 30 years.

Dr. Iddon: That is a shameful question and I shall turn it on its head and ask the hon. Gentleman how many pensioners died under the previous Administration because of their policies.

The Government have also reduced value added tax on fuel, a fact which is well known and has been well publicised. It is a shame that we were not able to reduce it to zero. We could take it only to 5 per cent. because of European regulations. Who put the VAT on fuel in the first place and who would have increased it to 17.5 per cent. if they had now been in government instead of Labour?

Mr. St. Aubyn *rose—*

Dr. Iddon: I shall not give way, as I want to finish my remarks and time is short.

[Dr. Iddon]

I must also mention the home energy efficiency scheme which, admittedly, was introduced by the previous Administration. However, soon after its introduction that Administration severely cut the money available for the scheme. This Government are increasing it again and have substantially reduced the VAT on energy-saving materials for that scheme, which will allow a large number of homes to be insulated. Indeed, 40,000 homes will benefit from the VAT reductions.

I have tabled a parliamentary question, which I hope will be taken seriously. I have asked the relevant Minister if the Government will consider extending the reduction on VAT for energy-saving materials beyond the existing Government schemes, so that all senior citizens can benefit.

This Government have also delivered extra money, far in excess of the amount that the Bill would deliver, by sending £50 to pensioners on income support, which they are receiving this January. Other pensioners will benefit to a lesser extent by the end of March. That is paying out more to pensioners than this small tinkering with an existing measure would ever do. The money is being paid automatically and without the need for pensioners to make claims.

Mr. Jeremy Corbyn (Islington, North): Although I agree with my hon. Friend on home insulation and the money that has been paid to enable people to keep warm during the winter, does he accept that the wind chill factor must still be taken seriously? Every home, whether insulated or not, is obviously adversely affected in a cold area with a high wind blowing. Therefore, the residents of such homes ought to get a higher benefit to pay for the extra heating costs.

Dr. Iddon: I accept that argument. The Government are not abandoning the original cold weather payments Act. I look forward to the day when even that Act will be redundant because pensioners do not need that money.

Standing charges on fuel bills are a substantial part of a pensioner's bill. They hit the poorest far harder than richer people. I urge the Government to consider the current level of standing charges. I also hope that they will urge local authorities to encourage pensioners and other members of society who are not taking up all their benefit entitlements to do so. Many thousands of pensioners who are entitled to benefits do not claim them out of pride or ignorance, or for some other reason.

I repeat that the best way to help those people who have difficulties in paying their fuel bills is to ensure that they are adequately provided for financially and that they live in warm, dry homes. If we raised pensioners' economic level, we would not need measures such as the Bill.

2.4 pm

Mr. Simon Burns (West Chelmsford): I congratulate my hon. Friend the Member for Ribble Valley (Mr. Evans) on promoting the Bill, which is designed to give pensioners genuine help over the long term.

I am pleased to see my colleague from East Anglia, my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley), and my hon. and learned Friend the Member for Harborough (Mr. Garnier) here. They are both sponsors of this important Bill.

Audrey Wise (Preston) *rose—*

Mr. Burns: I am also delighted to see the hon. Lady, to whom I now give way.

Audrey Wise: I thank the hon. Gentleman. But what did he think, let alone say, about the Bill that I promoted last year? I agreed without hesitation to be one of the Bill's sponsors when the hon. Member for Ribble Valley (Mr. Evans) asked me, but he gave me no support whatever on my Bill last year. He said that that was because he was a parliamentary private secretary. His priorities were clear. The then Government gave no satisfaction and did nothing at all to facilitate my Bill; in fact, they talked it out without taking any other measures to help pensioners.

Mr. Burns: I am grateful to the hon. Lady for that history lesson about what happened last year. The straightforward answer is that my hon. Friend the Member for Ribble Valley was a PPS at the time, and I was a junior Minister in another Department. I thought that the principle behind last year's Bill had merit, and I was pleased that the Government set up a review late last year to consider how the existing system could be improved.

Given that the Government intend to talk out the Bill today, I might point out to the hon. Lady that last year there was an early-day motion on her Bill, signed by 16 members of the current Government, including the Under-Secretary of State for Social Security, the hon. Member for Manchester, Withington (Mr. Bradley), yet today his colleague will do all he can, with the help of the Government Whip, to ensure that the Bill makes no further progress.

I support the Bill because it is simple and would make a small change to existing arrangements to take into account the wind chill factor, which is extremely important in the more exposed parts of the country, such as Scotland, parts of Wales and the coastline, where temperatures are colder for longer. The Bill would give pensioners automatic help with their fuel bills. It would become the bedrock of the scheme, enshrining it in legislation.

In his pre-Budget statement, the Chancellor announced payments for pensioners for the next two years. No doubt, the Minister will make a great deal of that, to cover his embarrassment over refusing to support the Bill. Frankly, from a party political point of view, I do not blame him. I am not sure why the Government have to spend so much money on a national advertising campaign for a universal benefit that is to be paid automatically, but that is another issue.

The scheme announced by the Chancellor is for two years only, to be paid for from the £400 million in savings on our contribution to Europe. There is no guarantee that it will operate every year thereafter. Pensioners may be getting extra help this year and next year, but the Government have given no commitment to operating the scheme in perpetuity. The Bill would ensure that

when that Government help ended, the cold weather payments scheme would take the wind chill factor into account and help with fuel bills for pensioners would be enshrined in legislation. The Government should think again, reverse their opposition to the Bill and allow it to be considered in Committee.

It is ironic that the Secretary of State for Social Security is becoming known as the soundbite sister. All that she seems to be interested in is an instant soundbite for tomorrow morning's newspapers. I well remember the obscenity—given the Government's attitude towards the Bill—of the right hon. Lady going round the studios on her soundbite journey and condemning the review set up by the previous Government. She claimed that winter need could kill more than 25,000 pensioners and that pensioners might have to decide between heating or eating. We do not hear such crass remarks from the Secretary of State now that she has conned all those people into voting Labour. However, when she got into government, she abandoned them. We saw student politics from the right hon. Lady before the election: now, she is reaping the whirlwind of the Government's hypocrisy. The Government found that out to their cost only a few weeks ago when they treated lone parents as they have treated pensioners over the wind chill factor. That behaviour is despicable, but it is ironic and, sadly, typical of this Government that they will now refuse a Second Reading to legislation for which, only some 12 months ago, they were clamouring. However, we have come to expect that from this Government.

I congratulate my hon. Friend the Member for Ribble Valley on his Bill, but I am disappointed by all those Labour Members who last year supported what this Bill is trying to do, including 16 members of the Government and, indeed, one junior Social Security Minister. They will follow the Government's line today and seek to kill the Bill.

2.12 pm

Mr. Adrian Sanders (Torbay): The Liberal Democrats support the Bill and have consistently supported previous attempts to introduce such a measure. Cold weather payments are triggered by the temperature remaining at a target low for a set period of time. However, temperature is not the only factor: wind chill can cause freezing conditions. Senior members of the Labour party said, before the general election, that the then Government should

"agree to the amendment of the cold weather payments system, as proposed in the Cold Weather Payments (Windchill Factor) Bill, so that the windchill can be taken into account, and also to review how to improve the system for the benefit of Britain's oldest, poorest and coldest pensioners."

Those were the words of an early-day motion whose signatories included a Social Security Minister, a Home Office Minister and two Ministers from the Department of the Environment, Transport and the Regions.

The Government may argue that they have a budget ceiling and that incorporating the wind chill factor would force down the level of the payment or lead to a reduction in the temperature level at which payments kicked in. However, it would be a nonsense to oppose the Bill on the ground of budget limitations, because no money is set aside for cold weather payments. The conditions, and therefore the payments, are entirely unpredictable.

The Government may also argue that they are sticking to the Conservative spending plans. That is odd. When Mrs. Thatcher came to power, she did not say that she would stick to Labour's spending plans for the first two years: she got on and did things her way.

It is a false economy to scrimp and save in regard to keeping pensioners warm in winter. Conservative Members mentioned a number of regions where there is a particular problem. I come from the south-west, an area which—particularly the far south-west—traditionally has a milder, more moderate climate than other areas in the winter months. When the south-westerlies are blowing, however, we have freezing wind chill all along our coastline, right into the middle of Devon and Cornwall. We may be experiencing such a wind chill, but there may be no snow on the ground, while people in other parts of the country are snowed in but not suffering from the windchill factor. Pensioners in those areas will receive payments, while those in my part of the world will not.

Countries that are much colder than Britain—most notably the Scandinavian countries—have less of a problem with hypothermia than we do. As well as passing the Bill, the Government should take a number of steps to make Britain's homes warmer. They should, for instance, lower the rate of VAT on home insulation products from 17.5 per cent. to 5 per cent. as part of a longer-term strategy. The most important aspect of the Bill is the fact that it would provide help immediately; most pensioners would not be able to have their homes insulated in a 12-month period.

We call on the Government to allow this Bill to become law. It has our full support.

2.16 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. John Denham): I congratulate the hon. Member for Ribble Valley (Mr. Evans) on his success in the ballot, and on raising a subject that is of great concern to all hon. Members. I also pay tribute to Age Concern, the Bill's main sponsor, for its many tireless efforts on behalf of older citizens.

I do not think there can be any doubt about the Government's commitment to helping to ensure that vulnerable people—especially pensioners—can be warm in their homes in winter. This morning, as on other mornings this week and next week, thousands of pensioners throughout the country who are on income support will have received giro cheques for £50 as part of the winter fuel payments scheme.

Mr. Burns: Of course the Minister is right, but will he explain why all the other pensioners who are not on income support will not receive that badly needed money until March at the earliest? That will be particularly onerous for pensioners who are just above the income support level, who may have to pay hefty fuel bills in the eight weeks before they receive the money. Why could the Government not get their act together and pay all the money at once, instead of discriminating?

Mr. Denham: The hon. Gentleman says that the money is badly needed. For 18 years, it never occurred to his party's Government that it was badly needed; they did nothing at all to help Britain's pensioners.

Mr. Burns: Answer the question.

Mr. Denham: The answer to the question is that, in the first year of operation of an unprecedented exercise,

[Mr. Denham]

this is the time that it takes. Would the hon. Gentleman have preferred the Government not to give support to all pensioners, as his party's Government did not, year after year?

Mr. Burns: Will the Minister give way?

Mr. Denham: No. I have given way to the hon. Gentleman once, and it was not worth it.

The winter fuel payments scheme will help all pensioners, but will give the most help to the poorest. It is an unprecedented initiative, which dwarfs any action by any other Government to tackle winter cold. We recognise that the problem is real. Every winter when it is cold, the number of pensioner deaths increases greatly. The issues, and medical opinion, are complex. Outdoor exposure may be a more important problem than cold indoors, but that does not mean that we can be complacent about older people living in cold houses and flats. As my hon. Friend the Member for Bolton, South-East (Dr. Iddon) pointed out, too many houses are not energy-efficient: many are damp, cold and expensive to heat. That is why the Government have launched new initiatives across Departments to tackle the problems experienced by vulnerable people. The new Labour Government have already taken action to cut fuel costs, which are 5 per cent. lower overall than they were a year ago. The annual fuel bill for people who are eligible for cold weather payments is estimated to be £60 million lower than a year ago, and that fall in itself is equivalent to almost three cold weather payments.

I should like to set out the measures that we have already implemented to cut fuel costs and make homes easier to heat. As I have said, we have launched the winter fuel payments scheme. Every pensioner household will receive a payment of £20 and the poorest pensioners, those on income support, will receive £50 for this winter and next. The Government were not prepared to allow another winter to pass in which pensioners were fearful of turning up their heating because they did not know whether they would get the help that they needed with their fuel bills. That is why we have launched an advertising campaign. It is critical that pensioners can be confident about turning up their heating in the knowledge that help is on the way. That is why we have taken the step of making sure that pensioners know that. No doubt the hon. Member for West Chelmsford (Mr. Burns) would have preferred us to keep that information secret. He is wrong: the issue is about enabling pensioners to know that they can turn up their heating.

Mr. Burns: The Minister does not seem to understand that a universal payment to all pensioners does not need to be publicised in a party political way for the aggrandisement of the Government. That is the purpose of the spending of taxpayers' money.

Mr. Denham: There is no question of party political aggrandisement. There is no point in allowing pensioners to go through the winter not knowing that they will receive the payment and being afraid to turn up their heating.

I shall put the winter fuel payments in context. The payment of £50 which is not triggered by cold weather to all pensioner households on income support is equivalent to almost six cold weather payments. Over the past three winters, the average paid out in cold weather payments was £35 million. The total in winter fuel payments alone this winter will be about £200 million. As I have said, this is the first time that any Government have made a payment to all pensioners towards their heating costs.

The hon. Member for Ribble Valley was wrong to accuse us of breaking promises. The Government have kept the promises that they made to pensioners at the general election. In our manifesto we promised to cut VAT on fuel and in his first Budget my right hon. Friend the Chancellor kept that promise by cutting VAT on fuel from 8 to 5 per cent.

Audrey Wise: I fully acknowledge that the Government's action on fuel payments for pensioners is worth far more than the provisions of the Bill that I presented last year. The Bill that we are debating and of which I am a sponsor has the same title as mine. There is not an advertising campaign to promote the Government. The campaign informs people of their entitlement and tells them what to do to put matters right if they do not get it. I say gently to my hon. Friend the Minister that cold weather payments affect people on income support with children under five and those on disability premiums and special steps have not been taken for either group. They would benefit if the wind chill factor were taken into account. Can my hon. Friend please look at that?

Mr. Denham: The Government have defined their priority for pensioners and for the poorest pensioners in particular. There are other vulnerable people and that is why it is important to take a series of measures so that all vulnerable people are assisted in heating their homes.

I spoke about the cut of VAT on fuel, which was the first of our promises to be kept. That is in stark contrast to the actions of the previous Government. The hon. Member for Ribble Valley, who presented the Bill, and the hon. Member for West Chelmsford will remember that they voted to increase VAT on fuel to 17.5 per cent. and voted against attempts to cut it. Neither hon. Gentleman can talk about hypocrisy when their record is so clear.

Mr. Evans: Does the Minister accept that when the provision was introduced, VAT never went to 17.5 per cent., but the support to pensioners on income support did kick in at 17.5 per cent. and was never clawed back?

Mr. Denham: If it did not go to 17.5 per cent. that had nothing to do with the hon. Gentleman, who did his damnedest to ensure that it did.

My right hon. Friend the Chancellor also cut VAT on energy-saving insulation schemes, which will enable another 40,000 homes to be insulated each year. The gas levy has been reduced to zero and we have kept the five promises that we made when the wind chill issue was debated last year. We cut VAT on fuel. We have said that we will help pensioners to insulate their homes through the environmental task force, and the announcement of that task force has now been made; we expect it to include a programme of energy efficiency improvements. In addition, nearly £800 million-worth of capital receipts has gone to local authorities, many of which will be using the money for energy conservation measures. There are similar provisions in Scotland, Wales and Northern Ireland.

We said that we would help the poorest pensioners who are entitled to cold weather payments but do not get them. Some of them will get the £20 this year, but 1 million pensioners do not receive the income support to which they are entitled—an issue that was neglected year after year by the previous Administration: they did nothing about it; they did not care about it. We have already set under way research into why those people do not claim the income support to which they are entitled.

In the pre-Budget statement last November, we announced that from April there will be a number of pilot schemes to find the most effective ways of enabling and encouraging pensioners to claim their income support. The hon. Member for North-East Hertfordshire (Mr. Heald) did not do a single thing to help pensioners take up their income support when he was doing my job under the previous Administration.

We said that we would improve the notification of cold weather payments by better targeting of information, and we have put that in hand this winter so that if a payment is triggered—the first one was triggered in one part of Scotland yesterday—pensioners know that it is being triggered as soon as possible so that they can turn up their heating. We said that we would review the operation of cold weather payments, and we have introduced two more weather stations in Scotland for making decisions about cold weather payments to make the system fairer.

We have kept the promises that we have made, and not just within the Department of Social Security. There are a number of Government-wide reviews and initiatives currently under way. We have a review of utility regulation that will consider the social implications of increased competition in the utilities market. An interdepartmental working group has been set up by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Wallasey (Angela Eagle).

Mr. John McDonnell (Hayes and Harlington): Will my hon. Friend give way?

Mr. Denham: No, I should like to make progress.

Our pensions review will be of great importance. The hon. Member for Ribble Valley knows that primary legislation is not needed to implement the proposal that he has put forward. For that reason alone, the Government would see no need to support the Bill. We have been able to concentrate on the issues today, although the debate has been curtailed.

The best way forward is to take stock over the coming year or so of the outcome of the measures that we have already put in place, such as the winter fuel payments system and the other initiatives across Government, to identify the most appropriate ways of helping pensioners and the vulnerable to keep warm in winter. That is how we intend to proceed and I believe that that reflects the approach advocated by my hon. Friend the Member for Bolton, South-East.

The cold weather payments scheme should be accompanied by four basic principles. It should deliver extra help to those who need it; it should be easily understood so that it provides a degree of certainty that a payment will be made; it should be seen to be fair; it should be felt to be fair. That approach was reflected in the review of the cold weather payments scheme that the Government undertook prior to this winter. One of the positive aspects of the cold weather payments scheme is the ability to make payments more quickly by using a Meteorological Office forecast. That enables entitlement to a payment to be announced at an earlier date, and the payment process to begin at the beginning of a cold spell rather than after seven days.

One of the real problems with the Bill—and there is not time to debate the detail of wind chill at great length—is that it could put at risk that ability to have a forecasting system. It would increase the uncertainty of the scheme, as I would have demonstrated had I been able to speak at greater length. It would not achieve the fairness that we have been seeking in the development of the cold weather payments scheme, between people in different parts of the country and between people in different sorts of housing.

The hon. Member for Ribble Valley must know that nine out of 10 pensioners would not benefit from his proposals. It is important not to give the impression that the Bill could bring any benefit to the vast majority of pensioners, because the Bill would not work in that way.

The wind speed and its effect on temperature is commonly referred to as wind chill. That term has attracted—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 30 January.

Mr. Evans: On a point of order, Mr. Deputy Speaker. The Minister gave the House the impression that he has been so constrained by all the other measures introduced to help pensioners that my Bill could not also be introduced. However, at the same time—as has been shown in answer to a parliamentary question—Downing street is spending millions of pounds on entertaining pop stars—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The way that Ministers respond to debates is entirely a matter for them and is not a matter for the Chair.

Remaining Private Members' Bills

CHAMBER OF COMMERCE (PROTECTION OF TITLE) BILL

Read a Second time

Motion made, and *Question put forthwith, pursuant to Standing Order No. 63 (Commital of Bills),*

That the Bill be committed to a Committee of the whole House.—[Mr. Larsley.]

Question agreed to.

Committee on Friday 24 April.

WATER CHARGES (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 March.

PREVENTION OF DELAY IN TRIALS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 April.

REFERENDUM (ENGLISH PARLIAMENT) BILL

Order read for resuming adjourned debate on Question [16 January], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 30 January.

REPRESENTATION OF GIBRALTAR AT WESTMINSTER AND IN THE EUROPEAN UNION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 30 January.

REPRESENTATION OF DEPENDENCIES AT WESTMINSTER BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 30 January.

WIDENING OF THE M25 MOTORWAY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 30 January.

WAR WIDOWS AND PENSIONERS (EQUAL TREATMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 30 January.

MENTAL HEALTH (AMENDMENT) BILL

Order read for resuming adjourned debate on Question [12 December], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 30 January.

REFORM OF QUARANTINE REGULATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 30 January.

HARE COURSING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 30 January.

Kingston-upon-Thames (Local Government Settlement)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.33 pm

Mr. Edward Davey (Kingston and Surbiton): I want to begin by thanking you, Mr. Deputy Speaker, for allowing me to raise the matter of the local government settlement for the royal borough of Kingston on the Floor of the House. Despite many years of successive cuts for Kingston council, this is the first time that the issue has been properly raised in the House.

When my constituents voted for a change on 1 May last year, they did not expect the cuts imposed by the previous Government to continue. They certainly did not expect the cuts in essential services which the council is now having to consider.

The underlying difficulty in Kingston may have been caused by years of Conservative cuts, but this year's settlement is all the more difficult because of that history. Kingston has already made its major efficiency savings, and grant settlements that do not meet Kingston's increasing real needs will hurt. They are already hurting badly.

I am intensely keen to help the Government to find ways in which they can alleviate Kingston's problems not only this year but in the future. I applied for this debate in a constructive spirit, which is why I have given Ministers advance notice of many of my questions and concerns, so that we can together work out the problems. It is vital, however, that I disabuse Ministers of the perception of Kingston as some leafy borough, without its share of genuine deprivation and areas of relatively modest means. People who live in Norbiton, Tolworth, Chessington and New Malden are rightly proud of their communities, but in no way do they consider their areas as affluent as the Government seem to believe.

I shall first outline the problem that the council will face if the current settlement remains unchanged. Since 1993–94, Kingston has had to make real budget reductions of almost £21 million, and the coming year will be one of the worst. The proposed capping limit would require real budget reductions of £3 million, out of a total budget of only £106 million. As the council has taken the welcome action of passing in full to schools the Government's woefully inadequate education standard spending assessment increase of 4.3 per cent., as the Government requested, spending in all other spheres will have to be cut by well over £3 million.

In social services, there will be staff reductions in the family support service, thereby limiting day care services for very young children at risk of abuse. There will be a cut in services to children with special needs. According to council papers, other staff cuts will cause

"more work being dealt with on a crisis basis, with priorities geared only to high-risk interventions."

In other words, some very vulnerable children in Kingston will go without the care they need.

The elderly, too—whether they live in Surbiton, Chessington, Tolworth or New Malden—will suffer because of the Government's low grant to Kingston council. Various charges for pensioners will have to be increased way above inflation, with charges for mobile meals set to rise to £2.50—one of the highest in London—representing an increase of over 15 per cent. Home care charges could rise by 10 per cent. Together, the charges will affect about 800 people, many of whom receive both home care and mobile meals. New charges at centres for the elderly, and cuts in respite care, also form part of the grim picture.

The cuts come at a time of huge increases in the number of referrals to community care services. Last year, for example, there was a 37 per cent. increase in learning disability referrals, and community mental health had an increase of more than 26 per cent. Nevertheless, Kingston's SSA has completely failed to take account of that magnitude of change. Kingston's personal social services SSA is well below the average for outer London boroughs, although its expenditure is on a par with those boroughs.

In only four years, cuts of almost £9 million have had to be made because of the combination of demand growth and a reduced real-terms social services SSA. I therefore ask for the Minister's assurance that she will ask her officials to re-examine Kingston's social services SSA, so that it more accurately reflects reality.

In the vital matter of schools, parents and teachers were bitterly disappointed when—despite our large class sizes—Kingston received one of the lowest education SSA increases, at only 4.3 per cent., compared with the national average of 5.7 per cent. I shall let head teachers' letters speak for themselves. The head teacher of St. John's Church of England primary school, Mr. van Schalkwyk, writes:

"I am so tired of the constant barrage from this and the last government that as a head described as inspirational in a recent Ofsted report I have decided to resign. My salary because of budget restrictions has only been increased once in 11 years. I no longer feel at 48 that the job is worth all the pressure and aggravation we are forced to endure in our schools. As secretary of the joint secondary, primary and special schools group in Kingston I realised that so much of our time has been spent fighting budget cuts and dealing with an onslaught of documentation that little time is left to raise standards."

In the secondary sector, the head teacher of Surbiton's Hollyfield school, Mr. Stephen Chamberlain, told me that successive cuts have led to increased class sizes, a reduction in pupils' choice of subjects, teacher stress, illness and retirement, the slowing down of IT development and the deterioration of existing buildings. Hollyfield and schools like it in Surbiton, Chessington and Tolworth are striving hard to improve, but it is difficult when the Government tie one arm behind their back.

All services in Kingston are affected by cuts. The borough's successful decentralised neighbourhood committees are being asked to bear a disproportionately high share of the budget reductions in order to limit as much as possible the damage to schools and social services. However, the services that neighbourhoods run are still important, whether they are the mobile library service, which is under threat, the public toilets, nearly all of which face closure, or the youth services, the funding for which is being cut.

I pledged to the Minister that I would be as constructive as possible, so I now offer a variety of possible solutions, some of which, incidentally, would not only help Kingston but could provide small but invaluable help to other outer London boroughs such as Hounslow and many northern metropolitan authorities such as Manchester, Oldham and Newcastle.

[Mr. Edward Davey]

First, I ask that Kingston's cap be increased from 3 to 4 per cent. The majority of outer London boroughs, including all in Kingston's Audit Commission family group, have been allowed to increase their own cap in excess of 4 per cent. Why cannot Kingston do the same? Ministers would be right to argue that they cannot make special settlements for individual councils, but today I am not asking them to.

As Ministers and civil servants recently told councillors and council officers from Kingston, any increase in the cap for the royal borough would also have to be awarded to other outer London boroughs and metropolitan authorities—most of which are Labour controlled—which have caps set at less than 4 per cent. I urge Ministers to do just that.

The implications to the Exchequer would be minimal, even if a 4 per cent. cap were provided for all those authorities—only a possible £21.7 million additional spending out of a total increase of £1,776 million in the total standard spending. Even that would occur only if all 19 authorities utilised the whole increase. For Kingston, the extra £1.25 million that it could produce would go a long way towards saving some of the most essential services.

I believe that most people in Kingston would be prepared to pay the small addition to the council tax implied by a higher cap in order to see services saved. Indeed, a survey was sent to every household in Kingston, and nearly 60 per cent. of people who responded said that they would want to protect services by paying a council tax increase beyond that which would be permitted by a 4 per cent. cap.

There is a second way in which Ministers could assist Kingston, and it relates to the way Kingston proposes to operate nursery funding after the abolition of vouchers. The abolition is welcome but Kingston is badly disadvantaged by the way it is being implemented, specifically by the use of full-time equivalent calculation of pupil numbers for grant purposes rather than a head count calculation. Therefore, I ask the Minister to review the distribution of this part of the education SSA.

A third way in which the Government could help Kingston ameliorate its immediate budget problems would be by giving an early indication that the estimated total cost of asylum seekers to Kingston of some £735,000 next year will be met in total by the Government.

There are many dimensions to Kingston's budgetary problems, but I want to note Kingston's particular interest in relation to the new review of area cost adjustment. I hope that past distinguished work, especially the Elliott report, will not be overlooked by the new review.

There are many reasonable ways in which the Government could help Kingston this year and in the future. That brings me to my final point of substance—the future of funding of Kingston. What most disturbed many local people about this year's settlement was not just the actual figures but the statement by the Deputy Prime Minister that Kingston was a "leafy borough" and the implication that our social and educational needs were few. If that is really what Ministers believe, people fear that the years of Tory cuts are set to be followed by successive years of more Labour cuts. Today the Minister has an opportunity to allay these fears. I wish to help her obtain a more accurate picture of the social realities in Kingston.

Like me, the Minister may have enjoyed the old television series, "The Good Life", which was set in Surbiton, in the heart of the borough. The series suggested that the area was thoroughly upper middle class and homogeneously affluent. Nothing could be further from the truth. Jerry and Margo are the exception rather than the rule.

Let us consider the key issue of pockets of deprivation within the borough. Using nationally accepted indicators of poverty, there are pockets of deprivation in Kingston that are on a par with some of the most needy areas of inner London. People who live in Norbiton on the Cambridge estate would not recognise their area as leafy. Using the composite indicators of poverty—the so-called "z" scores—Norbiton has a higher level of poverty than any ward in Richmond, Sutton, Bexley, Bromley or Harrow. The people of Norbiton are being short-changed by new Labour if they are to be bluntly classified as living in an affluent area.

Kingston does not justify being labelled as uniquely leafy compared with other parts of outer London. Do Ministers consider that Kingston is more leafy than Bromley or Bexley? The figures would suggest not, yet Bromley received a 5.7 per cent. increase in its permitted budget, and Bexley received a 6 per cent. increase. Why has Kingston done so badly, with an increase of just 3 per cent.? Why has Hounslow received an increase of only 3 per cent.? Why has west London fared so badly?

Kingston's economic structure has changed markedly in recent years. Although unemployment is relatively low, that is due partly to a buoyant retail sector. Consequently, unemployment is far more cyclical, and there were large increases back in the recent recession. Wages are actually quite low, despite relatively high levels of employment now. In 1997, the new earnings survey showed that average earnings in Kingston were below the London average. Such facts suggest that a perception of Kingston as uniformly affluent and leafy is misplaced.

Statistics can prove anything, especially—as with poverty statistics—when they change so often; but some changes can mask reality. An example is the removal of the homeless persons indicator from the socio-economic index. Kingston currently provides temporary accommodation to more than 500 homeless households, so that change affects us. There are currently about 2,500 households on the waiting list, with around 1,300 people applying to be housed as homeless each year. So leafy Kingston has a housing problem and quite substantial numbers of homeless people.

Kingston is in a dilemma. It seems always to be cut off from resources, be they from the Government, Europe, the National Lottery Charities Board or other grant-making bodies, because of the false perception that it has no social problems, and ample local resources. Yet the problems exist, and the resources often cannot be tapped for local use. Indeed, the Government's capping rules are preventing them from being tapped, even when local people are prepared to pay. If the Government now take a role in perpetuating a false perception, the future is not bright.

I end by urging the Minister to do all she can this year to help us. Raising the cap to 4 per cent. would be particularly welcome. I beg her to go away from the debate with an enhanced and more accurate perception of the borough to share with her colleagues, as well as a standing invitation from me to all or any of her departmental colleagues to come and visit us in Kingston.

2.47 pm

The Minister for Transport in London (Ms Glenda Jackson): I congratulate the hon. Member for Kingston and Surbiton (Mr. Davey) on securing the debate, and on presenting his arguments so clearly and cogently and in a spirit of positive co-operation with the Government.

The hon. Gentleman has raised several important issues relating specifically to the 1998–99 local government finance settlement for the royal borough. Before I refer specifically to the effects of the settlement on Kingston upon Thames, I shall first underline the Government's approach to local government finance and highlight some of the main points of the 1998–99 provisional settlement which my right hon. Friend the Deputy Prime Minister announced in the House on 2 December.

The Government's overriding aim in our approach to the finance settlement has been to introduce greater fairness in the distribution of grant among authorities. The hon. Gentleman asked whether those who voted for the Government on 1 May were aware that we would be working within the previous Government's spending plans. They were. In opposition and during the election campaign, we made no secret of the fact that we were going to inherit tight spending plans. We made it equally clear that we had to work within them. To ensure a fairer settlement, we had to make some hard decisions. In recent years, local government finance settlements—

Dr. Jenny Tonge (Richmond Park): I accept that you gave that undertaking in the run-up to the election—

Mr. Deputy Speaker (Mr. Michael Lord): Order. I did not give any undertaking. Will the hon. Lady try to use the correct parliamentary language?

Dr. Tonge: I am sorry, Mr. Deputy Speaker.

We understand that the Government gave an undertaking to keep within the previous Government's spending plans, but they said over and over that they would release the cap on local government. That is what we find difficult to understand. If only we could have a higher cap in Kingston and Richmond Park, we could manage and make things better. We do not know why the Government went back on their promise to allow local government more freedom.

Ms Jackson: I hope that the hon. Lady will bear with me. I intend to touch on that later. I hope to make the Government's thinking on the issue clear to her.

To ensure a fairer settlement, some hard decisions had to be made. In recent years, local government finance settlements have failed to meet that objective or to satisfy the spending needs of the majority of local authorities.

Some authorities will be disappointed by our proposals, but I hope to be able to show that Kingston, along with other authorities, has benefited from the changes to a fairer grant distribution that we have made for 1998–99. We intend to continue with that more just approach. The provisional settlement for the next financial year is a start in achieving that goal. It is fairer in its distribution, it reinforces local accountability by giving local authorities more discretion over local spending decisions, and it is better, in cash terms, than many authorities must have expected based on last year's plans.

Our grant distribution proposals are put into figures for individual authorities through the standard spending assessments. They form the bedrock of the present system of distributing the revenue support grant. We calculate standard spending assessments for individual authorities following general principles that are applied to all authorities, while taking account of local needs. Any differences in standard spending assessments between authorities with the same service responsibilities are usually due to underlying characteristics, which may relate to demographic, economic or social factors.

We recognise that authorities believe that further change could make the formula fairer still. Our aim is to ensure that authorities receive central Government grant fairly. We have made a start in the 1998–99 provisional settlement on overcoming previous injustices. During 1998, we shall continue to review the way in which grant is distributed. We shall also consider whatever new evidence emerges from our regular meetings with local authority representatives or from research. In addition, standard spending assessments and the way in which they are determined or could be improved form an important part of our current review of local government finance.

The Government's main priority is education. We have been able to increase provision for spending on education in 1998–99 by 5.7 per cent.—an extra £1.06 billion. That includes the extra £835 million for schools announced by the Chancellor in his July Budget. We think it only right to impress on local authorities our hope that they will pass on this increase in spending to education in order to begin to reverse years of neglect and enable a start to be made on raising educational standards.

We are also providing £662 million for the education of four-year-olds, both through standard spending assessments and a transitional specific grant from the Department for Education and Employment following the abolition of the nursery vouchers scheme. We have based the distribution of funding for under-five education mainly on the number of full-time equivalent four-year-old pupils, although a substantial element of funding is still distributed using the under-five population. I shall say more about that later.

We have also reviewed the indices of deprivation, applying statistical ground rules discussed with the Local Government Association. Those ground rules now make more explicit how measures of need are calculated. In a similar vein, we have confronted the flaw in the present system whereby visitors and commuters in a particular authority were attributed the same economic and social

[Ms Jackson]

characteristics as residents. There was clearly something wrong with a system that treated all visitors and commuters to an area as being as deprived as the average resident.

Another important change is to the personal social services standard spending assessment. Following research commissioned by the Department of Health, the elderly residential social services element of the formula has been given a thorough re-examination. It now fully takes into account the introduction, more than five years ago, of community care. We have also been able to find a further £70 million for children's social services—the first substantial increase for three years.

On capital financing, we have proposed a change to the way in which we will deal with the costs of borrowing. In particular, we have changed how we treat debt incurred by local authorities before the present system was introduced in 1990. The previous Government treated all authorities as if they had chosen to use their capital receipts in the 1980s to repay debt, whether or not they had done so. Our proposal is to use actual debt as at 1 April 1990 or notional debt, whichever is the greater, so that we may treat all authorities even-handedly.

Looking ahead to the future of local government finance, we announced last July a local government finance review. A series of consultation papers—which will include, for example, the issue of capping—will be published over the next few months and a White Paper will follow. The Local Government Association has been fully involved in those discussions.

Turning to capping—as I told the hon. Member for Richmond Park (Dr. Tonge) I would—hon. Members will be aware that we remain committed to ending crude and universal capping as soon as possible. However, in the light of our public expenditure plans, capping will remain in place for 1998–99.

The Deputy Prime Minister has announced to the House the provisional capping principles for the forthcoming financial year. For all classes of authority, other than police, those class-permitted increases are substantially greater than last year. Those changes will give local authorities greater scope to exercise the local discretion to which the Government are committed. It will also help them to direct the additional provision for education to the schools.

We recognise that there is potential for council tax increases. However, we expect local authorities to make careful judgments about the need to make budget increases, whether increases in council tax would be fair, and whether taxpayers can afford them. We recognise that many authorities have budgeted below their capping limit in the past. We have now given them more room within which to exercise their discretion, and we expect them to use that greater flexibility responsibly.

On the specific capping point that was raised, I point out that Kingston's provisional permitted capping increase of 3 per cent. for 1998–99 allows it a £3.101 million increase in its budget. That is an improvement on the 2 per cent. increase permitted last year. The position for local authorities has been eased somewhat by the extension of passporting—although perhaps not as much as Kingston might wish.

The Government are constrained by the impact on public expenditure, and any changes will have to be balanced by consequential changes elsewhere. If, as Kingston has suggested, and the hon. Member for Richmond Park has advocated again today, we increase the class-permitted increase to 4 per cent. for outer London, that would increase caps by £5.6 million. However, if we increased the default cap increase for outer London, we would come under pressure to extend the benefit to other classes of authority.

Metropolitan authorities, for example, might reasonably argue that they were in a similar position. That would increase caps by over £20 million. Increasing the class-permitted increase for all local education authorities would increase caps by £130 million. The implications for public expenditure are considerable.

However, those principles are, for the time being, provisional. Firm capping decisions cannot be made until authorities have set their 1998–99 budgets. When firm capping decisions are made, we shall, of course, take all relevant considerations into account, including the points made about the royal borough of Kingston by the hon. Members for Kingston and Surbiton and for Richmond Park.

The hon. Member for Kingston and Surbiton also referred to the effect on Kingston of the changes we have made following the abolition of nursery vouchers. We intend to give local education authorities a duty to provide a place in education for all four-year-olds whose parents want them to have one. In the light of that intention, we have amended the distribution of standard spending assessment for under-five education.

The distribution will be made mainly on the basis of the number of full-time equivalent four-year-old pupils. We think that it is fairer to distribute funding on the basis of provision. It is in line with the use of pupil numbers in other parts of education standard spending assessments. For authorities with low provision for four-year-olds, transitional specific grant is available from the Department for Education and Employment.

The hon. Gentleman was concerned about our use of full-time equivalent pupil numbers, rather than a head count. It is for local authorities to decide the appropriate mix of full-time and part-time education for four-year-olds. The use of full-time equivalent figures should mean that, where full-time provision is appropriate, it will be reflected in the distribution of funds. If local authorities such as Kingston feel that the way in which the data are counted does not fully reflect their circumstances, we will be happy to consider the evidence that they provide.

The hon. Gentleman also raised the area cost adjustment—ACA. I know—indeed, he made the point again today—that Kingston would have liked us to

implement Professor Elliott's proposals for 1998–99. However, we are concerned that the specific cost method of calculating the ACA has not been fully investigated.

We want to ensure that evidence on all major options is available before we decide the way forward. We have therefore commissioned research to examine the specific cost approach. When the report is submitted later in the year, we will assess it alongside the other proposals for the ACA, including those put forward by Professor Elliott's review, in consultation with representatives of local government.

The hon. Gentleman has asked for clarification about the work of our researchers examining the specific cost approach to the ACA. We are asking the researchers to examine how a specific cost approach would work, and whether it can be implemented. Once we have had the report on the research, we will consider the proposals.

The hon. Gentleman also referred to homelessness in the royal borough. I believe that he asked me whether we realised—

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes past Three o'clock.

Written Answers to Questions

Monday 12 January 1998

ENVIRONMENT, TRANSPORT AND THE REGIONS

Planning Guidance

Mr. Tom King: To ask the Secretary of State for the Environment, Transport and the Regions if he will amend existing planning guidance to planning authorities to ensure that the design and layout of new residential areas is more acceptable to existing communities; and if he will make a statement on the representations he has received on this subject. [22204]

Mr. Raynsford: Revised Planning Policy Guidance note 1 encourages careful and early consideration to design issues which can help make proposals for development acceptable to local communities. Local authorities are encouraged to promote good design and reject bad design. The Government intend to build on this guidance by publishing two good practice guides next year—one a general guide to design in the planning system; the other a companion guide to Design Bulletin 32 (Residential Roads and Footpaths) which has a major influence on the layout of residential areas. I also continue to emphasise the importance of good design in speeches at suitable opportunities, most recently at the Royal Fine Arts Commission Seminar.

EU Structural Funds

Mr. Peter Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 24 November 1997, *Official Report*, column *372*, what percentage of European Funds under objective 5B was spent in the less-favoured areas of the North of England in *(a)* 1993, *(b)* 1994, *(c)* 1995 and *(d)* 1996; and what is the date when this funding will finish. [22605]

Angela Eagle: The objective 5B funding allocated to the Northern Uplands programme, which should operate from 1994 to the end of 1999, is £84 million. However, since the European Commission did not approve the programme until December 1994, no funds were spent during that year. The amount spent under the Northern Uplands programme in 1995 and 1996 is as follows:

Year	*Structural funds spent (£ million)*	*Percentage of total allocation*
1995	2.07	2.46
1996	8.34	10.07
Total		12.53

Advisory Committee on Releases into the Environment

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the proposals in the White Paper on Freedom of Information on the modus operandi of the Advisory Committee on Releases into the Environment. [22632]

Angela Eagle: No formal assessment has yet been made on the impact of the proposals in the White Paper on Freedom of Information. However, under the Genetically Modified Organisms (Deliberate Release) Regulations 1992, the Secretary of State already has a statutory duty to place a summary of the details of applications for consent to release genetically modified organisms (GMOs) on a public register, which is kept by my Department and in the regional offices of the Environment Agency. Summaries are also placed on the Internet.

Further, the regulations require applicants to advertise their proposed releases in newspapers circulating in the area where the release is proposed. Concerned residents may contact either the companies or the Department for further information and have an opportunity to write to the Secretary of State commenting on the application. My Department will make the full application available on request, except any information which is agreed to be commercially confidential. The advice of the Advisory Committee on Releases to the Environment (ACRE) is also placed on the public register after they have reviewed applications for consent. My Department publishes newsletters twice a year, an ACRE annual report, technical guidance notes and research reports.

My Department and ACRE are currently considering ways of increasing the transparency of how decisions on the granting of consents are made. We will take into account the White Paper on Freedom of Information and the conclusions of the National Biotechnology Conference held in March 1997.

Primates Imports

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many primates were imported from Indonesia in *(a)* 1996 and *(b)* 1997 to date. [22396]

Angela Eagle: Fifty captive bred Crab-eating Macaques *(Macaca fascilularis)* were imported in 1996, and a further eight specimens of this species were imported in 1997.

Housing Developments (West Sussex)

Mr. Peter Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions how many representations he has received *(a)* in favour of and *(b)* against his decision to reject the independent inspector's conclusion concerning the limits to housing development in West Sussex. [22579]

Mr. Raynsford: The hon. Member for Chichester (Mr. Tyrie) has written to express his concern about the effect of the Direction. I am not aware that any other representations have been received either for or against my right hon. Friend's decision.

Mr. Peter Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions in how many cases of inspectors reporting on the limits to housing development he has *(a)* upheld the conclusion, *(b)* reduced the limits and *(c)* increased the limits. [22578]

Mr. Raynsford: Land is allocated for housing development through the development plan system. Both the panel, which reports following an Examination in Public into Structure Plans, and the Inspector, who reports following a Public Local Inquiry into a Unitary Development or Local Plan, report directly to the local authority concerned.

Mr. Peter Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions if he will meet local authority and parliamentary representatives of West Sussex to discuss his declaration that the method or conclusion of the independent inspector into the limits to housing developments in the county was flawed. [22576]

Mr. Raynsford: My right hon. Friend is considering the hon. Member's request and I will advise the hon. Member of his decision in due course.

Mr. Peter Bottomley: To ask the Secretary of State for the Environment, Transport and the Regions how much time he spent considering the inspector's report into the limits to housing development in West Sussex.[22577]

Mr. Raynsford: The report was published on 25 June 1997 and has also been thoroughly considered within the Department.

Millennium Experience

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of the site which will be used for the Millennium Experience has been decontaminated; what contaminants were found on the site; and what checks have been carried out on *(a)* the decontaminated areas and *(b)* the areas which were not decontaminated since decontamination was completed. [22723]

Angela Eagle: The site to be used for the Millennium Experience forms part of the Greenwich peninsula site. It has been used for a variety of industrial purposes, including gas production, over a long period. Soil contamination has resulted from these industrial uses. Reclamation work has therefore been carried out on the whole of the land owned by English Partnerships on the Peninsula, including the site to be used for the Millennium Experience. The nature of this work varies according to the mix of contaminants in any one area.

Following very extensive site investigation and risk analysis, British Gas, as the original polluter, has completed the statutory remediation works. English Partnerships and the New Millennium Experience Co., Ltd. are carrying out further remediation works to a standard suitable for the site's intended use.

All aspects of the remediation works have been carried out to statutory health and safety standards and the works have been monitored by both the Environment Agency and the Environmental Health Department of the London Borough of Greenwich. Following remediation, the site is subject to regular monitoring of groundwater samples on a continuing basis.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what is the total area which will be used for the Millennium Experience. [22722]

Angela Eagle: The total area of the Greenwich Peninsula is 119 hectares, of which 66 per cent. (81 hectares) is allocated to the Millennium Experience.

Speed Limits (Residential Areas)

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to create zones with 10 mph speed limits in residential areas. [22721]

Ms Glenda Jackson: Speed limits in residential areas are a matter primarily for local highway authorities, but we are considering the principles involved. We would need to be sure that there were adequate means of enforcing limits, whether by physical measures or otherwise and that, on the whole, any expenditure would be effective by comparison with other measures which enhance safety and encourage environmentally friendly transport.

European Air Safety Authority

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the United Kingdom Government's involvement in the establishment of a single European Air Safety Authority. [22670]

Ms Glenda Jackson: The Government have participated fully in the work in the European Community on proposals to set up a European Aviation Safety Authority. EU Transport Ministers have already agreed that the Community should be part of a new European Aviation Safety Authority, which will help to ensure proper safety standards in air transport in the whole of Europe, not just the European Union. During the United Kingdom Presidency we shall seek to ensure that the plans for the new body, and the Community's role in it, are taken forward.

Cycle Spaces

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many secure cycle spaces there are in his Department. [22685]

Angela Eagle: My Department has 1,105 secure cycle spaces.

Nursery Education

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities with responsibility for education where the increase in revenue support grant adjusted for changes in nursery vouchers funding and increased NNDR is less than the amount that has been passported through the capping regime to raise standards in schools. [22284]

Ms Armstrong: The Deputy Prime Minister, in his statement to the House outlining the Government's proposals for the 1998–99 RSG Settlement, set out the proposed levels of Total Standard Spending and Aggregate External Support. In his statement he made it clear that the proposals reflected the previous Government's plans to increase the level of Council Tax by 7 per cent. This effect on council tax was inherent in the public expenditure totals set by the last Government

and implied a reduction in the level of central Government support for local authority expenditure. Although the Government have sought to limit the pressures on local council tax payers by a number of means, including the full funding of the extra £835 million for education, the shift from central Government support to the council tax means that for most authorities increases in Standard Spending Assessments will exceed the increase in central Government support.

Consequently, for most education authorities the difference between the provisional 1998–99 SSA element for education and the adjusted equivalent amount for 1997–98 (ie the amount taken into account in determining whether the permitted increase in budget should be above the standard percentage for the class) exceeds the difference between the sum of the provisional 1998–99 RSG and NNDR entitlements and the sum of the 1997–98 entitlements, adjusted for changes in responsibility and function.

The authorities with an increase in education SSA higher than the increase in external support are:

Barnet
Barnsley
Bath and North East Somerset
Bedfordshire
Bexley
Bolton
Bournemouth
Bracknell Forest
Bradford
Brent
Brighton and Hove
Bristol
Bromley
Buckinghamshire
Bury
Calderdale
Cambridgeshire
Camden
Cheshire
City of London
Cornwall
Croydon
Cumbria
Darlington
Derby
Derbyshire
Devon
Doncaster
Dorset
Dudley
Durham
East Riding of Yorkshire
East Sussex
Enfield
Essex
Gateshead
Gloucestershire
Greenwich
Hackney
Halton
Hammersmith and Fulham
Hampshire
Harrow
Havering
Herefordshire
Hertfordshire
Hillingdon
Hounslow
Isle of Wight Council
Isles of Scilly
Islington
Kensington and Chelsea
Kent
Kingston upon Hull
Kingston upon Thames
Kirklees
Lambeth
Lancashire
Leeds
Leicester
Leicestershire
Lewisham
Lincolnshire
Manchester
Medway Towns
Middlesbrough
Milton Keynes
Newbury
Newcastle upon Tyne
Norfolk
North East Lincolnshire
North Lincolnshire
North Somerset
North Tyneside
North Yorkshire
Northamptonshire
Northumberland
Nottingham
Nottinghamshire
Oldham
Oxfordshire
Peterborough
Plymouth
Poole
Reading
Redcar and Cleveland
Richmond upon Thames
Rutland
Salford
Shropshire
Solihull
Somerset
South Gloucestershire
South Tyneside
Southampton
Southwark

Staffordshire
Stockton on Tees
Stoke on Trent
Suffolk
Sunderland
Surrey
Sutton
The Wrekin
Torbay
Trafford
Wakefield
Walsall
Wandsworth
Warrington
Warwickshire
West Sussex
Westminster
Wiltshire
Windsor and Maidenhead
Wirral
Wokingham
Worcestershire
York.

Packaging Waste

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions which companies have *(a)* been registered and *(b)* been refused registration as accredited reprocessors for the purpose of issuing packaging waste recovery notes under the Producer Responsibility (Packaging Waste) Regulations 1997. [22281]

Angela Eagle: The Environment Agency and the Scottish Environment Protection Agency are responsible for the accreditation of reprocessors under the Producer Responsibility Obligations (Packaging Waste) Regulations 1997. The Agencies register each site individually rather than registering companies, and the statistics following reflect this.

The most recent figures available from the Environment Agency, accurate for 24 December 1997, show that 48 sites have received accreditation, 64 have been refused and 2 are pending awaiting the modification of reprocessing and/or administration systems. The remainder, some 90, are still being processed.

The list of applications which includes their company names and the status of the site (agreed, refused or pending) runs to some thirty five pages. I have therefore placed a copy in the House of Commons Library.

Under the Producer Responsibility Obligations (Packaging Waste) Regulations 1997, there are three kinds of operation which are classified as reprocessing (definitions are taken from Directive 94/62/EC on packaging and packaging waste):

recycling, ie "the reprocessing in a production process of the waste materials for the original purpose or for other purposes including organic recycling but excluding energy recovery";

organic recycling, ie "the aerobic (composting) or anaerobic (biomethanisation) treatment, under controlled conditions and using micro-organisms, of the biodegradable parts of packaging waste, which produces stabilized organic residues of methane";

energy recovery, ie "the use of combustible packaging waste as a means to generate energy through direct incineration with or without waste but with the recovery of the heat".

The rejection of an application is usually the result of one of the following situations:

(i) the process concerned does not count as reprocessing as defined above;

(ii) the site does not reprocess packaging waste;

(iii) the site is not yet capable of reprocessing packaging waste.

Nuclear Materials (Transport)

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 9 December 1997, *Official Report*, column *493*, if he will place in the Library copies of the contingency plans to respond to accidents during the air and sea carriage of MOX nuclear fuel. [22299]

Ms Glenda Jackson: My Department does not hold copies of the contingency plans referred to in my previous answer, which are normally prepared and held by transporters of radioactive material, and I am therefore not able to place a copy of the plans in the Library.

The plans prepared by BNFL in the case of sea and air transport of MOX nuclear fuel are subject to a security classification and I am informed that they are not prepared to release copies of such plans. My hon. Friend may wish to approach BNFL directly in order to have sight of the contingency plans that he wishes to see.

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 9 December 1997, *Official Report*, column *492*, if he will place in the Library the Fourth Report of the Standing Working Group on the Safe Transport of Radioactive Material of DGXVII, once it becomes available to his Department. [22289]

Ms Glenda Jackson: The Fourth Report from the Standing Working Group to the Commission on the Safe Transport of Radioactive Materials in the European Union has recently been submitted to the Commission and will be submitted to the Council of Ministers, the European Parliament, the Economic and Social committee and the Committee of the regions. When the report becomes available a copy will be placed in the Library.

Local Government Finance

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will set up an inquiry into the cost of providing the same standard of services in rural and in urban authorities for the services covered by the Other County Services element of SSAs. [21941]

Mr. Raynsford: Possible changes to SSA formulae are discussed with local government in the SSA Sub-Group of the Settlement Working Group. Whether any work on the costs incurred by rural and urban authorities in providing services covered by the county level "All Other Services" SSA formula is carried out this year depends

upon the priorities of local and central government when the Sub-Group's 1998 work programme is agreed later in the spring.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will commission research into the factors which influence the need for and the cost of social services for the 16 to 64 years age group and incorporate the results of this research into the way SSAs are calculated. [21942]

Mr. Raynsford: The need for revenue expenditure on social services for people aged 18 to 64 is covered by the "Other Social Services" SSA. Changes to this formula have been proposed for 1998–99, following a review of the "Other Social Services Index". Whether any further work on this particular SSA formula is carried out this year depends upon the priorities of local and central government when the work programme of the SSA Sub-Group of the Settlement Working Group is agreed later in the spring.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will commission research into factors which determine a child's special educational needs and incorporate the results of such research into the construction of SSAs. [21943]

Mr. Raynsford: The Department of Education and Employment is currently conducting a review of the indicator of additional educational needs used in Standard Spending Assessments. The review is intended to report in time for consideration before decisions are made about 1999–2000 SSAs.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will list in rank order the SSA provision for 1997–98 and 1998–99 per head of population for each county council in England and Wales and give the average county figure for each year. [21944]

Mr. Raynsford: The figures for shire counties are shown in the following tables. The provisional 1998–99 and settlement 1997–98 Standard Spending Assessment figures are not comparable owing to changes in local government responsibility and in local government reorganisation affecting Berkshire, Cambridgeshire, Cheshire, Devon, Essex, Hereford and Worcester, Kent, Lancashire, Nottinghamshire and Shropshire in 1998. There are no equivalent Welsh county councils for funding purposes following local government reorganisation in 1996.

1997–98 Standard Assessment per head of resident population for Shire counties

Local authority	*Standard Spending Assessment (£/head)*	*Class/rank*
Northumberland	664	1/35
Kent	656	2/35
Hertfordshire	641	3/35
Lancashire	633	4/35
Bedfordshire	631	5/35
Cornwall	628	6/35
Durham	626	7/35
Essex	625	8/35
Northamptonshire	621	9/35
Cumbria	620	10/35
Lincolnshire	616	11/35
Nottinghamshire	614	12/35
Shropshire	611	13/35
Devon	610	14/35
East Sussex	610	15/35
Berkshire	609	16/35
Cheshire	607	17/35
Buckinghamshire	605	18/35
North Yorkshire	603	19/35
Suffolk	592	20/35
Norfolk	592	21/35
Cambridgeshire	588	22/35
Gloucestershire	584	23/35
West Sussex	584	24/35
Staffordshire	582	25/35
Somerset	579	26/35
Derbyshire	574	27/35
Hereford and Worcester	569	28/35
Wiltshire	569	29/35
Leicestershire	566	30/35
Dorset	561	31/35
Oxfordshire	560	32/35
Warwickshire	559	33/35
Hampshire	558	34/35
Surrey	554	35/35
English Shire Counties	602	

1998–99 Provisional Standard Spending Assessment per head of resident population for Shire counties

Local authority	*Standard Spending Assessment (£/head)*	*Class rank*
Northumberland	686	1/34
Kent	684	2/34
Hertfordshire	681	3/34
Lancashire	671	4/34
Bedfordshire	668	5/34
Cornwall	659	6/34
Northamptonshire	659	7/34
Cumbria	659	8/34
Durham	658	9/34
Essex	650	10/34
Lincolnshire	645	11/34
East Sussex	643	12/34
North Yorkshire	632	13/34
Buckinghamshire	631	14/34
Devon	624	15/34
Cheshire	623	16/34
Staffordshire	620	17/34
Nottinghamshire	618	18/34
Suffolk	616	19/34
Shropshire	615	20/34
Gloucestershire	613	21/34
Norfolk	613	22/34
Somerset	610	23/34
West Sussex	608	24/34
Derbyshire	605	25/34
Warwickshire	597	26/34
Leicestershire	591	27/34
Worcestershire	590	28/34
Wiltshire	590	29/34
Dorset	587	30/34
Hampshire	584	31/34
Oxfordshire	583	32/34
Surrey	580	33/34
Cambridgeshire	573	34/34
English Shire Counties	627	

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library the research undertaken to demonstrate that the sparsity adjustment used in the calculation of SSAs adequately reflects the additional cost of providing education in rural areas. [21945]

Mr. Raynsford: I have placed in the Library a copy of a report, "Sparsity and Local Authority Costs" by Salford University Business Services. It suggests that the current allowance for sparsity in standard spending assessments is broadly correct.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will re-examine the way in which SSAs are calculated for county councils with regard to *(a)* education, *(b)* personal social services and *(c)* other county services. [21946]

Mr. Raynsford: The Department for Education and Employment is currently conducting a review of the indicator of additional education needs as used in the Education SSA. In addition, research into the area cost adjustment is likely to cover issues relating to the Education, Personal Social Services and county level 'All Other Services' SSAs. Whether any further work on these three elements will be done this year depends on the priorities of local central government when the work programme of the SSA Sub-Group is agreed later in the spring.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will re-examine the case for incorporating a sparsity factor into the calculation of the SSA provisions for *(a)* the under-fives and *(b)* other education. [21947]

Mr. Raynsford: Our proposals for 1998–99 SSAs include a revised SSA for under-5 education which includes a sparsity factor. If local authorities feel that there is a strong case for sparsity to be taken into account in the other education SSA then they should raise the issue, through the Local Government Association, in the SSA Sub-group.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will include social class as an indicator of educational attainment rates in the construction of the additional educational needs provision of SSAs. [21948]

Mr. Raynsford: The Department for Education and Employment is currently conducting a review of the indicator of additional education needs used in Standard Spending Assessments. It will examine a range of possible indicators of additional educational needs including indicators of social class. The review is intended to report in time for consideration before decisions are made about 1999–2000 SSAs.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that the additional educational needs component of SSAs reflects the number of children with statements in each local authority. [21949]

Mr. Raynsford: The Department for Education and Employment is currently conducting a review of the indicator of additional education needs used in Standard Spending Assessments. It will consider a range of possible indicators. It will also consider how the formula could take account of the number of children with statements. The review is intended to report in time for consideration before decisions are made about 1999–2000 SSAs.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to introduce a new formula for the children's personal social service SSA; and if it will take into account the effects of population sparsity on the cost of providing social services for children in rural areas. [21950]

Mr. Raynsford: Whether any further work on the Children's Social Services SSA formula will be done this year depends upon the priorities of central and local government when the work of the SSA Sub-Group of the Settlement Working Group is agreed later in the spring.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if his Department will adjust the unit cost factor used in the SSA calculations to take account of the higher cost of providing domiciliary home care for elderly people in sparsely populated areas. [21951]

Mr. Raynsford: Whether any work will be done to consider the inclusion of a sparsity indicator within the Elderly Domiciliary SSA formula depends upon the priorities of central and local government when the work programme of the SSA Sub-Group of the Settlement Working Group is agreed later in the spring.

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions when the Standard Spending Assessment Sub Group will report on the use of the Social Index in the calculation of the other personal social services element of SSAs. [21952]

Mr. Raynsford: The SSA Sub-Group reviewed the Other Social Services Index in its 1997 round and details were given in the Sub-Group Report for 1998–99. As a result, we have proposed the replacement of the Other Social Services Index and the morbidity indicator by two new indices in the Other Social Services SSA formula for 1998–89.

Driving Test

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions what assessment of the difficulties faced by persons living more than one hour's drive away from a motorway the Driving Standards Agency has made in its consideration of the inclusion of motorway driving in the driving test. [22666]

Ms Glenda Jackson: No detailed assessment has been made as we have no current plans to introduce motorway driving into the car test. The issue of adequate exposure to fast multi-carriageway driving in the practical test is one of those that will be addressed in the research into the practical car driving test that is currently being undertaken. Results are expected in two to three years' time.

Health and Safety Laboratory

Mr. Eric Clarke: To ask the Secretary of State for the Environment, Transport and the Regions when the Health and Safety Laboratory intends to publish its Annual Report and Accounts for 1996–97. [22568]

Angela Eagle: The Health and Safety Laboratory has today published the 1996–97 Annual Report and Accounts, and copies have been placed in the Libraries of the House.

A590 Bypass

Mr. Collins: To ask the Secretary of State for the Environment, Transport and the Regions what is the current status of his review of the proposed A590 bypass at High and Low Newton; and if he will make a statement. [21959]

Ms Glenda Jackson: We are currently undertaking a strategic review of the Trunk Roads Programme. The A590 bypass at High and Low Newton is being considered within the context of that review, the results of which we hope to announce later this year.

Council Tax

Sir Norman Fowler: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a table showing the band D council tax increase for each notifiable authority in England *(a)* in cash terms and *(b)* in percentage terms based on the assumption that all councils spend at the provisional capping limit. [22277]

Mr. Raynsford: I have today placed in the Library of the House a table showing the information requested.

Selby Bypass

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions how many representations have been made to his Department regarding the Selby bypass in response to the roads review consultation exercise. [22698]

Ms Glenda Jackson: Over 4,600 representations have been received on the proposed Selby bypass. Nearly all were completed pro-forma postcards supporting its construction.

Housing Developments (Hertfordshire)

Mr. Lilley: To ask the Secretary of State for the Environment, Transport and the Regions how many cards conveying opposition to Hertfordshire County Council's plans to build 10,000 houses in the Green Belt he has received. [22589]

Mr. Caborn: We have so far received approximately six and a half thousand identical postcards requesting that the Secretary of State call in the proposals in Hertfordshire County Council's Structure Plan Review for major development in the Green Belt west of Stevenage.

Rail Crash (Wrexham)

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 22 December 1997, *Official Report*, column *435*, when he expects the Health and Safety Executive to complete their investigation of the rail crash at Wrexham General Station. [22746]

Ms Glenda Jackson: I am advised by the Health and Safety Executive (HSE) that follow-up work relating to the accident at Wrexham General Station on 24 April 1997 will soon be complete. I understand that HSE has concluded that the derailment of a single wagon was caused by defects in the track, though further investigations are continuing into the underlying causes.

Local Authority Planning Services

Sir Brian Mawhinney: To ask the Secretary of State for the Environment, Transport and the Regions what are the average national performance indicator values for local authority planning services; and how these relate to the indicators for Peterborough District Council in each of the last three years. [22211]

Mr. Raynsford: The Department publishes a six-monthly Planning Performance Checklist showing the performance of English local planning authorities against the Government's target that they should decide 80 per cent. of applications within eight weeks of receipt. The performance of Peterborough District Council against the national average over the past three financial years is given in the table.

Percentage decided in eight weeks

	National average performance	*Peterborough District Council*
Year to 31 March 1995	65	57.3
Year to 30 September 1995	65	55.8
Year to 31 March 1996	65	58.7
Year to 30 September 1996	65	63.4
Year to 31 March 1997	64	66.4

Lake Windermere (Speed Limit)

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement regarding his Department's plans for a speed limit on Windermere. [22524]

Angela Eagle: My right hon. Friend the Secretary of State is considering whether or not to confirm byelaws made by the Lake District Special Planning Board (now the Lake District National Park Authority) which would impose a speed limit of 10mph on power-driven vessels on Windermere. In November the High Court quashed the decision by the last Secretary of State not to confirm the byelaws. In reaching a decision, we shall take account of all the representations so far made in relation to the proposed byelaws and any fresh representations made to us by 6 February.

Structure Plan (Gloucestershire)

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he has received a copy of Gloucestershire County Council's revised structure plan; if he will be accepting the reduced number of new houses proposed for the period covered; and if he will make a statement. [22525]

Mr. Caborn: The Secretary of State has received a copy of the Deposit version of the Gloucestershire Structure Plan which, I understand, was placed on deposit today. Any representations or objections he wishes to make will be sent to the County Council before the end of the statutory six weeks consultation period.

It would not be appropriate for me to comment further on the content of the plan because of the Secretary of State's formal role on planning matters.

Celtic Seas Area

Mr. John D. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish a quality status report for the Celtic Seas area including the Irish Sea. [22534]

Angela Eagle: The United Kingdom is working with the other Contracting Parties to the OSPAR Convention to prepare an overall quality status report on the North East Atlantic. As part of this, a regional report on the Celtic Seas, including the Irish Sea, will be prepared alongside other regional reports on the Arctic, the North Sea, the Bay of Biscay/Gulf of Gascony and the deep Atlantic. Publication is planned for 2000.

Road Schemes

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the road schemes, by local authority, for which the Government has suspended funding during 1998–99, indicating for each if this was on the grounds of *(a)* changes in policy and *(b)* increases in financial costs. [22450]

Ms Glenda Jackson: The following table shows the local authority road schemes which were funded in 1997–98 but for which no financial support has been provided for 1998–99. Schemes for which no bids were received have not been included. In each case, the decision not to continue funding was in accordance with established procedures which take account of progress made on the scheme and the extent of previous financial support. In no case was increased cost the sole factor. None were suspended because of changes in policy.

Local authority	*Road*	*Scheme name*
Newham	A117	East Ham Town Centre Relief Road
Newham	A11	Stratford Gyratory Modifications
Manchester	A6010	Intermediate Ring Road Stage 2
Doncaster	A630	Wheatley Hall Road
Birmingham	A5127	Lichfield Road Improvement Phase 1
Birmingham	A47	Heartlands Spine Road Phase 3
Birmingham	A34/A435	South Birmingham Study Implementation
Wakefield	A628	Hemsworth Bypass
Buckinghamshire	A413	Wendover Bypass
Derbyshire	A6	London Road
Lincolnshire	A57	B1003 Lincoln Ropewalk to Carholme Road
Northamptonshire	A605	Warmington Bypass and Tansor Improvements
Nottinghamshire	A6096	Awsworth and Cossall Bypass
Nottinghamshire	A6117	Mansfield Eastern Outer Ring Road (Phase 2)
Staffordshire	A527	Tunstall Western Bypas Phases I and II
Worcestershire	A422	Worcester Western Bypass and Link Roads
North Somerset	A370	Weston-Super-Mare P.D.R. Stages IVB VC and VI
Stockport	A34	A34 Byupass-Etchells Road to Schools Hill
Leeds		East Leeds Radial
East Sussex	A22	Nightingale Farm to A27
Hampshire	A331	Blackwater Valley Route North
Hampshire	A326	Totton Western Bypass Stage 3
Norfolk	A143	Brockdish Bypass
Somerset	A39	Glastonbury Western Relief Road
Surrey	A31	Runfold Diversion and Blackwater Valley Route
Berkshire	A33	A33 Relief Road Kiln Lane to IDR
Cheshire	A34	Handorth and Wilmslow Bypass
Essex	A133	Little Clacton Bypass and Gorse Lane Link Stage 2
Nottinghamshire	A6009	Mansfield Inner Ring Road Stage 3

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what is the Government's policy in respect of reviewing local authority road schemes previously funded through the TPP system against the criteria of *(a)* integration, *(b)* accessibility, *(c)* safety, *(d)* economy and *(e)* environmental impact. [22452]

Ms Glenda Jackson: All current local authority road schemes were accepted for funding with a commitment to continue financial support provided that reasonable progress was made towards their completion. It would therefore be unreasonable to assess existing schemes against different criteria from those used when the schemes were first accepted for funding.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions (1) what was the total number of new packages submitted by local authorities in their TPP bids for 1998–99; [22453]

(2) pursuant to his answer of 6 November 1997, *Official Report*, column 277, how many new rural packages were awarded funding in the local transport settlement for 1998–99. [22454]

Ms Glenda Jackson: Bids for 69 new packages were received. Among 10 new packages to receive full approval in the settlement, one was for a predominantly rural area. It was Cumbria County Council's Lake District package.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of major new road schemes for which each local authority bid for funding under the TPP system for 1998–99. [22451]

Ms Glenda Jackson: The schemes are as listed:

Authority	*Scheme*	
Bucks	A4146	Linslade Western Bypass
Bucks	A4146	Stoke Hammond Bypass
Cambs	A605	King's Dyke Railway Bridge
Cambs	A142	Fordham Bypass
Essex	A131	Great Leigh Bypass
Lincs	A46	Faldingworth Bypass
Luton	A6	Inner Ring Road Phase I, Villa Link
Norfolk	A143	Broome/Ellingham Bypass
Notts	A6002	Nottingham W. Outer Loop Road Ph 2
Bexley		Bexleyheath Town Centre Traffic Management
Sutton	A24	A217 Link Road
Sutton	B272	Beddington Lane/Beddington Farm Link Road
Liverpool	A565	Great Howard Street/Derby Road Improvement
St. Helens	A58	Blackbrook Diversion
Durham	A688	Wheatley Hill to Bowburn Bypass
Northumberland	A197	A1 to S.E. Northumberland Link Road
Stockton		South Stockton Link Road
East Sussex		Bexhill and Hastings Link Roads
Oxon	A40	Bus Lane; Witney Bypass to Wolvercote Roundabout
Surrey	A24	Clarks Green to County Boundary Bypass

Authority	Scheme	
West Sussex	A24	Horsham–Capel Improvements
Cornwall	A391	St. Austell N.E. Distributer Road
Cornwall	A39	Playing Place–Carnon Gate Bypass
Dorset	A354	Weymouth: Mt. Pleasant to Ridgeway Bypass
Devon	A383	Newton Abbott: Jetty Marsh Relief Road
Devon		Braunton–Velator Link Road
Gloucs		Cotswold Eastern Spine Road–A417/A419 Link Road
Gloucs	A4136	Strategic Whole Route Improvement
Torbay	A380	Torbay Ring Road Stage 4
Staffs	A51	Rugeley Bypass
Staffs	A5190	Burntwood Bypasses
Staffs	A527	Biddulph Bypass
Warwicks	A429	Barford Bypass
Worcs	A441	Bordesley Bypass
Worcs	A4538	Wyre Piddle Northern Bypass
Doncaster	A19	North Bridge Relief road
Kirklees	A62	Central Huddersfield Improvements

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the road schemes by local authority which make up the existing commitments in the local transport settlement 1998–99, indicating for each *(a)* the money awarded in the 1998–99 local transport settlement and *(b)* the total costs. [22449]

Ms Glenda Jackson: The information is given in the table.

Road Schemes by Local Authorities

Local authority	Road	Scheme name	1998–99 allocation (£000)	Total gross cost (£000)
Medway Towns	A289	Wainscott Northern Bypass	13,226	67,416
Medway Towns	A289	Gillingham Northern Link	19,000	44,685
Buckinghamshire	A421	Tingewick Bypass	2,809	12,802
East Sussex	A22	New route Dittons to Eastbourne	3,500	27,866
Hampshire	A331	Blackwater Valley route (centre)	2,295	39,338
Hampshire	A325	Woolmer Link Road	368	2,803
Kent	A299	Block allocation for following schemes	29,000	
Kent	A206	Thanet way dualling (sections 1–7a)	—	184,605
Kent	A228	South Thames-side Devt Route Stage 1	—	20,850
Kent	A256	Hale Street Bypass	-	10,400
Kent	A28/A20	Whitfield to Eastry/Whitfield Bypass	—	37,770
Kent	A226	Barracks Link Ashford	—	3,950
Kent	A289	South Thames-side development route	—	18,354
Kent	A289	Wainscott Northern Bypass	—	67,416
Oxfordshire	B4031	Gillingham Northern Link	—	44,685
Surrey		Tingewick Bypass	1,510	12,802
West Sussex	A2300	Black Valley route	800	78,586
Cornwall	A39	Burgess Hill Link Road	594	6,032
Dorset	A37	Trispen Bypass and A30 Link	472	6,050
Gloucestershire	A430	A37 Improvements-section B and C	350	8,869
Somerset	A39	Gloucester South West Bypass	1,000	22,290
Somerset	A37	Wells Relief Road	500	14,163
South Gloucestershire	A4174	Yeovil to Dorset Boundary Phase 1	1,423	5,813
Birmingham	A47	Avon Ring Road II	5,000	29,530
Coventry	A444	Heartlands Spine Road Phase 2	2,000	58,220
Coventry	A444	North-South Road Phase 1	500	22,586
Dudley	A461	North-South Road Phase 2	500	22,270
Hartlepool	A179	Dudley Southern Bypass	13,000	55,000
Leicester City	A563	A179 Improvement	500	5,180
Sandwell	A4034	Leicester A46/47 Link Road	2,500	9,058
Solihull	A45	Churchbridge Improvement Sandwell	337	3,840
Wolverhampton	A4124	West Midlands Renaissance Area	650	18,528
Staffordshire	A50	Wednesfield Bypass	5,000	25,325
Worcestershire	A44	Uttoxeter Town Centre Bypass	600	17,224
Manchester		Broadway Bypass	1,800	8,405
Oldham	A62/A627	Inner Relief Road	7,200	15,000
Salford	A5063	Oldham Way Improvements	1,674	5,850
Trafford	A56	Trafford Road (The Quays-White City)	100	20,782
Trafford	A5063	City Link/White City Interchange	1,500	36,721
Cheshire	A533	Trafford Road Improvement	908	23,952
Cheshire	A534	Davenham Bypass	350	18,150
Lancashire	A6/A582	Wheelock Bypass	5,250	11,548
Knowsley	A5300	South Ribble M65 Interface	968	12,727
Sefton	A59	M57-A562 Link Road	300	47,334
Redcar and Cleveland	A174	Aintree Park Lane Improvement	2,542	3,300
Stockton-on-Tees	A1046	Skelton and Brotton Bypass	2,677	12,260
Newcastle upon Tyne	A6082	Portrack Lane Dualling	350	7,791
Northumberland	A189	West Central Route	5,500	20,996
Kingson upon Hull	A1033	North Seaton Duplication Stage 1	1,000	10,645
North East Lincolnshire	A16	Ennerdale Link Road	300	30,487
North Yorkshire	A61	Grimsby Peakes Parkway	7,740	25,048
		Ripon Bypass/Distributor Roads	300	19,667

Road Schemes by Local Authorities

Local authority	*Road*	*Scheme name*	*1998–99 allocation (£000)*	*Total gross cost (£000)*
Barnsley	A6195	Dearne Towns Link Road	7,661	39,510
Sheffield	A6102	Outer Ring Road (Darnall) Stages II–IV	500	20,669
Sheffield		Inner Ring Road Stage 1	3,660	12,908
Leeds		Leeds Inner Ring Road Stages 6 and 7	6,200	78,821
Leeds		Leeds City Centre Loop Phase 3	1,000	8,079
Lincolnshire	A15/A16	Market Deeping Bypass	621	10,561
Nottinghamshire	A608	M1 to A611 Improvement Annesley	300	5,099
Nottinghamshire	A617	Rainworth Bypass	249	8,509
Peterborough	A15	Werrington to Glinton Phase 2	773	1,300
Bedfordshire	A507	Arlesey-Stotfold Bypass	300	14,030
Hertfordshire	A121	Cheshunt Link Road	565	16,297
Bexley	A207	Bexleyheath SRR and Pedestrianisation	378	6,443
Bexley	A2016	Erith-Thamesmead Spine Road (Phase IV)	1,325	33,339
Enfield	A110	Nags Head Road/High Street	258	4,857
Greenwich	A206	Woolwich Road Improvement	5,119	24,159
Harrow	A409	Wealdstone Bypass	446	16,517
Harrow	A409	Sheepcote Road Widening	861	2,905
Hillingdon	A4020	Uxbridge Town Centre	375	2,281
Hounslow	A315	Hounslow Centre-Urban Relief Road	340	10,885
Kensington and Chelsea	A404	Harrow Road Junction	200	9,171
Kingston upon Thames	A240	North-South Strategy-A240 Corridor	768	4,494
Westminster	A404	Harrow Road/Ladbroke Grove Widening	684	4,398

Genetically Modified Organisms

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* date of appointment, *(b)* terms of reference and *(c)* membership of the focus groups established by his Department to discuss genetically modified organisms. [22606]

Angela Eagle: Although no formal focus groups have been established by my Department to discuss genetically modified organisms a National Biotechnology Conference was held last year which brought together representatives from industry, environmental and consumer groups, the scientific community and Government. The aim of the conference was to discuss developments in biotechnology, their benefits and broad implications for human health and environmental safety and how these will influence the principles on which biotechnology regulation is based.

Driving Licence

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Union flag that appeared on the original published design of the new plastic United Kingdom driving licence does not appear on the final design. [22460]

Ms Glenda Jackson: The original published design of the proposed photocard driving licence which appeared on the consultation document issued in August 1994 did not contain the Union Flag. Inclusion of a national flag arose when proposals were put forward in August 1996 for a joint identity card/driving licence. Those proposals are not being pursued.

Lady Porter

Mr. Winnick: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the collecting of the full surcharge from Lady Porter following the recent court decision; and if he will make a statement. [22495]

Mr. Raynsford: Collection of the surcharge amount confirmed by the Divisional Court is a matter for the auditor and the City of Westminster. I understand that there remains a possibility of appeals against the judgment of the Court.

Packaging Waste

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what mechanisms exist for appealing against refusal by the Environment Agency to register companies as accredited reprocessors for the purpose of issuing packaging waste recovery notes under the Producer Responsibility (Packaging Waste) Regulations 1997. [22282]

Angela Eagle: The Agencies reserve the right to refuse accreditation and to remove accreditation from any reprocessor. There is no statutory right of appeal against such decisions, but reprocessors will be given the relevant Agency's reasons in writing and will be notified of the complaints procedure if they wish to pursue any grievances. This complaints procedure does not affect any other legal remedies open to the reprocessor.

FOREIGN AND COMMONWEALTH AFFAIRS

Sri Lanka

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent visits have been made by High Commission officials to the northern area of Sri Lanka; and what reports have been received following such visits. [21897]

Mr. Fatchett: High Commission officials travel extensively around Sri Lanka, although not all areas are accessible because of fighting between Government forces and the LTTE. Since Jaffna was brought under Government control in December 1995, High Commission officials have made five separate visits to the areas, most recently in November 1997. They report that

the situation there is gradually improving, but remain concerned about allegations of human rights abuses on the peninsula.

Christmas Island

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the note by the head of the EU delegation in Suva to the British High Commissioner dated 24 January 1996, concerning a list of points of action by the Kiribati Government on environmental restoration on Christmas Island. [22029]

Mr. Fatchett: I have placed in the Library today a copy of the note of 24 January 1996 from the head of the EU delegation in Suva to the British High Commissioner, which is about the environmental project on South Tarawa.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received since May from the Republic of Kiribati concerning the need for environmental restoration on Christmas Island arising from United Kingdom nuclear tests. [22030]

Mr. Fatchett: We have received no representations from the Republic of Kiribati concerning the environmental restoration of Christmas Island in the period since May.

European Union

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 25 November 1997, *Official Report*, column *479*, for what reason Command Paper 3780 omits the text of the 15 protocols of the Treaty on European Union; and if he will publish a command paper to include current articles and protocols contained in the Command Papers 455 of 1988 and 2485 of 1994. [22197]

Mr. Doug Henderson: There is no need for a consolidated version of Command Papers 455 of 1988 and 2485 of 1994. A consolidated version of the Treaty of Rome and the Treaty on European Union, as amended by all subsequent treaties, including the Treaty of Amsterdam (not yet in force) has already been published as part of Command Paper 3780 (1997). This does not reproduce the texts of protocols annexed to the Treaty of Rome or the protocol annexed to the Treaty on European Union, as they are not substantively amended (although some are repealed) by the Treaty of Amsterdam. The texts of these protocols can be found in Command Papers 455 of 1988 and 2485 of 1994.

Israel

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what undertakings were given by Israel at the meeting with EU officials on 28 November in respect of doubts concerning the validity of preferential certificates on imports labelled "Made" in Israel; how these undertakings related to the suspension of inquiries concerning some manufactured goods; and how these undertakings differed from past assurances relating to goods now known to have been falsely described. [22196]

Mr. Doug Henderson: At the meeting on 28 November 1997 with the European Commission, Israel undertook to provide copies of current internal legislation relevant to ensure the implementation of the origin and mutual assistance protocols annexed to the EC/Israel Interim Agreement and in particular the obligation on Israeli customs to ensure the correct application of the rules of origin. Israel has acknowledged that prior to 1 January 1996, national legislation had prevented the implementation of control mechanisms envisaged in the agreement, and has agreed to verify the originating status of all orange juice exported to the EC since 6 June 1995.

The Commission had previously expressed concern that Israeli national legislation was so structured that the proper checking of certificates of origin was not taking place in respect of goods exported to the European Community under the Preferential Trade Agreement. This led the Commission to publish a warning to importers in the *Official Journal* on 8 November 1997, and to preparations being made by HM Customs and Excise for inquiries into a range of Israeli manufactured products. In the light of the undertakings now given by Israel, Customs felt it appropriate to suspend those inquiries.

Luxembourg Summit

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the figures for GDP per capita used by the Council of Ministers in its Luxembourg summit in respect of *(a)* Cyprus, *(b)* Hungary, *(c)* Poland, *(d)* Estonia, *(e)* the Czech Republic, *(f)* Slovenia, *(g)* Romania, *(h)* Slovakia, *(i)* Latvia, *(j)* Lithuania, *(k)* Bulgaria, *(l)* Turkey, *(m)* the Greek sector of Cyprus and *(n)* the Turkish sector of Cyprus. [22178]

Mr. Doug Henderson: GDP per capita is not one of the criteria for EU membership. No GDP figures were submitted to the European Council in Luxembourg.

However, the Commission's Opinions of July 1997 on the Central European candidates contained details of GDP per capita based on 1995 figures. These were as follows (in ecu):

	Number
Hungary	3,340
Poland	2,360
Romania	1,200
Slovak Republic	2,470
Latvia	1,370
Estonia	1,850
Lithuania	930
Bulgaria	1,180
Czech Republic	3,490
Slovenia	7,240

The Commission's Opinion on Cyprus dates from 1993. But in the Agenda 2000 Communication of July 1997 the Commission quotes a more recent figure of 3,600 ecu for the north of the island, which is estimated to be a third of the figure for the south (i.e. 10,800 ecu).

The Commission's Opinion on Turkey dates from 1989, but a recent OECD report estimated 1995 GDP per capita as 2,075 ecu.

Heathrow (VIP Facilities)

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by month since May *(a)* the number of times VIP facilities at Heathrow Airport have been hired by Her Majesty's Government and *(b)* the total expenditure on VIP facilities at Heathrow Airport. [22200]

Mr. Fatchett: The information is as follows:

	Number of times VIP facilities hired	£
May	883	169,116.58
June	1,189	227,723.23
July	1,332	255,111.31
August	1,297	248,407.93
September	1,391	266,411.28
October	1,315	251,855.38
November	993	190,184.33

The figures include use of VIP facilities by the British Council and the Bank of England as well as HMG. They also include VAT. The figures include use by foreign and Commonwealth VIP visitors as well as HMG Ministers.

European Council

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the treaty articles governing the operation of the European Council. [22198]

Mr. Doug Henderson: Article D of the Treaty on European Union sets out the purpose, composition and frequency of European Councils. Although the European Council works within the framework of the Treaties, there are no procedural rules for its operation.

Land Mines

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will bring forward legislation to incorporate the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their destruction into domestic law. [22492]

Mr. Fatchett: We intend to introduce legislation as soon as the Parliamentary timetable allows.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings members of his Department have held with General Pinochet over the last three years. [17825]

Mr. Tony Lloyd *[pursuant to his reply, 27 November 1997, c. 615]:* Additional information has reached me, since my answer of 27 November. The correct answer is as follows.

There have been two meetings involving members of my Department, in March 1995 and March 1996. These involved the then Ambassador to Santiago accompanying visiting MOD staff on the two occasions during this period when courtesy calls were made on General Pinochet as Commander-in-Chief of the Chilean Army. Discussions were of a general nature and did not cover defence sales. Apart from these calls British Embassy staff in Santiago have attended several official state and military functions at which General Pinochet, again in his capacity as Commander-in-Chief of the Army, was also present. No discussions took place between these staff and General Pinochet at these events.

DUCHY OF LANCASTER

Official Publications

Mr. Charles Clarke: To ask the Chancellor of the Duchy of Lancaster if a complete bibliographic record of official publications can be accessed via the Internet. [22626]

Dr. David Clark: The Stationery Office Ltd. and Chadwyck-Healey Ltd. now provide an Internet version of the United Kingdom Official Publications (UKOP) database. UKOP Online currently provides the most comprehensive and up-to-date bibliographic record of official publications. It combines the complete catalogue of Official Publications published by The Stationery Office (and previously HMSO) and Chadwyck-Healey's Catalogue of Official Publications not published by The Stationery Office which is produced from information provided by Government Departments and Agencies. The Universal Resource Locator is http://www.ukop.co.uk.

Public Appointments

Mr. Peter Bottomley: To ask the Chancellor of the Duchy of Lancaster how many of those appointed to health or other public bodies since 1 May were Labour party agents in 1997 parliamentary elections, listing the constituencies. [22572]

Dr. David Clark: Information on whether those appointed to public bodies acted as party agents is not held centrally. The Commissioner for Public Appointments does require that all candidates appointed make a declaration about any public political activity they have undertaken in the last five years, and, for monitoring purposes, identify the political party concerned. The Commissioner's third report, due to be published in July 1998, will contain the declared political activity information at aggregate level.

Cycle Spaces

Mr. Brake: To ask the Chancellor of the Duchy of Lancaster how many secure cycle spaces there are in his Department. [22684]

Mr. Kilfoyle: The Cabinet Office (Office of Public Service) and its Agencies have a total of 198 cycling spaces in their buildings, of which 172 are secure.

CABINET OFFICE

Millennium Experience (Cycling)

Mr. Mitchell: To ask the Minister without Portfolio (1) what arrangements will be made at the Millennium experience for access by cycle and to protect storage of cycles; and what arrangements he has made for the design of the cycle shed; [22192]

(2) what proposals he has for cycle ways to enable the public to cycle to the Millennium Experience from central London *(a)* via the North Bank and *(b)* via the South Bank of the Thames. [22193]

Mr. Mandelson: The New Millennium Experience Company will be promoting cycling as a means of travel to the Experience as part of its access strategy. Cycle facilities, including secure storage, will be provided at the Millennium Experience site. Appropriate expert advice will be sought when designing these facilities.

The New Millennium Experience Company is contributing up to £500,000 to the costs of improving cycle and pedestrian routes in the vicinity of the Experience site. In particular there will be riverside cycle way linking to the site to "historic Greenwich", which will form part of the proposed Thames Cycle Route from Central London.

Parliamentary Questions

Mr. Baker: To ask the Minister without Portfolio what recent assessment he has made of his answering practices in respect of his duties other than in connection with the Millennium Dome, and the guidance to Ministers provided in the Ministerial Code of Conduct. [22657]

Mr. Mandelson: I strive at all times to answer questions from hon. Members in accordance with the obligations set out in the Ministerial Code.

CULTURE, MEDIA AND SPORT

Lottery Grants

Mr. Key: To ask the Secretary of State for Culture, Media and Sport what is the value to date of National Lottery funding of new and refurbished buildings in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland, broken down into (i) grants and (ii) matching funding. [21709]

Mr. Banks *[holding answer 22 December 1997]:* The National Lottery distributors estimate that some 5,805 awards worth approximately £2.78 billion have been made to help support new buildings and refurbish existing ones across the United Kingdom. A further £2.75 billion has been promised in partnership funding. A breakdown by country follows:

Country	*Number of awards*	*Total value of awards £*	*Total partnership funding £*
England	4,556	2,228,674,486	2,148,929,092
Wales	441	150,334,974	264,029,884
Scotland	597	238,163,783	237,297,772
Northern Ireland	211	102,002,060	103,397,786
Total	5,805	2,779,175,303	2,753,654,534

Information on National Lottery awards is now available on the Department's website www.lottery.culture.gov.uk. The information is updated on a regular basis.

Television Broadcasting and Technology

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport what proposals he has received from the Commission of the European Communities concerning harmonisation of legislation concerning television broadcasting and technology; what consultation took place prior to its publication; and what arrangements he has made for consultation on it in the United Kingdom. [21691]

Mr. Fisher: The European Commission published a Green paper on the regulatory implications of convergence between the telecommunications, media and information technology sectors on 3 December 1997. The Green Paper is subject to the usual consultation procedures within the Commission. The Government are consulting widely in preparing their response to the Green Paper and have specifically invited comments from interested parties involved in each of the sectors concerned.

Lottery Funding (Wales)

Mr. Rhodri Morgan: To ask the Secretary of State for Culture, Media and Sport what proposals he has to set up a distributing body in Wales for the New Opportunities Fund; and what proposals he has to ensure that childcare proposals from Wales are adjudged for funding by criteria appropriate to Welsh circumstances. [22409]

Mr. Chris Smith: The National Lottery Bill currently before Parliament provides for the establishment of the New Opportunities Fund to distribute Lottery funds under the new good cause for health, education and the environment. Subject to Parliament's approval of the Bill, the Fund will be a UK-wide body, but the Bill provides that four of its members should make the interests of the four home countries respectively their special care. The Fund will be able to establish whatever committees it believes appropriate for the effective exercise of its functions, depending on the nature of the initiatives it is to pursue. These could include committees that would exercise the functions of the Fund in each of the home countries.

The Fund's operations will be guided by directions issued by me after consultation with colleagues, including my right hon. Friend the Secretary of State for Wales, which will take into account the special circumstances and needs of all parts of the United Kingdom. Such arrangements will ensure that all funding proposals, including those for childcare, are judged against criteria appropriate to the circumstances of the country concerned.

TRADE AND INDUSTRY

Plutonium

Mr. Chaytor: To ask the President of the Board of Trade what evidence has been obtained by her or her Department of quantities of plutonium being unaccounted for at *(a)* Sellafield and *(b)* Dounreay. [22070]

Mr. Battle *[holding answer 22 December 1997]:* Figures for nuclear "material unaccounted for" (MUF), covering plutonium and uranium in civil nuclear plants, including Sellafield and Dounreay, have been published annually by the industry since 1977. The latest figures, for the year 1996–97, were published on 19 December 1997 (a copy of which will be placed in the Library of the House). The figures are subject to careful review by specialists in my Department, who remain satisfied that they are consistent with what would normally be expected

for these types of facility and that there is no evidence to suggest that there has been any actual loss of material. Civil nuclear material in the UK is also subject to the independent oversight of international nuclear safeguards inspectorates and to rigorous physical protection measures by the nuclear operators.

Mr. Chaytor: To ask the President of the Board of Trade, pursuant to her answer of 2 December, *Official Report*, columns *163–64*, if she will list *(a)* the United Kingdom participants in the informal group on the management of civil plutonium, and their qualifications for participation and *(b)* the number and dates of meetings of the informal group; when the Government received a copy of the new guidelines to which reference is made; and when she intends to publish the details of the new national strategy for nuclear power and the nuclear fuel cycle. [22298]

Mr. Battle: The United Kingdom officials who participated in the informal group were: Department of Trade and Industry—Mr. Peter Agrell, formerly Director, Non-Proliferation, who chaired all but one meeting of the group; Mr. John Neve, Director, Non-Proliferation, who chaired the last meeting of the group on 29 September 1997; Mr. Carl Warren, Assistant Director, Nuclear Industries Directorate; and Foreign and Commonwealth Office—Mrs. Joanne Caley, Non-Proliferation Department. These officials are together responsible for the provision of policy advice to Ministers relating to the management of civil plutonium and associated non-proliferation issues.

The group met eleven times over a period of four years. The final text of the new guidelines was eventually agreed by correspondence in November 1997. I am arranging for a copy of the UK's national strategy for nuclear power and the nuclear fuel cycle to be placed in the Library of the House.

Single Market

Mr. Mitchell: To ask the President of the Board of Trade, pursuant to her answer of 25 November 1997, *Official Report*, column *510*, what representations have been made by trade and business associations *(a)* within the United Kingdom and *(b)* within the EU requesting further community legislation on (i) road and rail passenger transport, (ii) measuring instruments, (iii) gas liberalisation and (iv) electronic commerce; and what representations have been published by (1) Her Majesty's Government and (2) the EU Commission. [22174]

Mrs. Beckett: While businesses involved in road and rail transport make representations from time to time about ongoing Community legislative proposals they have not in the main made representations requesting further legislation. In addition the CBI has recently announced that priority should be given to promoting liberalisation of EU railways.

The UK Weighting Federation (UKWF) and the Petrol Pump Manufacturers Association (PPMA) have made representations to the Department about the need for market-opening Community legislation in the field of measuring instruments. I understand that both the European Trade Associations representing the UKWF and PPMA have met the relevant Commissioner on a number of occasions to press for further Community legislation. The Government have not published any of these representations. The Government are not aware that any such representations have been published by the Commission.

Various representations were received from UK trade and business in connection with the proposed directive to liberalise the European gas market. The House of Lords Select Committee on the European Communities, as part of the normal process of scrutiny of EU legislation, held an inquiry and received oral and written evidence from business. Its report, published on 18 November (7th Report, Session 1997–98, HL Paper 35) recommended a debate in the House of Lords which took place on 2 December 1997 (at columns 1313–36).

The Government have received several representations from business organisations about legislation on electronic commerce, notably on the need to avoid barriers to intra-Community trade in electronic commerce. The Government are not aware that any such representations have been published by the Commission.

Nuclear Fuel

Mr. Chaytor: To ask the President of the Board of Trade, pursuant to her answer of 9 December 1997, *Official Report*, column *528*, if she will set out the material balance areas and particular safeguard provisions covering MOX nuclear fuel which are covered by the Euratom safeguards. [22346]

Mrs. Roche: At present, mixed oxide fuel (MOX) is manufactured in the United Kingdom at the MOX Demonstration Facility (MDF) at Sellafield. Particular safeguards provisions in which detailed nuclear material reporting requirements for MDF are specified have been agreed with the Euratom Safeguards Directorate. Work to finalise and implement the agreed safeguards approach for the larger Sellafield Mox Plant (SMP) is also well advanced and this work will include preparation by the Euratom Safeguards Directorate of particular safeguards provisions for SMP. An overview of nuclear materials accountancy and safeguards arrangements for SMP was presented at the Annual Meeting of the Institute of Nuclear Materials Management in July 1996 (a copy of the paper will be placed in the Library of the House). Details of specific material balance areas and the associated particular safeguards provisions are however classified and controlled for security and commercial reasons.

Departmental Payment Performance

Mrs. Gillan: To ask the President of the Board of Trade when she will publish the table of Government Departments' payment performance. [22243]

Mrs. Roche: Government departments and their agencies are required to monitor their payment performance and publish the results in their annual or departmental reports.

My hon. Friend, The Paymaster General, published the league table of Departments' payment performance for the period 1 June 1996 to 31 March 1997 on 27 November (cm 662).

Additionally, my Department will produce the league table for Departments and their agencies for the period 1 April 1997 to 31 March 1998. This will be available before the summer recess.

Satellite Navigation

Mrs. Gillan: To ask the President of the Board of Trade if she will make a statement on the role she envisages for UK industry in investigating the future of satellite navigation within Europe. [22241]

Mr. Battle: The UK is an important player in the European Geostationary Navigation Overlay Service (EGNOS) being developed by the European Space Agency, Leading UK space industry companies are currently negotiating for work in key technology areas such as the Central Processing Facility (CPF) and the Central Control Facility (CCF). The contract for implementation of the programme is due to start in summer 1998 with completion scheduled for 2001.

Mrs. Gillan: To ask the President of the Board of Trade what discussions *(a)* she and *(b)* the European Commission has had with the (i) Japanese, (ii) US and (iii) Russian authorities on the scope for co-operation in planning future satellite navigation systems. [22242]

Mr. Battle: Such discussions are carried out by the European Tripartite Group, a body consisting of members of the European Commission, the European Space Agency and EUROCONTROL. The European Tripartite Group had discussions with authorities in Russia in May 1997, the US in September 1997 and Japan in September 1997, November 1997 and December 1997. I and my right hon. Friend the President of the Board of Trade have not considered additional discussions to be either appropriate or necessary at this stage.

Investment

Mr. David Heath: To ask the President of the Board of Trade what assessment she has made of the conduct of the pre-signatory environmental review of the Multilateral Agreement on Investment in terms of transparency and range of investment and subject matter. [22205]

Mrs. Roche: The OECD's review of foreign direct investment and the enviornment is in the form of an overview by the OECD Secretariat of recent literature on this topic. It provides a thorough analysis which will help all parties interested in the MAI better understand how international investment interacts with the enviornment. It is available on the Internet.

A further note by the OECD Secretariat on the relationship between the MAI and selected multilateral environmental agreements has just been completed and will be discussed by the MAI negotiators next week.

Both reports will contribute to further discussions between negotiating parties on the implications of the MAI for the environment.

Mink

Mr. Livingstone: To ask the President of the Board of Trade how many mink skins have been *(a)* imported to and *(b)* exported from the United Kingdom in each of the last 10 years. [22523]

Mrs. Roche: Data on UK trade in mink furskins are given in the table.

UK trade in mink furskins[1] 1987–96

Thousands

	UK imports	*UK exports*
1987	1,385	2,444
1988	1,020	2,159
1989	779	1,947
1990	506	1,603
1991	280	1,081
1992	365	1,228
1993	361	1,186
1994	423	1,047
1995	753	1,539
1996	1,100	1,542

[1] Codes 430211 and 43023021 of the Harmonised Commodity Coding System.

Source:
HM Customs and Excise data.

Concessionary Fuel

Mr. Denis Murphy: To ask the President of the Board of Trade how many *(a)* former mineworkers and *(b)* mineworkers' widows are in receipt of cash-in-lieu of fuel payments in (i) the United Kingdom and (ii) the North-East region. [22634]

Mr. Battle: The table gives details of beneficiaries who were in receipt of cash-in-lieu of concessionary fuel at 1 December 1997.

	Total in UK	*Widows/dependants in UK*[1]	*Total in North-East region*	*Widows/dependants*[1] *in North-East region*
All beneficiaries[2]	69,151	34,452	11,122	5,267
Former mineworkers only	54,271	28,926	8,850	4,450

[1] There are only a very small number of dependants—normally an adult child who has kept home for a beneficiary.

[2] "Beneficiary"—ex-employees of British Coal (mineworkers, staff, clerical, etc.) and widows/dependants who qualify for concessionary fuel.

Mr. Denis Murphy: To ask the President of the Board of Trade how many *(a)* former mineworkers and *(b)* minworkers' widows are in receipt of concessionary fuel (i) in the United Kingdom and (ii) the North-East region. [22630]

Mr. Battle: The table gives details of beneficiaries who were in receipt of concessionary fuel at 1 December 1997.

	Total in UK	*Widows/dependants in UK*	*Total in North-East region*	*Widows/dependents[1] in North East region*
All beneficiaries[2]	100,022	30,037	14,085	4,344
Former mineworkers only	85,937	26,934	12,220	3,855

[1] There are only a very small number of dependants—normally an adult child who has kept home for a beneficiary.
[2] "Beneficiary"—ex-employees of British Coal (mineworkers, staff, clerical, etc.) and widows/dependants who qualify for concessionary fuel.

Employment Contracts

Mr. Öpik: To ask the President of the Board of Trade if she will make a statement regarding the right of employees to a contract of employment. [22465]

Mr. Ian McCartney: All employees have a contract of employment, which is brought into existence by an employee's acceptance of the terms and conditions of employment offered by an employer. The terms of the contract may be written, oral, implied, or a mixture of all three. In addition, most employees who are employed for one month or more have a statutory right to receive a written statement setting out the main particulars of their employment. Although the written statement is not itself a contract of employment, it can provide evidence of the terms and conditions of employment in the event of dispute.

Admiralty House

Mr. Redwood: To ask the President of the Board of Trade if she will list the hourly pay rates of the cleaners employed at Admiralty house. [22652]

Mrs. Beckett: The hourly rate is £6.25.

Mr. Redwood: To ask the President of the Board of Trade for what reasons a washing machine and hoover were provided at her Admiralty apartment. [22649]

Mrs. Beckett: To replace those already provided which were deceased.

Mr. Redwood: To ask the President of the Board of Trade if her flat in Admiralty buildings is classified as secure accommodation for a Minister. [22644]

Mrs. Beckett: Yes.

Mr. Redwood: To ask the President of the Board of Trade what is the floor area of the President's apartment in the Admiralty. [22647]

Mrs. Beckett: The floor space of the one bedroom apartment is unchanged since it was occupied by Conservative or Labour Ministers, including a former holder of my post, at, I understand 318.2 sq m.

Mr. Redwood: To ask the President of the Board of Trade how many people were invited on each occasion when she has used her apartment for official business. [22648]

Mrs. Beckett: I have, to date, hosted three official receptions at my Admiralty House apartment. The number of invitations issued on each occasion were 126, 189 and 207.

Ministerial Expenses

Mr. Redwood: To ask the President of the Board of Trade, pursuant to her answer of 22 December 1997, *Official Report*, column *520*, if she will provide a breakdown of the sum spent on the President's apartment. [22653]

Mrs. Beckett: The figures are as follows:

Description of works/purchase	*Cost including VAT* £
Internal decorations and installation of kitchen units	52,875
Purchase of new kitchen units, table and chairs	9,208
Domestic items	1,818
Porterage	413
Total including VAT	64,314

Since 22 December the Department has received a bill for related project management fees of £12,314.

Mr. Redwood: To ask the President of the Board of Trade if her apartment in Admiralty buildings is a taxable benefit. [22645]

Mrs. Beckett: The tax treatment of my Admiralty flat is in accordance with the provisions of the Taxes Act 1988 as it applies to accommodation provided to a person by reason of their employment or the office they hold.

Mr. Redwood: To ask the President of the Board of Trade, pursuant to her Answer of 19 December 1997, *Official Report*, column *343*, if she will provide a breakdown of the £90,000 travel budget. [22638]

Mrs. Beckett: The travel budget is not broken down further. However, a summary of main items of expenditure as at 18 November 1997 was provided in my answer to the hon. Member for Gordon (Mr. Bruce) on 18 November 1997, *Official Report*, columns *104–05*.

Genetic Engineering

Mr. Tyler: To ask the President of the Board of Trade if she will list the *(a)* date of appointment, *(b)* terms of

reference and *(c)* membership of the focus groups established by her Department to discuss genetic engineering. [22603]

Mr. Battle: No specific focus groups have been established by my Department to discuss genetic engineering. However, I have already announced, on 24 November, the intention to hold a public consultation exercise about advances in biosciences and their implications.

The goal is to engage members of the public in debate. An important pre-cursor to this is to involve interested parties already active in the debate. I shall be hosting a meeting early this year to discuss with groups active in both biosciences and science communication how we can best develop the public activity.

Minister of State

Mr. Fallon: To ask the President of the Board of Trade if she will list the businesses visited since 1 May by the Minister of State, the hon. Member for Makerfield (Mr. McCartney), and the dates. [21138]

Mr. Ian McCartney *[holding answer 16 December 1997]:* Since 1 May 1997 I have visited the following companies.

	Company name
28 August	Midas, Swinton and Trafford Park
	Shimadzu/Kratos, Trafford Park
	PPG Industries, Wigan
1 September	Yuasa Automotive Batteries, Birmingham
13 October	Shell, London
22 October	Barclays Bank plc, Lombard Street, London
24 October	Photronics, Trafford Park, Manchester
30 October	Motorola, Easter Inch (near Edinburgh)
7 November	Broker Direct, Bolton
11 November	Centre for Productivity and Efficiency, Burton upon Trent
21 November	Nissho Iwai Europe plc, London

In addition, I have met with numerous companies and employer organisations both in my office and at other venues.

Inward Investment

Mr. Redwood: To ask the President of the Board of Trade when she plans to complete her discussion on the co-ordination of inward investment bids. [22650]

Mrs. Beckett: New arrangements on the co-ordination of proposed inward investment projects will be announced when my colleagues and I are satisfied that they represent the best way forward for all parts of the United Kingdom.

WALES

Welsh Assembly

Mr. Barry Jones: To ask the Secretary of State for Wales what will be the impact on the Welsh Assembly of the proposals in the White Paper on Open Government; and if he will make a statement. [22097]

Mr. Win Griffiths: The principles of open government will apply equally to the National Assembly for Wales. The Government of Wales Bill make specific provision for proceedings of the Assembly to be open to the public and for access to and public inspection of documents—clauses 69 and 112. These requirements will be supplemented by the Assembly's standing orders.

The Advisory Group which my right hon. Friend has appointed will be taking full account of the White paper in the advice it provides on how the standing orders should be developed.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the future of town and community councils with particular reference to his proposals for the Welsh Assembly. [22096]

Mr. Win Griffiths: The Government attach particular importance to the role of town and community councils given their role as the tier of government with the closest democratic links to local people. Under the provision of the Government of Wales Bill, the National Assembly for Wales will establish a Partnership Council with local government. Membership of the Council will be determined by the Assembly in the light of consultation with, and nominations received from, associations of local authorities in Wales. This would include associations representing town and community councils.

Open Government

Mr. Barry Jones: To ask the Secretary of State for Wales in what ways he proposes to make his Department more open. [22098]

Mr. Win Griffiths: We are making the Department more open in a number of ways. We propose to make the economic powerhouse subject to the Public Bodies (Admission to Meetings) Act 1960 as a means of demonstrating our commitment to greater openness and transparency. My right hon. Friend has already opened to consultation a number of important areas, including seeking views on Welsh Office expenditure before taking decisions on budget allocations. New policies, such as the childcare strategy for Wales, are being developed with the help of independent and representative groups and through wide consultation, rather than within the confines of the Welsh Office. Openness is also a matter of culture and we have made a point of ensuring that answers to Parliamentary Questions and correspondence are as informative as possible. We will ensure that there will be further steps in the spirit of the current White Paper on Freedom of Information.

EU Assistance (Alyn and Deeside)

Mr. Barry Jones: To ask the Secretary of State for Wales what steps he will take to press for the restoration of Objective 2 Status to Alyn and Deeside; and if he will make a statement. [22100]

Mr. Hain: My right hon. Friend met Commissioner Wulf Mathies on 12 December and underlined the importance we attach in Wales to the continued receipt of Structural Funds support after 1999. The eligibility of areas such as Alyn and Deeside will, of course, be dependent on criteria that will emerge as part of the revised Structural Funds Regulations which are expected to be published in the next few months. We are already seeking to influence these and as part of this process my right hon. Friend specifically asked the Commissioner to consider the inclusion of GDP as a more appropriate measure of relative prosperity.

Medical and Dental Students

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will make a statement on the special support which will be made available to students who choose medicine or dentistry as a second degree. [22141]

Mr. Hain: The current rules concerning previous study will apply to all students in 1998–99. As now, a student will not be eligible for a second mandatory award if they have already been on a course for which they have had help from public funds. The awards system is intended to underwrite one opportunity to undertake a full-time course of higher education.

It is still open to local education authorities, however, to offer discretionary awards to students who fall into this category. Similarly, it is also open to these students to contact the higher education institution concerned about Access Funds.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if the income derived from tuition fees from medical students will be devoted to medical school education. [22142]

Mr. Hain: All tuition fees from medical students will be available to the medical school at which they are enrolled.

Unitary Authorities (Political Affiliation)

Mr. Ruane: To ask the Secretary of State for Wales if he will provide a breakdown of the unitary authorities of Wales according to political affiliation. [22031]

Mr. Win Griffiths: This information is published in the "Municipal Yearbook" 1998, a copy of which will be available in the Library of the House shortly.

Schools Expenditure

Mr. Ruane: To ask the Secretary of State for Wales if he will provide a breakdown of the amount of money spent per pupil in each of the key stages in *(a)* primary and *(b)* secondary schools in Wales. [22028]

Mr. Win Griffiths: Information on expenditure per pupil is not available for key stages. The latest available data show that in Wales in 1994–95 the net revenue expenditure per pupil in LEA maintained nursery and primary schools was £1,637 and in LEA maintained secondary schools £2,264.

Farm Support

Mr. Öpik: To ask the Secretary of State for Wales what factors led to the delay in payment of premiums by his Department to farmers; and what measures he proposes to ensure that similar delays do not occur. [22462]

Mr. Win Griffiths: Processing of EC funded scheme payments has been delayed by the need to comply with additional EC data requirements. Any UK payments made without this supporting information would have been disallowed. The necessary computer reprogramming work is now largely complete but has unfortunately led to delays. Work is underway to implement improved information systems for the Welsh Office Agriculture Department.

Teaching Posts

Mr. Caton: To ask the Secretary of State for Wales what was the change in the number of teaching posts in each of the local education authorities in Wales in the current financial year. [22600]

Mr. Hain: Information on the number of teaching posts in the current financial year is not yet available centrally. Figures should be available in the spring.

Schools (Spending)

Mr. Caton: To ask the Secretary of State for Wales what was the percentage of total revenue spending dedicated to schools in each of the local education authorities in Wales during the current financial year. [22602]

Mr. Hain: The information requested is given in the table:

Schools budget as a percentage of local authority education budget and total revenue budget—1997–98[1]

	Schools as a percentage of education budget	*Schools as a percentage of total budget*
Blaenau Gwent	86	32
Bridgend	89	36
Caerphilly	90	36
Cardiff	85	31
Carmarthenshire	86	34
Ceredigion	83	34
Conwy	85	29
Denbighshire	87	31
Flintshire	89	37
Gwynedd	84	29
Isle of Anglesey	86	34
Merthyr Tydfil	92	36
Monmouthshire	84	36
Neath Port Talbot	89	33
Newport	87	36
Pembrokeshire	86	36
Powys	86	35
Rhondda Cynon Taff	91	37
Swansea	85	32
Torfaen	85	37
The Vale of Glamorgan	85	33
Wrexham	86	33
Wales average	87	34

[1] Schools budget includes pre-primary education, other than that funded by nursery voucher provision, primary, secondary and special education, and payments to government in respect of grant maintained schools. Education budget includes schools, other continuing education, education service strategy and regulation and gross expenditure on mandatory student awards. All budgets are gross of government grants but net of income from sales, fees and charges.

Pupil Numbers

Mr. Caton: To ask the Secretary of State for Wales what changes in pupil numbers have been recorded in each of the local education authorities in Wales over the past three years. [22601]

Mr. Hain: The information requested is shown in the table.

Full and part time pupils by local education authority: numbers and changes, 1995 to 1997

Local education authority area	*Number of full and part time pupils*[1] *at January:*			*Change from:*	
	1995	*1996*	*1997*	*1995 to 1996*	*1996 to 1997*
Blaenau Gwent	12,531	12,586	12,572	+55	−14
Bridgend	22,684	23,021	23,154	+337	+133
Caerphilly	31,130	31,202	31,391	+72	+189
Cardiff	51,312	52,056	52,619	+744	+563
Carmarthenshire	27,750	27,918	27,903	+168	−15
Ceredigion	10,744	10,783	10,797	+39	+14
Conwy	15,679	16,078	16,494	+399	+416
Denbighshire	15,652	15,803	16,128	+151	+325
Flintshire	25,356	25,538	25,567	+182	+29
Gwynedd	17,503	17,715	17,690	+212	−25
Isle of Anglesey	11,434	11,577	11,526	+143	−51
Merthyr Tydfil	11,760	11,729	11,670	−31	−59
Monmouthshire	12,390	12,704	12,886	+314	+182
Neath Port Talbot	23,780	23,656	23,695	−124	+39
Newport	24,976	25,059	25,189	+83	+130
Pembrokeshire	19,234	19,122	19,274	−112	+152
Powys	19,308	19,763	19,874	+455	+111

Full and part time pupils by local education authority: numbers and changes, 1995 to 1997

Local education authority area	*Number of full and part time pupils[1] at January:*			*Change from:*	
	1995	*1996*	*1997*	*1995 to 1996*	*1996 to 1997*
Rhondda Cynon Taff	43,699	43,855	43,871	+156	+16
Swansea	38,943	38,874	38,916	–69	+42
Torfaen	17,160	17,294	17,370	+134	+76
The Vale of Glamorgan	20,691	21,070	21,022	+379	–48
Wrexham	20,328	20,320	20,185	–8	–135
Wales	494,044	497,723	499,793	+3,679	+2,070

Pupils at LEA and grant maintained nursery, primary, secondary and special schools.
Source:
Schools' Census.

Chiropody Patients

Angela Smith: To ask the Secretary of State for Wales what is the age profile of NHS chiropody patients for *(a)* 1996–97, *(b)* 1995–96 and *(c)* 1994–95 in Wales. [22543]

Mr. Win Griffiths: The recipients of community chiropody services in Wales are predominantly people aged 65 and over, as can be seen from the table. Further breakdown by age profile is not available.

Persons treated	*1994–95*	*1995–96*	*1996–97*
Elderly persons[1]	140,470	136,438	137,264
Other[2]	34,390	23,056	34,636
Total	174,860	159,494	171,900

[1] Aged 65 and over.
[2] Includes physically handicapped/disabled, school children, and others, for example with diabetic conditions.

Research Groups

Mr. Dafis: To ask the Secretary of State for Wales what were the research assessment exercise ratings for each of the individual research groups included in the University of Aberystwyth Institute of Earth Studies RAE submission. [22212]

Mr. Hain: The research groups of the University of Wales, Aberystwyth Institute of Earth Studies were not given individual ratings.

National Referendum

Mr. Gareth Thomas: To ask the Secretary of State for Wales if he will make a statement on the counting procedures used in the National Referendum. [22862]

Mr. Ron Davies: Allegations have appeared in the press suggesting that the procedures for counting the votes in the referendum were defective. These allegations are false.

The counting arrangements were under the general supervision of the Chief Counting Officer, Professor Eric Sunderland, on whose appointment I consulted opposition parties. Professor Sunderland appointed Counting Officers for each of the 22 local authority areas in Wales; each Counting Officer was responsible, subject to any directions issued by the Chief Counting Officer, to make appropriate arrangements for the various counts.

Parliament provided that the referendum should be conducted in accordance with the Parliamentary Elections Rules. Counting Officers were therefore responsible, having regard to any advice issued by the Chief Counting Officer, for applying to the particular circumstances of individual ballot papers rules 47(1) and (2). These provide, inter alia, for any ballot paper which is unmarked or void for uncertainty to be rejected; but that a paper marked other than in the proper place, or otherwise by means of a cross, or by more than one mark, could be accepted as a valid vote if the voter's intention clearly emerged.

In the course of the counting on the night of 18 September, the Chief Counting Officer had occasion to issue supplementary advice on the treatment of ballot papers marked "No" opposite the "I do not agree" box. I am writing to the hon. Member separately setting out in details the circumstances as to how and why this occurred, and am placing a copy of my letter in the Library. I understand that 20 out of 22 Counting Officers followed that advice, but that the advice did not reach the Counting Officers in Pembrokeshire and Powys. The total of votes rejected in those two areas as being unmarked or void for uncertainty was 323; had the Chief Counting Officer's advice reached those Counting Officers, some of those votes might well have been added to the total of valid "No" votes. The likely consequence of 20 out of 22 Counting Officers following that advice is that the total valid "No" vote across Wales was increased by several thousands.

Counting Officers made decisions on the validity of individual ballot papers in the light of comments made by observers representing all political parties and both Yes and No campaigns. Following completion of each count, all Counting Officers were asked whether there were any special or unusual features of the count which should be drawn to the Chief Counting Officer's attention, and whether any of the observers were dissatisfied with the conduct of the count. There were no such features, and in no case were observers reported as dissatisfied with the conduct of the count. It is clear therefore that in the opinion of the independent observers scrutinising the counts, decisions made on the admissibility of doubtful votes were made fairly and properly.

Subsequently, in one authority (Caerphilly County Borough Council) complaints were made about aspects of the count. Having become aware of these in my constituency capacity, I referred them to the Counting Officer. He subsequently wrote to me confirming that the matters raised had been resolved. I understand that further queries were raised, and that the Counting Officer answered these points to the satisfaction of the inquirers in a letter dated 28 October.

Following completion of the referendum, one letter was received in my Department addressed to Professor Sunderland, complaining about delays in announcing the results from each area and also referring to spoilt ballots. Professor Sunderland's responsibilities having come to an end, the correspondent received a reply from my officials—copies are in the Libraries. The correspondent has recently written again, and will receive a full reply as soon as possible. The Welsh Office has also received one letter in the last few days addressed to Professor Sunderland referring to the recent allegations; it will be replied to by my officials. Otherwise, my Department has received no other correspondence on this matter. I am advised that no other complaints have been made to Counting Officers in any authority in Wales by any member of the public (including those who had served as observers during the various counts).

Finally, I should make clear that I have received no representations calling for an inquiry, and I have no intention of calling for an inquiry on this matter.

PRIME MINISTER

Ethnic Minorities

Mr. Vaz: To ask the Prime Minister what guidance he has issued to government departments concerning the recruitment and retention of Black and Asian staff. [21870]

The Prime Minister: Recruitment to the Civil Service is based on the fundamental principle that appointments must be made on merit on the basis of fair and open competition.

The programme for Action to achieve equality of opportunity in the Civil Service for ethnic minority people includes guidance for Departments and Agencies about recruitment and retention. The guidance is intended to ensure that selection criteria and procedures are applied fairly and consistently to all applicants.

Social Exclusion Unit

Mrs. Virginia Bottomley: To ask the Prime Minister what are the objectives, budget and staffing levels of the Social Exclusion Unit. [21679]

The Prime Minister: I refer to my answer of 8 December 1997, *Official Report*, columns *408–10*, to my hon. Friend the Member for Putney (Mr. Colman).

The Unit's running costs are met by contributions from the seconding Government departments or seconding or sponsoring organisations.

Council of Ministers

Mr. Ancram: To ask the Prime Minister how many meetings of the EU Council of Ministers the Secretary of State for Scotland will chair during the United Kingdom presidency. [22043]

The Prime Minister: As in 1992, when the United Kingdom last held the Presidency of the EU Council of Ministers, there are no definite plans for the Secretary of State for Scotland to chair any EU Council of Ministers meetings in Brussels or Luxembourg. Scottish Office Ministers can and do attend Council Meetings on behalf of the United Kingdom and that will continue to be the case during the UK Presidency.

Cabinet Committees (Legislation)

Mr. Campbell-Savours: To ask the Prime Minister if it is the policy of Her Majesty's Government to refer all proposals for and the detail of primary legislation to *(a)* Cabinet, *(b)* Ministerial Cabinet committees and *(c)* other Cabinet committees and sub-committees. [21895]

The Prime Minister: I set out the guidance that is used to determine the means by which collective decisions are made in my answer to my hon. Friend the hon. Member for Pendle (Mr. Prentice) on 20 November 1997, *Official Report*, column *269*. These procedures apply equally to proposals for primary legislation.

Political Modernisation

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 8 December 1997, *Official Report*, column *408*, if he will define the modernisation of the political system. [20399]

The Prime Minister *[holding answer 22 December 1997]:* Our plans for modernising the political system were set out clearly in our General Election manifesto. Our aim is the democratic renewal of our country through decentralisation, the elimination of excessive government secrecy, and cleaning up politics. We have already begun the decentralisation of power to Scotland and Wales, endorsed by referendums. We have put forward proposals for giving Londoners a real voice through a strategic authority and directly elected mayor. We have established an independent Commission on voting systems to consider and recommend an alternative to the present for Parliamentary Elections to be put before the people in a referendum. We have brought forward a Bill to introduce proportional representation for the European Elections. We have published our proposals for a Freedom of Information Act, to transform the culture of government and make it more open and accountable. Together this amounts to significant progress in the modernisation of our political system.

Expos

Mr. Wyatt: To ask the Minister, pursuant to his answer of 12 December 1997, *Official Report*, column *695*, if he will make it his policy to assign lead responsibility for the promotion and co-ordination of bids by towns or cities in the United Kingdom to host an expo to the Department for Culture, Media and Sport. [21920]

The Prime Minister *[holding answer 22 December 1997]:* Further to my answer of 12 December 1997, *Official Report*, column *695*, the Government would need to decide in the light of any bid which Whitehall Department was the most appropriate focal point for co-ordination.

Iraq

Mr. Dalyell: To ask the Prime Minister, pursuant to his oral answer of 3 December 1997, *Official Report*, column 354, what assessment he has made of the limits of

suffering by Iraqi children, consequent upon the imposition of a regime of sanctions, which are consistent with foreign policy based on ethical considerations. [20982]

The Prime Minister *[holding answer 22 December 1997]:* The children of Iraq have suffered greatly, as have all Iraqis, at the hands of a ruthless dictator who cares nothing for their welfare.

Unlike Saddam Hussein, we are concerned at their plight: our co-sponsorship of oil-for-food resolutions has ensured that food and medical supplies reach the people of Iraq; we have also provided £94 million in humanitarian aid since 1991, much of which is specifically dedicated to projects for children.

Christmas Tree, Downing Street

Mr. Llew Smith: To ask the Prime Minister what assessment he has made of the advantages of using photovoltaic solar energy to power the lights on the Christmas tree at Downing Street; and what representations he has received on this subject. [22060]

The Prime Minister *[holding answer 22 December 1997]:* I have not made an assessment, nor am I aware of having received any representations on this subject. However, as my hon. Friend may be aware, photovoltaics are at their least effective during the short winter days and power is needed at night when the panels would not work.

President Clinton

Mr. David Marshall: To ask the Prime Minister if, when he next visits President Clinton, he will invite him to visit Scotland. [22157]

The Prime Minister *[holding answer 22 December 1997]:* It is too early to say where we will invite President Clinton to visit when he next comes to the United Kingdom.

CHURCH COMMISSIONERS

Church Buildings (Access)

40. **Mr. Simon Hughes:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what is the policy of the Church Commissioners on charging for access to church buildings. [20235]

Mr. Stuart Bell: This is not a matter for the Church Commissioners. Policy on admission charges to a church rests with the individual Parochial Church Councillor, in the case of a cathedral, with the Chapter Office. I would, however, be happy to convey any representations that the hon. Gentleman might wish to make to the appropriate authority.

Redundant Churches

41. **Mr. Gordon Prentice:** To ask the hon. member for Middlesbrough, representing the Church Commissioners, how many redundant churches in 1990 have been sold and converted for use by other faiths. [20237]

Mr. Stuart Bell: No Church of England redundant church has been disposed of to a non-Christian denomination for worship since 1990.

Poverty

42. **Mr. Corbyn:** To ask the Chairman of the Public Accounts Commission to ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on the expenditure on the Church Commission on Poverty. [20238]

Mr. Stuart Bell: The primary responsibility of the Church Commissioners is to provide support for the ministry of the Church of England, particularly in areas of need and opportunity. Over £14 million per annum is targeted on the needier dioceses to assist with the cost of stipends and clergy housing, on a selective basis which takes account of social and economic deprivation. The Commissioners also assist with the staffing and administrative costs of the Church Urban Fund which assists community based projects in some of the poorest areas of England's inner cities and outer estates.

SOCIAL SECURITY

Motability (Appeal)

Mr. Steen: To ask the Secretary of State for Social Security when she expects the appeal to be heard in relation to the motability claim of J. C. Markinson, at his home, because of his inability to gain access to the Appeals Tribunal building in Torbay. [22526]

Mr. Denham: Appeals in respect of claims for Disability Living Allowance are matters for the Independent Tribunal Service.

Fuel Supplement

Mrs. Gillan: To ask the Secretary of State for Social Security when pensioner households will receive the £20 fuel supplement; and if she will make a statement. [22731]

Mr. Denham: Following the announcement by my right hon. Friend the Chancellor of the Exchequer on 25 November 1997, *Official Report,* columns 773-98, that extra help was being given to pensioners towards their winter fuel bills for this winter and next, a further announcement was made on 5 January. Regulations were laid before the House on 8 January and will come into effect on 16 January. The announcement will be quickly followed by a publicity campaign involving media advertising, posters and leaflets, in conjunction with Help The Aged, Age Concern and the National Association of Citizens Advice Bureaux. The publicity will ensure that pensioners are aware of what payments they will be receiving, as well as how and when it will be paid. This will enable those entitled to a payment to plan with confidence and turn up their heating knowing that a payment will be made.

The additional help of £400 million over this winter and next demonstrates the Government's commitment to help the elderly keep warm in their homes. Payments will be made automatically without the need to claim.

Priority is being given to making payments to the poorest pensioners; those who receive Income Support or income-based Jobseeker's Allowance. They will be entitled to a payment of £50 which should be made by the end of January.

Other eligible pensioners will receive a payment of £20 or £10. Where there is only one eligible person in a household, or the eligible person is of no fixed abode, they will receive £20; otherwise, each person will receive £10. If someone receives a £10 payment but there is no other eligible pensioner in the household, they will be able to contact the Department for the additional £10. It is estimated that over three million eligible pensioners will receive a payment for £20 and almost five million will receive £10.

Overall, almost 10 million payments will be made to over seven million pensioner households. This programme means that the great majority of payments will be sent by the end of March.

Incapacity Benefit

Mr. Cummings: To ask the Secretary of State for Social Security how many appeals are outstanding in respect of disallowment of invalidity benefit; and what is the average length of time for an appeal to be determined in the Seaham and Peterlee Benefits Agency area. [21588]

Mr. Denham: The number of appeals outstanding in Great Britain in respect of disallowance of Incapacity Benefit (which replaced Invalidity Benefit in April 1995) for the quarter ending September 1997 is around 33,000.

The Independent Tribunal Service (ITS) is unable to provide waiting time details by Benefits Agency area as such information is not routinely kept in this format.

ITS has recently installed a new computer system in all offices and across all jurisdictions. Average clearance time information cannot be produced presently owing to difficulties with the system's statistical reporting package. The President is hopeful that these difficulties will soon be fully resolved. However, the average clearance time for Great Britain remains at least six months.

We are determined to reduce the current delays and complexity in the appeals system. The Social Security Bill which paves the way for modernising the delivery of Social Security, including the handling of appeals, had its third reading in the House on 10 December and is now continuing its passage through the other place. The Secretary of State will assume responsibility for the administration of the appeals system. She will set and publish demanding targets for the administration of appeals and report on the results.

Data Protection

Mr. Cohen: To ask the Secretary of State for Social Security (1) what assessment she has made of the Code of Practice on data matching published by the Audit Commission; [22131]

(2) what progress has been made by her Department with respect to the production of a Code of Practice governing the relationship between data matching and data protection; [22130]

(3) if the data matching authorised by the Social Security Administration (Fraud) Act 1997 has commenced. [22132]

Mr. Denham: The DSS Code of Practice is still being drafted. A draft revision will be offered to the Data Protection Register and others for consideration. Data matching under the terms of the Fraud Act will commence after the Code of Practice is published.

The Audit Commission publication was taken into account during the drafting of the DSS data matching Code of Practice, and cross references made where appropriate.

Young People (Income Support)

Mr. Etherington: To ask the Secretary of State for Social Security how many people in Sunderland aged 16 and 17 years are in receipt of income support. [22052]

Mr. Keith Bradley: The information is not available and could be obtained only at disproportionate cost.

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Social Security how many secure cycle spaces there are in her Department. [22680]

Mr. Field: A full breakdown of secure cycle spaces in the Department is not available and could be obtained only at disproportionate cost.

Such information as is available indicates that cycles could be accommodated at most locations occupied by the Department. The security of these would in the main be the responsibility of the individuals concerned.

The approximate number of designated cycle spaces available to the Department is 4,125. Of these, it is estimated that 2,750 are in areas of limited access and 1,375 are secured by the use of padlock and chain, if fitted by the cyclist.

Pensioners (VAT on Fuel)

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the average weekly post-tax income gain for a pensioner couple on the basic state pension, in 1998–99, resulting from *(a)* the reduction in value added tax on domestic fuel from 8 per cent. to 5 per cent. and *(b)* the effective downward adjustment to the pension uprating for 1998–99 resulting from the reduction in the rate of value added tax on domestic fuel from 8 per cent. to 5 per cent.; and if she will make a statement. [15956]

Mr. Denham *[holding answer 18 November 1997]:* We believe that all pensioners should share fairly in the increasing prosperity of the nation. Everyone will see the benefit of the reduction of VAT on fuel in their winter fuel bills. In addition, this winter and next, pensioner households in receipt of Income Support will receive an additional payment of £50 to help with fuel costs and other pensioner households will receive £20.

On average, a couple receiving the basic State Pension will be 35p a week better off at present, and 20p a week better off in real terms after the uprating, taking into account the reduction in the rate of VAT on fuel.

TREASURY

Monetary Union

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will place in the Library a copy of Sir Donald MacDougall's report on monetary union. [12339]

Mrs. Liddell: The "Report of the Study Group on the Role of Public Finance in the European Integration" was published in April 1977 by the Commission of the European Communities. The Study Group was chaired by Sir Donald MacDougall and the report is frequently known as the MacDougall Report. Treasury officials have been endeavouring to obtain a copy of this report from the European Commission so that it can be placed in the Library. As soon as copies become available they will be placed in the Library.

Mr. Mitchell: To ask the Chancellor of the Exchequer which authority and what method will determine *(a)* the European Central Bank's initial share capital, *(b)* the percentage of shares to be subscribed by each initially participating national bank, *(c)* the currency in which such shares will be subscribed and *(d)* subsequent decisions relating to any further state joining the single currency. [21255]

Mrs. Liddell: These arrangements are set out in Protocol No. 3 to the EC Treaty (on the Statute of the European System of Central Banks and of the European Central Bank), notably articles 28, 29, 48, 49 and, were the UK to decide to participate in stage 3 of EMU, paragraph 10(b) of Protocol No. 11 to the EC Treaty.

Mr. Dalyell: To ask the Chancellor of the Exchequer what representations he has received from the Government of France on his decision not to enter EMU in 1999. [21177]

Mrs. Liddell *[holding answer 22 December 1997]:* No formal statement has been issued by the French Government. However, French Ministers have made very positive public comments about the Chancellor's statement to Parliament of 27 October 1997, *Official Report*, columns 583–606.

Euro

Mr. Boswell: To ask the Chancellor of the Exchequer when the euro will be legal tender in the United Kingdom. [15967]

Mrs. Liddell: The euro would become legal tender in the United Kingdom if we were to join the single currency. It will not be legal tender in the United Kingdom if it is introduced in other EU member states on 1 January 1999 as the United Kingdom will not join the single currency then. However, as with other major foreign currencies, it will be possible to use the euro in a wide range of transactions in the United Kingdom from that date.

Sir Richard Body: To ask the Chancellor of the Exchequer, pursuant to his answer of 27 November 1997, *Official Report*, column 658, what representations his Department made at the time of selection of the euro symbol to ensure it was distinguishable from that for sterling where physical display of coin or note is not involved; what representations he has received from *(a)* software and *(b)* hardware specialists on problems adapting their systems to permit computer representation of the euro symbol; and if he will estimate the projected cost of implementing changes to computer systems to accommodate the euro symbol. [20315]

Mrs. Liddell: The European Commission was responsible for the design of the euro symbol. The selection was carried out by market testing a number of alternative designs with the public. The Treasury has not separately made representations on the ease with which the euro currency symbol is distinguishable from the pound sterling symbol.

The Treasury is in regular contact with representatives from the IT industry, including through the work of the Business Advisory Group on the practical implications of EMU.

The use of the symbol is not required by legislation. We expect there will be a number of options for computer users wishing to display the symbol.

Individual Savings Accounts

Mr. Gibb: To ask the Chancellor of the Exchequer what are the estimated administration costs to the institutions associated with individual savings accounts. [19769]

Mr. Geoffrey Robinson: I refer the hon. Member to the answer I gave on 22 December 1997, *Official Report*, column *473*, to the right hon. Member for Hitchin and Harpenden (Mr. Lilley).

Computers (Century Date Change)

Mr. David Atkinson: To ask the Chancellor of the Exchequer if his working party on the Information Technology Implementation of European Monetary Union has assessed the need for the computer systems involved to be millennium compliant; and if he will make a statement. [20974]

Mrs. Liddell: The working party to which the hon. Member refers was commissioned by the Chancellor's Business Advisory Group to examine the Information Technology issues involved in the preparations for EMU. It has not, therefore, focused its work on the Year 2000 problem. However, the resource issues raised by the Year 2000 problem and their impact on EMU preparation have been recognised and considered by the working party.

The Government have recently set up a ministerial committee to look into the Year 2000 issue, with the public sector coordinated by the Chancellor of the Duchy of Lancaster. My right hon. Friend the President of the Board of Trade has launched the Action 2000 initiative with the aim of helping private sector businesses tackle the problem.

Population Statistics

Mr. Tom King: To ask the Chancellor of the Exchequer if he will estimate the likely changes in the population of the United Kingdom up to 2050 assuming no further net immigration. [21831]

Mrs. Liddell: The latest (1996-based) population projections for the United Kingdom were issued at the end of November. Details of the underlying assumptions regarding future fertility, mortality and migration were published in Population Trends 89 (page 1). Based on the

same assumptions of future fertility and mortality, but assuming zero net migration from 1997–98 onwards, the future population of the United Kingdom would be as follows:

Projected population of the United Kingdom, assuming net zero future migration

Millions

Year	*Projected population*	*Projected change since 1996*
1996	58.8	—
2000	59.3	+0.5
2010	59.7	+0.9
2020	60.1	+1.3
2030	59.7	+0.9
2040	58.0	–0.8
2050	55.6	–3.2

Source:
Government Actuary's Department.

Mr. Barnes: To ask the Chancellor of the Exchequer if he will list the latest estimates by the Register General of Populations of those aged 17 years and over, plus 63 per cent. of those aged 16 years, for each district council area and parliamentary constituency in England and Wales, together with the equivalent electoral registration figures also expressed as a percentage of these population figures and in ascending order. [22292]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange a reply to be given.

Letter from Tim Holt to Mr. Harry Barnes, dated 12 January 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics, to reply to your recent question on the latest mid-year population estimates for each district council and parliamentary constituency in England and Wales, together with the equivalent electoral registration figures and for the electoral figures to be expressed as a percentage of the population figures.

The attached table provides the requested information for local authority districts. Also, as requested the table is presented in ascending order by the percentage of the estimated mid-1996 population who were registered to vote. The table shows that some districts are quite a bit below 100 per cent. and some are over 100 per cent. However, these percentages need to be treated with care, as there are a number of reasons why they do not necessarily represent the percentage of eligible persons who were on the register at their qualifying address. These reasons include the fact that the electoral register may not be up to date and so may contain some redundant entries for people who had already moved elsewhere or died at the time the register was compiled. The register contains some legitimate dual registrations, for example by students and owners of second homes. This table is voluminous and copies are being placed in the Library of the House rather than reproduced in Hansard.

The population estimates include residents who would be ineligible to vote and so percentages below 100 per cent. would be expected in areas where there are large numbers of such people, e.g. where there is a large American air force base. On the other hand, the electoral register but not the population estimates includes overseas voters and service voters living abroad. Finally, it must be remembered that the population data are estimates, the average absolute error of the population estimates at the local authority district level was estimated to be 2.5 per cent. in the 1995 publication *"Accuracy of rolled-forward population estimates in England and Wales, 1981–91"* OPCS Occasional Paper 44. This average error varies between districts and, in particular, it is generally accepted that accurate estimation of the population for small areas is particularly difficult (e.g. for areas with less than around 20,000 people).

Statistics on the number of people registered on the 1997 electoral rolls by parliamentary constituency was published on the 18 December 1997 in *Series EL no. 24 "1997 Electoral Statistics"*, an ONS reference volume. They were first published by ONS on the 26 March 1997 in a Population and Health Monitor, *series EL 97/1*. Copies of these publications are available in the House of Commons library.

ONS do not produce population estimates for parliamentary constituencies. The main use of the Registrar General's population estimates is to distribute central government revenue support grant resources between local authorities and for this purpose the estimates are required by the Department of the Environment, Transport and the Regions at local authority district level.

Unemployment

Mr. Tom King: To ask the Chancellor of the Exchequer what was the unemployment percentage for each of the standard regions of England in *(a)* September 1981, *(b)* September 1985, *(c)* September 1989, *(d)* September 1993 and *(e)* September 1997. [21781]

Mrs Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Tom King, dated 12 January 1998:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics, to your recent question on the unemployment rate in each of the standard regions of England at various dates.

The ONS measure of unemployment, derived from the quarterly Labour Force Survey (LFS), is defined on a consistent and internationally recognised basis set out by the International Labour Organisation (ILO) and counts as unemployed people who are: a) without a paid job; b) available to start work within the next two weeks and c) have either looked for work in the last four weeks or are waiting to start a job already obtained. The ILO unemployment rate is defined as the number ILO employed as a proportion of all those either in employment or ILO unemployed.

The ILO measure of unemployment has been used in the LFS since 1984. The LFS was conducted annually each spring between 1984 and 1991 and has been conducted quarterly since spring 1992. Tables for each Standard Statistical Region (SSR) covering the period from spring 1984 to spring 1997 are published in the *Labour Force Survey Historical Supplement*, a copy of which is available in the House of Commons library (ONS, December 1997, pp95-105). The ONS has recently adopted a new regional classification based on the boundaries of the Government Offices for the Regions, but there is no LFS data available on this basis prior to spring 1992.

ONS also publishes the monthly claimant count, which is based on the administrative system which records all people claiming unemployment-related benefits (i.e. Jobseeker's Allowance (JSA) or National Insurance (NI) credits) at Employment Service offices on the day of the monthly count, who on that day had signed on as unemployed and available to do any suitable work. Essentially, all people who attend an Employment Service office to sign on the designated day are counted. Claimant count levels and rates are available by SSR for each of the periods specified, from Nomis which can be accessed by the House of Commons Library.

Inland Revenue

Dr. Ladyman: To ask the Chancellor of the Exchequer what account the Inland Revenue policy takes of levels of unemployment and social deprivation when considering the merger or closure of its offices. [22231]

Dawn Primarolo: In considering which of its offices should merge or close, the Inland Revenue's main objectives are to improve the quality of its service to the public and to achieve cost efficiency.

Dr. Ladyman: To ask the Chancellor of the Exchequer what assessment he has made of the effect of the proposed new office structures for Inland Revenue offices on *(a)* processing of self assessment tax returns, *(b)* mail clearance times, *(c)* clearance of CY-2 open cases, *(d)* the handling of telephone and fax inquiry calls, *(e)* the handling of debt and return management lists and *(f)* dealings with employer compliance system reviews. [22232]

Dawn Primarolo: All the available evidence so far indicates that taken, as a whole, the performance of new-style offices created under the Inland Revenue's restructuring programme is similar to the offices they replaced. These results are being achieved with fewer resources and reduced running costs.

Dr. Ladyman: To ask the Chancellor of the Exchequer what is his policy in respect of maintaining Inland Revenue offices in areas which produce high black economy yields. [22229]

Dawn Primarolo: The Inland Revenue is engaged in a major programme of change which includes restructuring its local office network. Before any office is closed under that programme, the Department and Ministers need to be satisfied that the new offices will deliver an enhanced compliance performance including maintaining or improving black economy yields.

Dr. Ladyman: To ask the Chancellor of the Exchequer what factors underlie the Inland Revenue's offer proposal to close offices in the South East region. [22230]

Dawn Primarolo: The Inland Revenue is engaged in a major programme of change which includes restructuring its local office network. Before any office is closed under that programme, the Department and Ministers need to be satisfied that the new offices will deliver good quality customer service, enhanced compliance performance and reduced costs.

Orange Juice

Dr. Starkey: To ask the Chancellor of the Exchequer what is the estimated financial loss to the EU of duties forgone in respect of imports of Brazilian orange juice falsely labelled as made in Israel. [22194]

Dawn Primarolo: This information is not available.

Tax (Channel Islands and Isle of Man)

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what plans he has to discuss with the responsible authorities in the Channel Islands and in the Isle of Man the closer harmonisation of their respective tax regimes with that of the UK. [22239]

Mr. Loughton: To ask the Chancellor of the Exchequer what discussions his Department has conducted with the authorities of the Channel Islands regarding taxation. [21328]

Mr. Gordon Brown *[holding answer 17 December 1997]:* The Channel Islands and the Isle of Man are responsible for their own tax laws. The UK Government maintain close contact at all levels with their dependent territories within the framework of the constitutional arrangements, on a wide range of issues, including tax matters.

Cycle Spaces

Mr. Brake: To ask the Chancellor of the Exchequer how many secure cycle spaces there are in his Department. [22688]

Mrs. Liddell: There are 60 secure covered cycle spaces in the Treasury's Headquarters building in Parliament Street and five covered spaces at its Allington Towers office.

Purchasing Power

Mr. Winnick: To ask the Chancellor of the Exchequer what was the average purchasing power of the pound in *(a)* 1967, *(b)* 1977 and *(c)* 1987 relative to its current purchasing power. [22567]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr David Winnick, dated 12 January 1998:

The Chancellor of the Exchequer has asked me, as the Director of the Office for National Statistics, to reply to your recent question on the average purchasing power of the pound in earlier years relative to its current purchasing power.

The figures requested are shown in the table below, and have been calculated using the all items Retail Prices Index (RPI). For more information on the method of calculation, you may wish to consult the *RPI Business Monitor (MM23)*, a copy of which is held in the House of Commons library.

Internal purchasing power of the pound (pence)

	Pence
November 1997	100
1987 average	64
1977 average	29
1967 average	10

The above means that a basket of goods, which cost £1 to buy in November 1997, could have been purchased in 1987 for sixty-four pence.

European Bank for Reconstruction and Development

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on the circumstances surrounding the departure or Elizabeth Bukspan from the European Bank for Reconstruction and Development. [20805]

Mrs. Liddell *[holding answer 15 December 1997]:* Elizabeth Bukspan's departure as Director for France reflected action taken by the French authorities and therefore the Chancellor is not in a position to make a statement.

Green Pound Fluctuations

Mr. Baldry: To ask the Chancellor of the Exchequer what proportion of the EU programme to compensate for fluctuations in the valuation of the green pound would come from United Kingdom funds; and what estimate he has made of the total cost which this would represent. [21850]

Mrs. Liddell *[holding answer 19 December 1997]:* Under EU rules, the UK could pay up to £980 million to compensate farmers for any income effects arising from the four appreciable revaluations of the sterling green rate in 1997. Up to half of this sum—£490 million—could be reclaimed from the EU budget, with any funds in excess of this coming from the UK budget. However, because of the abatement applied to the UK's EU contribution, the Exchequer bears a significant share of new CAP expenditure in the UK which is reimbursed by the EU budget. Taking the abatement effect into account, payment of the full £980 million available to the UK would result in costs to the Exchequer of around £840 million (about 85 per cent. of the total amount).

Aging Population

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what assessment he has made of *(a)* the likely long-term effects of an aging population on the economy and *(b)* the steps which the Treasury will need to take in response. [22063]

Mr. Darling *[holding answer 22 December 1997]:* The Government keep policy issues likely to arise from changing demographic patterns across the whole range of Government policy under constant review.

The Comprehensive Spending Review provides a structured framework in which all Government departments, together with the Treasury, can consider what policy action might be needed to respond to projected demographic changes over the long term.

In particular, the Government have made clear that they will address the effects of demographic change and aging in the context of its Pensions Review, launched by the Secretary of State for Social Security on July 17. The Royal Commission on Long-term Care will also have regard to demographic change in its work, as it examines and then makes recommendations on short and long-term options for a sustainable system of funding of long-term care for elderly people in the United Kingdom.

HOME DEPARTMENT

Group 4 Securities

Mr. Allan: To ask the Secretary of State for the Home Department, pursuant to his Answer of 8 December 1997 to the right hon. Member for Berwick-upon-Tweed (Mr. Beith), *Official Report*, column *434*, how many of the former 40 officials of his Department who have taken paid employment with private prison contractors after leaving his Department had responsibilities in relation to overseeing, managing or inspecting private sector contracts; if he will list the *(a)* contracts for which they had responsibility and *(b)* the dates those employees left his Department and the dates they started employment in the private sector. [21585]

Ms Quin *[holding answer 19 December 1997]:* The information requested is not kept centrally and could be obtained only at disproportionate cost.

Campsfield House Detention Centre

Dr. Harris: To ask the Secretary of State for the Home Department how many serious incident forms were completed in Campsfield House Detention Centre during *(a)* 1993, *(b)* 1994, *(c)* 1995 and *(d)* 1996. [21345]

Mr. Mike O'Brien *[holding answer 19 December 1997]:* Group Four (Total Security) Ltd. staff employed at Campsfield House detention centre routinely submit incident reports to their site managers about any event which affects the running of the centre. These reports cover incidents ranging in seriousness from the minor to the more important. The reports are copied to Immigration Service staff on site, and those which are of an urgent or serious nature receive immediate attention.

The centre opened on 29 November 1993. Accurate statistics relating to incident reports were not kept in the form requested before 1995.

In 1995, there were a total of 592 reports submitted, and in 1996 the total was 322. Records relating to the reports do not at present differentiate between the relative seriousness of the incidents to which they refer. It is expected that the report submitted by Her Majesty's Chief Inspector of Prisons, following his unannounced short inspection of Campsfield House conducted in October 1997, will recommend that such a distinction should in future be made. The report will be published shortly.

Prisoner Statistics

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department if he will list the per capita cost of holding a *(a)* male and *(b)* female prisoner for each prison in England and Wales in the most recent year for which figures are available. [22116]

Ms Quin *[holding answer 22 December 1997]:* In 1996–97, the most recent financial year for which information is available, the cost per prisoner was as follows:

Prison name	*Cost per prisoner*
Male prisons	
Acklington	13,968
Albany	20,048
Aldington	16,191
Ashwell	15,025
Aylesbury	28,671
Bedford	19,674
Belmarsh	30,073
Birmingham	16,058
Blakenhurst	15,831
Blantyre House	18,338
Blundeston	20,945
Brinsford	18,227
Bristol	23,541
Brixton	29,320
Buckley Hall	16,352
Bullington	18,352
Camp Hill	19,706

Prison name	Cost per prisoner
Canterbury	21,935
Cardiff	17,052
Castington	20,019
Channings Wood	15,163
Chelmsford	20,340
Coldingley	23,954
Dartmoor	20,324
Deerbolt	18,244
Doncaster	14,020
Dorchester	19,576
Dover	18,295
Downview	19,462
Durham[1]	20,051
Elmley	17,524
Erlestoke	19,614
Everthorpe	16,953
Exeter	19,587
Featherstone	18,743
Feltham	18,036
Ford	13,430
Frankland	39,753
Full Sutton	40,148
Garth	19,231
Gartree	23,393
Glen Parva	15,362
Gloucester	23,995
Grendon	20,795
Guys Marsh	17,701
Haslar	16,727
Hatfield	23,994
Haverigg	17,295
Hewell Grange	13,547
Highdown	19,016
Highpoint[1]	16,545
Hindley	18,765
Hollesley Bay	27,246
Holme House	18,377
Hull	27,540
Huntercombe	20,633
Kingston	35,407
Kirkham	15,046
Kirklevington	18,916
Lancaster	20,604
Lancaster Farms	20,216
Latchmere House	14,446
Leeds	19,824
Leicester	24,618
Lewes	28,004
Leyhill	18,299
Lincoln	16,468
Lindholme	18,354
Littlehey	14,958
Liverpool	17,658
Long Lartin	42,222
Low Newton[1]	19,073
Maidstone	18,283
Manchester	19,090
Moorland	17,074
Morton Hall	13,250
Mount	12,881
North Sea Camp	17,153
Northallerton	18,712
Norwich	20,737
Nottingham	28,640
Onley	15,327
Parkhurst	43,364
Pentonville	18,197
Portland	16,727
Preston	25,365
Ranby	17,252
Reading	22,535
Risley[1]	19,785
Rochester	21,371
Send	17,413
Shepton Mallet	18,893
Shrewsbury	18,269
Stafford	15,989
Stanford Hill	16,747
Stocken	15,739
Stoke Heath	20,951
Sudbury	15,969
Swaleside	18,363
Swansea	22,442
Swinfen Hall	22,834
Thorn Cross	24,187
Usk	19,640
Verne	15,094
Wakefield	28,219
Wandsworth	23,523
Wayland	14,410
Wealstun Closed	16,286
Wellingborough	18,417
Werrington	22,066
Wetherby	29,685
Whatton	18,079
Whitemoor	36,622
Winchester[1]	20,955
Wolds	20,458
Woodhill	21,910
Wormwood Scrubs	18,241
Wymott	16,953
Female prisons	
Askham Grange	18,556
Bullwood Hall	29,854
Brockhill	30,246
Cookham Wood	21,296
Drake Hall	15,236
East Sutton Park	18,057
Eastwood Park	29,428
Holloway	28,599
New Hall	26,345
Styal	23,984

[1] Certain male prisons may hold female prisoners (*Durham, Highpoint, Low Newton, Risley and Winchester), but no separate male and female costs are provided in these circumstances.

Private Prisons

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department (1) how many new private prisons are currently being built; and in each case what is the *(a)* expected date of opening and *(b)* planned prisoner population; [22119]

(2) how many private prisons are currently in operation in England and Wales; and for each, when it opened, where it is located and what is its current prisoner population. [22118]

Ms Quin *[holding answer 22 December 1997]:* Details of the six prisons in England and Wales that are managed by the private sector are as follows:

HM prison	Location	Date of opening	Population on 18 December 1997
Altcourse	Merseyside	1 December 1997	193
Blakenhurst	Worcestershire	26 May 1993	768
Buckley Hall	Greater Manchester	14 December 1994	836
Doncaster	South Yorkshire	20 June 1994	1,053
Parc	South Wales	17 November 1997	215
Wolds	Humberside	6 April 1992	402

Blakenhurst, Buckley Hall, Doncaster and the Wolds prisons were transferred from Prison Service management to private sector management on the dates shown. Altcourse and Parc were built under the Private Finance Initiative.

One prison is under construction in England and Wales under the Private Finance Initiative: Her Majesty's Prison Lowdham Grange, Nottinghamshire, which is scheduled to open by the end of February 1998 with planned capacity for 500 prisoners when it is fully operational.

Prison Workshops

Mr. Hoyle: To ask the Secretary of State for the Home Department what plans he has to involve private companies in *(a)* consulting and *(b)* administration in respect of the prison workshops at HMP Garth and HMP Wymott; and if he will list the companies which have been invited to tender. [22062]

Ms Quin *[holding answer 22 December 1997]:* As stated in my reply to my hon. Friend on 14 November 1997, *Official Report*, columns 688–89, there are no plans to change the arrangements for the provision and administration of prison workshops at either Garth or Wymott.

Both establishments undertake a small percentage of work for the private sector (most work undertaken is for the internal prison market). Prisoners produce and assemble a range of goods for mostly locally based companies.

Wymott is one of 18 establishments selected for additional support and funding by the Prison Service as part of the wider Prison Service Workshop Expansion Programme. In order to meet the overall aims of the programme, Wymott and Prison Service headquarters will be jointly involved in seeking additional work from the private sector. Negotiations are currently underway with a local based company, Giraffe Products Limited, for the manufacture of music stands. It is anticipated that this will be a Private Finance Initiative, requiring the company to provide additional capital for the purchase of either plant or equipment to undertake the work.

The Company's involvement is restricted to that of customer.

Young Prisoners

Mr. Allan: To ask the Secretary of State for the Home Department how many of those persons aged *(a)* 15 and *(b)* 16 years have been remanded (i) in adult prisons and (ii) in total, in each month in each of the last five years; and what was the average period of detention in each year. [21600]

Ms Quin *[holding answer 18 December 1997]:* The information on the number of remand receptions for untried juvenile prisoners is given in the following tables, along with the estimated average periods in custody for all juvenile untried prisoners.

Table 1: Receptions of 15 and 16 year old untried prisoners into prisons in England and Wales, 1993–97

	Age			
	15		16	
	Adult prisons[1]	All Receptions	Adult prisons[1]	All Receptions
1993				
January	—	24	3	60
February	1	35	—	76
March	—	50	3	90
April	—	34	3	69
May	—	27	—	61
June	—	40	4	68
July	1	45	1	78
August	—	30	—	63
September	—	32	1	83
October	—	34	—	62
November	—	44	1	58
December	—	34	—	72
Total	2	429	16	840
1994				
January	—	39	—	76
February	1	44	1	80
March	3	59	1	82
April	—	49	1	90
May	1	32	—	91
June	2	67	—	99
July	2	46	5	78
August	7	53	7	99
September	2	44	13	93
October	3	60	8	73
November	6	71	10	106
December	9	49	7	77
Total	36	613	53	1,044
1995				
January	6	52	16	99
February	9	64	10	83
March	7	65	14	114
April	2	28	11	86
May	7	53	14	97
June	5	46	6	84
July	5	56	21	108
August	7	40	15	110
September	10	47	7	116
October	8	56	9	94
November	8	54	9	114
December	5	43	6	77
Total	80	604	136	1,182
1996				
January	9	72	7	99
February	6	40	18	103
March	4	63	9	93
April	3	56	12	105
May	8	66	15	132
June	6	50	15	95
July	5	52	16	106
August	3	57	15	112
September	8	58	14	102
October	8	55	17	118
November	6	54	8	110
December	3	62	9	80
Total	69	685	155	1,255

Table 1: Receptions of 15 and 16 year old untried prisoners into prisons in England and Wales, 1993–97

	Age			
	15		16	
	Adult prisons[1]	All Receptions	Adult prisons[1]	All Receptions
1997[2]				
January	6	67	11	109
February	3	42	2	72
March	2	53	8	95
April	3	51	4	109
May	1	50	—	101
June	2	65	—	97
July	4	49	2	116
August	—	41	3	86
September	1	57	2	96
October	1	50	—	100
Total	23	525	32	981

[1] Most are held in Remand facilities for young offenders only.
[2] Provisional figures.

Table 2: Average time held in custody[1] for untried prisoners aged under 17 in Prisons in England and Wales, 1993–97

Year	Untried
1993	25
1994	32
1995	28
1996	32
1997[2]	34

[1] The average days in custody are estimated from the population held on 30 June each year and the total number of initial receptions in the year. The estimate is subject to some uncertainty due to the small numbers held.
[2] Provisional estimate for January to October 1997. Based on the population on 31 October 1997.

Lewes Prison

Mr. Baker: To ask the Secretary of State for the Home Department how many persons aged (i) under 15 years, (ii) under 16 years, (iii) under 17 years and (iv) under 18 years were being held in Lewes prison in each month between January 1994 and November 1997 inclusive. [21439]

Ms Quin *[holding answer 22 December 1997]:* The information requested is given in the table.

Population of persons aged under 18 in Lewes prison, January 1994 to November 1997

On last day of month	Age Under 18[1]
1994	
January	1
February	2
March	3
April	6
May	1
June	3
July	2
August	4
September	4
October	5
November	9
December	5
1995	
January	4
February	5
March	5
April	7
May	6
June	8
July	6
August	4
September	7
October	5
November	5
December	5
1996	
January	4
February	6
March	5
April	8
May	5
June	6
July	13
August	14
September	12
October	13
November	7
December	8
1997	
January	5
February	6
March	3
April	6
May	2
June	2
July	1
August	0
September	2
October	1
November	0

[1] Lewes prison only receives inmates aged 17 years or over on remand and sentenced inmates aged 18 years or over. There are therefore no inmates aged under 15 or 16 held in the prison for the period specified.

Community Relations Unit

Mr. Vaz: To ask the Secretary of State for the Home Department how many *(a)* Black and *(b)* Asian people are employed in the Community Relations Unit. [21872]

Mr. Mike O'Brien: Information on ethnic origin is usually collected by means of a voluntary self-classification questionnaire under an assurance that it will be used for statistical purposes only and not disclosed without the subject's consent. The Civil Service Management Code requires Departments and agencies to take appropriate steps, as described in the Model Code of Practice on Ethnic Monitoring issued by the Cabinet Office (Office of Public Service), to safeguard the confidentiality of ethnic origin data. The Model Code of Practice on Ethnic Monitoring requires that information on ethnic origin is collected on the understanding that it will be treated as confidential, and that the ethnic origin of identifiable individuals will not be made known without their consent.

Babies (Prison)

Mr. Allan: To ask the Secretary of State for the Home Department how many babies have been held in prison units in each year since 1992; what was the average time

each baby spent in prison in each year; what category of prisoner was each mother; and if he will make a statement. [21535]

Ms. Quin *[holding answer 18 December 1997]:* Information on the number of babies accommodated in prison mother and baby units is given in the following table. Women prisoners are categorised as either suitable for closed or open prisons. The mother and baby units at Holloway. New Hall and Styal are all in closed prisons. The mother and baby unit at Askham Grange is in an open prison.

Number of babies accommodated in each prison in each year since 1992[1] and the average length of stay

	1992 Number of babies accommodated	1992 Average length of stay (Months)	1993 Number of babies accommodated	1993 Average length of stay (Months)	1994 Number of babies accommodated	1994 Average length of stay (Months)	1995 Number of babies accommodated	1995 Average length of stay (Months)	1996 Number of babies accommodated	1996 Average length of stay (Months)
Styal mother and baby unit	20	9-12	27	12	22	9	25	8	26	9
Holloway mother and baby unit	Figures not collected until January 1993		25	5	48	6	48	5	29	5
Askham Grange mother and baby unit	29	5	32	6	32	8	42	5	38	5
New Hall mother and baby unit (Unit opened May 1995)	—	—	—	—	—	—	20	3	18	4
Total	49		84		102		135		111	

[1] Figures for 1997 not yet available.
[2] May to December 1995.

Female Prisoners

Mr. Allan: To ask the Secretary of State for the Home Department what was the total female prison population, by category and in total, on 1 January for each of the last 10 years; what is the current female prison population, by category and in total; and what is the projected female prison population for 1 January 1998. [21534]

Ms Quin *[holding answer 18 December 1997]:* The available information for the female prison population is for 31 December each year and is given in the table. The breakdown as at 30 November 1997 is also included in the table. The number of females in prison is expected to be 2,740 on 31 December 1997 (570 remand, 2,150 sentenced and 20 non-criminals).

Female prison population by type of custody on 31 December 1987–96 and on 30 November 1997

	Type of custody on 31 December			
	Remand	Sentenced	Non-criminal	Total
1987	467	1,222	7	1,696
1988	443	1,268	4	1,715
1989	406	1,231	—	1,637
1990	350	1,102	3	1,455
1991	346	1,146	7	1,499
1992	299	1,054	—	1,353
1993	388	1,147	38	1,573
1994	456	1,292	24	1,772
1995	435	1,472	23	1,930
1996	554	1,789	31	2,374
30 November 1997	671	2,196	21	2,888

Primate Imports

Mr. Baker: To ask the Secretary of State for the Home Department (1) if he will ban the import of primates from Indonesia; [22378]

(2) what action he has taken to investigate alleged breaches in the provision of the CITES convention in respect of the importing of primates from Indonesia. [22385]

Mr. George Howarth: Since 1996, approval for the acquisition of primates from overseas sources for use in scientific procedures has been given only if the Home Office is satisfied that the conditions at the breeding and supplying centre are acceptable. Each batch of animals acquired from overseas sources must be separately authorised and the transport arrangements approved by the Home Office.

After each batch of animals is received, the recipient must send to the Home Office:

(a) confirmation that the animals were shipped according to the prior agreement and that they arrived safely;

(b) life-time records for each individual animal;

(c) the report of the veterinary inspection on arrival; and

(d) details of any morbidity and mortality arising during the first four weeks following arrival in the United Kingdom.

An application was received during 1996 for approval to acquire macaques from a particular centre in Indonesia. A member of the Animals (Scientific Procedures) Inspectorate had previously visited this centre. There had been some deficiencies in the standards of care and accommodation, but these had been corrected before the application was submitted. The application was approved.

No animals have been imported into the United Kingdom from this source for over 12 months.

Recent reports emanating from the United States of America suggested that the centre had been involved in the transportation of pregnant and infant animals and that the levels of care and accommodation during transport were inadequate. A member of the Inspectorate investigated these reports during a recent visit to the United States of America and found evidence to support

the allegations. Approval to acquire primates from this source for use in the United Kingdom was immediately withdrawn. Any future application to acquire animals from this centre will be considered only if the applicant can demonstrate that these problems have been rectified and will not recur.

Cycle Spaces

Mr. Brake: To ask the Secretary of State for the Home Department how many secure cycle spaces there are in his Department. [22673]

Mr. Straw: The Home Office Central London Estates provides 41 secure spaces for bicycles which meets the present demand. Figures for the rest of the Home Office estate are not available centrally and can be collected only at disproportionate cost. As a former secretary of the House of Commons cycling club, I am very willing to do all I can to facilitate the use of bicycles by staff of this Department.

Ministerial Group on the Family

Mr. Clappison: To ask the Secretary of State for the Home Department (1) if the scope of the work of the Ministerial Group on the Family includes measures to strengthen the institution of marriage; [22713]

(2) what is the definition of family which is being used by the Ministerial Group on the Family. [22710]

Mr. Michael: The Government have a manifesto commitment to strengthen family life. The Ministerial Group is interpreting this remit widely and is not focusing on particular family structures.

Mr. Clappison: To ask the Secretary of State for the Home Department if he will publish *(a)* the agenda for, *(b)* the minutes of and *(c)* a list of those attending the Ministerial Group on the Family. [22711]

Mr. Michael: The group comprises:

My right hon. Friend the Home Secretary (Chair) and me together with:

my noble and learned Friend the Solicitor General;

my hon. Friend the Financial Secretary to the Treasury;

my hon. Friend the Minister for Public Health;

my hon. Friend the Minister without Portfolio;

my hon. Friend the Parliamentary Under-Secretary of State at the Department for Education and Employment (Mr. Howarth);

my hon. Friend the Parliamentary Under-Secretary of State at the Department of Trade and Industry (Ms Roche);

my hon. Friend the Parliamentary Secretary at the Lord Chancellor's Department;

my hon. Friend the Parliamentary Under-Secretary of State at the Department of Social Security (Ms Ruddock); and

the Parliamentary Under-Secretary of State at the Department of the Environment, Transport and the Regions (Mr. Raynsford).

There are no plans to publish the agenda or notes of the meetings.

Mr. Clappison: To ask the Secretary of State for the Home Department if he plans to hold any meetings of the Ministerial Group on the Family in public. [22712]

Mr. Michael: No.

Mr. Clappison: To ask the Secretary of State for the Home Department if he proposes that the Ministerial Group on the Family should produce a report. [22716]

Mr. Michael The Ministerial Group is intended to make a positive contribution to policy-making as it affects the family.

One report, on a seminar organised on behalf of the Group and entitled "Promoting Successful Parenting", is already available free from the Home Office Special Conference Unit. I have arranged for a copy to be placed in the Library.

Young Remand Prisoners

Mr. Clappison: To ask the Secretary of State for the Home Department how many 15 and 16-year-olds were held on remand in prison service accommodation at the most recent date for which figures are available. [22708]

Ms Quin: The information requested is given in the table. All the prisoners were male.

Persons aged 15 or 16 held in Prison Service accommodation on remand, by category of remand [1]

Age	*Convicted unsentenced*	*Untried*	*Total*
15	31	44	75
16	61	112	173

[1] Figures for 30 November 1997 (provisional).

Mr. Clappison: To ask the Secretary of State for the Home Department (1) when he plans to end the remands of 15 and 16-year-olds to prison accommodation; [22706]

(2) how many of the places in local authority secure accommodation which are *(a)* currently available and *(b)* planned within the next five years he plans to use for the accommodation of 15 and 16-year-olds on remand; [22705]

(3) if he plans to require *(a)* medical reports and *(b)* other reports to be obtained on 15 and 16-year-olds before they can be remanded to prison service accommodation on their physical or emotional immaturity or propensity to cause self-harm; [22707]

(4) how many new places in local authority secure accommodation have become available in each year since 1991; [22703]

(5) how many of the new places which he plans to make available in local authority secure accommodation within the next five years were not planned for on 1 May 1997; [22704]

(6) what representations he has received on the practice of remanding 15 and 16-year-olds into prison service accommodation; [22701]

(7) how many places in local authority secure accommodation he plans to make available in the next *(a)* five years and *(b)* 10 years. [22702]

Mr. Michael: The Government want earlier and more effective intervention so as to prevent young people graduating to the stage where secure accommodation is needed. The youth justice reform programme will include measures for improving the delivery of youth justice services. One of these proposals will include placing a

new duty on local authorities to provide appropriate access to youth justice services and bail support which, coupled with the Government's plans to speed up the existing youth justice process, should help to reduce the existing pressures on the juvenile remand system.

There will be occasions when it is necessary for the courts to remand certain juveniles to secure accommodation for their own or the public's protection. The Crime and Disorder Bill contains proposals which begin the process of implementing a policy, which the last Government failed to do, of allowing the courts to remand direct to local authority secure accommodation certain groups of juveniles, subject to certain strict criteria. These will include all 12 to 14-year-olds, 15 and 16-year-old girls and those 15 and 16-year-old boys who are adjudged by the courts to meet the definition of vulnerability, which is within the Crime and Disorder Bill, and where a place has been identified in advance.

Before a court decides to remand in such circumstances, it will be required to consult a probation officer, a social worker or a member of a youth offending team and consider such information as is appropriate. This may include reports on the vulnerability of 15 and 16-year-olds.

In February 1991, the previous Government indicated its intention of stopping prison remands for 15 and 16-year-old boys, but failed to provide the means to that end. Although a building programme was eventually put in place to provide the 170 new secure places in local authority accommodation, which the then Government estimated as necessary in 1991 to cater for the introduction of court-ordered remands to local authority secure accommodation for all 12 to 16-year-olds, seven years later these new places are still not fully available. This programme should be completed later this year. The number of juveniles remanded in security has increased significantly since that building programme began and prison remands of 15 and 16-year-old boys now stand within the 250 and 300 range. The demand from this group alone would significantly out strip the capacity of the local authority secure estate even when the existing building programme has been completed. It would be unsafe at this stage to change the existing arrangements for these boys.

The Government hope that the Crime and Disorder Bill will receive Royal Assent by next summer at the latest. Separately, and in parallel, we are in the process of discussion with the local authority associations and others about the method of paying for such court-ordered secure remands, the cost of which will be met centrally. The intention is that courts should have these powers available for use, at the earliest, by October 1998. Once the courts begin to make use of these powers the Government will be in a better position to assess the feasibility of extending the provisions to all 15 and 16-year-old boys taking account of work by the Prison Service and others. The Government's decision does not in any way represent a lessening of its commitment to end prison remands for 15 and 16-year-old boys, which it aims to do as soon as is practicable.

Ministers have held a number of meetings with organisations, such as the Children's Society and the National Association for the Care and Rehabilitation of Offenders Remand Review Group, chaired by the hon. Member for Fareham (Sir P. Lloyd), on the issue of juvenile secure remands. The Government have also received a number of responses on this issue which was contained in their consultation paper "Tackling Delays in the Youth Justice System", published on 15 October 1997. A summary of the responses to this consultation paper has been placed in the Library.

The primary purpose of the local authority secure estate is to accommodate any child who is being looked after by the local authority under the Children Act 1989. In addition, the local authority secure estate is used to hold those who are sentenced under section 53 of the Children and Young Persons Act 1933 or those who are held on secure remand. Since 1991 the number of approved secure places' available in England and Wales (as at 31 March) is as follows:

Year	*Places*
1991	290
1992	280
1993	275
1994	293
1995	270
1996	278
1997	348

There are now 435 approved local authority secure places in England and Wales.

Source:

Children Accommodated in Secure Units, year ending 11 March 1997.

The Government have instituted a review of the whole range of secure accommodation for young offenders and young people held on remand, including the local authority secure estate. The review is examining how to make better use of the existing and planned accommodation to ensure that provision is more consistent and coherent and that regimes tackle criminality and meet the educational and other needs of these young people. The Government will be considering the outcome of the review, which is due to report shortly, when planning the implementation of these proposals. The review will help inform whether there should be a further expansion of the secure estate.

Mr. Clappison: To ask the Secretary of State for the Home Department how many 15 and 16-year-olds remanded into Prison Service accommodation *(a)* committed suicide and *(b)* were involved in incidents of self-harm in the latest year for which figures are available. [22715]

Ms Quin: There were no suicides among 15 or 16-year-olds remanded into Prison Service custody during the calendar year 1997. There were 17 reported incidents of deliberate self-harming among 15 and 16-year-olds during the same period.

Human Rights

Mr. Clappison: To ask the Secretary of State for the Home Department what conclusions he has reached on the compliance of the provisions of the Crime and Disorder Bill [*Lords*] with the European Convention on Human Rights; and if he will state his reasons. [22719]

Mr. Michael: My Department has given detailed consideration to the compatibility of the Bill with the Convention. I am satisfied that the Bill is compatible with the Convention and we will continue to keep the subject under review as the Bill progresses.

Young Offenders

Mr. Clappison: To ask the Secretary of State for the Home Department in how many cases involving 10 to 14-year-olds it has been necessary for the prosecution to rebut the presumption of doli incapax in the last five years. [22717]

Mr. Michael: For all prosecutions involving children under the age of 14 years, the prosecution must rebut the presumption of doli incapax. In 1996, the most recent year for which statistics are available, 7,125 children under 14 were proceeded against in the magistrate's court.[1] The presumption of doli incapax has been in force over the last five years except for a period between a Divisional court judgment in 1994, which ruled that doli incapax was no longer part of English law, and a House of Lords judgment in 1995, which re-instated it.

[1] Criminal Statistics England and Wales: Supplementary Tables 1996; Volume 1. This figure includes those who were subsequently transferred to the Crown Court.

Mr. Clappison: To ask the Secretary of State for the Home Department what research his Department has commissioned in respect of the operation of the presumption of doli incapax; and if he will publish it. [22718]

Mr. Michael: None. In March 1995, the House of Lords commented (in the case of Crown *v* Director of Public Prosecutions) that the common law presumption of doli incapax had been inconsistently applied and was capable of producing inconsistent results, and recommended that Parliament should review its continued retention in English law. In September 1997, the Government published, as part of the consultation document "Tackling Youth Crime", their proposals to reform doli incapax, with a preference to abolish the presumption outright. The majority of respondents to that consultation exercise who commented also favoured abolition. The Crime and Disorder Bill contains the necessary legislative provisions to abolish the presumption of doli incapax.

Serious Sexual Offences Trials

Mr. Clappison: To ask the Secretary of State for the Home Department what plans he has to extend the role of judges in trials involving rape and other serious sexual offences so as to permit or require them to take over the cross-examination of witnesses, with particular reference to victims. [22709]

Mr. Michael: On 13 June, we announced an urgent, wide ranging inter-departmental review of the way in which vulnerable and intimidated witnesses are treated by the criminal justice system. This includes the consideration of ways to prevent unrepresented defendants from personally cross-examining victims in rape and other serious sexual offence cases. The work of the review group is nearing completion.

Reparation Orders

Mr. Clappison: To ask the Secretary of State for the Home Department what information he plans to make available to victims about reparation orders when obtaining their views about the making of such an order. [22714]

Mr. Michael: Currently, the Victim's Charter explains to the victims of any criminal offence what happened after that offence has been reported to the police, and outlines the standards of service that victims of crime can expect to receive from the criminal justice agencies. In the future, in cases where the court may consider imposing a reparation order, the victim will be advised that this is the case, and his view on receiving reparation from the young offender will be sought.

The reparation order will be piloted, as set out in our White Paper "No More Excuses", published in November 1997. The pilot will allow for all aspects of the order to be evaluated and "fine-tuned", including the process of liaison with the victim. It is therefore too early to say definitively exactly what information might be given to victims when obtaining their views about receiving reparation from a young offender. However, the victims in such cases will not be asked for their view on the making of a reparation order; a victim will simply be asked whether he or she is willing to receive specific reparation from the young offender, and what form that reparation might take. There is no question of requiring victims to receive direct reparation if that is not their wish. If the victim does not with to receive such reparation, this will not preclude the making of a reparation order, as reparation may alternatively be made to the community at large.

Drug Courts

Mr. Clappison: To ask the Secretary of State for the Home Department if he plans to promote *(a)* drug courts and *(b)* the sponsorship of drug courts. [22720]

Mr. George Howarth: The Crime and Disorder Bill will allow courts to impose a drug treatment and testing order which will have some of the features of the drug court systems found in America. It will give courts the power to require drug misusing offenders to undergo treatment and will provide for the use of drug testing to enable the courts to monitor the progress of offenders at review hearings. We have no plans for commercial sponsorship of this initiative.

Police (Pensions)

Mr. Cotter: To ask the Secretary of State for the Home Department (1) how many police widows there are in receipt of the preserved rate widow's pension, in each of the police forces of England and Wales; and what is the average weekly payment to them; [22297]

(2) how many retired police officers, who are in receipt of a police injury pension, are now paying tax on the element repayable to police authorities as a result of the changes brought about by the introduction of incapacity benefit; [22296]

(3) how many retired police officers there are in receipt of a police injury pension payable, as a tax free allowance, under Regulation B4 of the Police Pensions Regulations 1987. [22295]

Mr. Michael: Police Pensions Regulations are administered locally by police authorities. The information requested is not therefore available centrally and could be collected only by making inquiries of each of the 43 police forces. It could therefore be obtained only at disproportionate cost.

Advisory Panel for Animal Experimentation

Mr. Hancock: To ask the Secretary of State for the Home Department what are the terms of reference for the Advisory Panel for Animal Experimentation; who are its members; what are their qualifications and other employments; and how often the panel meets. [22697]

Mr. George Howarth: The Advisory Panel on Animal Experiments was replaced in 1987 by the Animal Procedures Committee which was established under the terms of the Animals (Scientific Procedures) Act 1986.

The terms of reference for the Animal Procedures Committee are set out in section 20 of the 1986 Act:

(1) It shall be the duty of the Animal Procedures Committee to advise the Secretary of State on such matters concerned with this Act and his functions under it as the Committee may determine or as may be referred to the Committee by the Secretary of State.

(2) In its consideration of any matter the Committee shall have regard both to the legitimate requirements of science and industry and to the protection of animals against avoidable suffering and unnecessary use in scientific procedures.

(3) The Committee may perform any of its functions by means of sub-committees and may co-opt as members of any sub-committee any persons considered by the Committee to be able to assist that sub-committee in its work.

(4) The Committee may promote research relevant to its functions and may obtain advice or assistance from other persons with knowledge or experience appearing to the Committee to be relevant to those functions.

(5) The Committee shall in each year make a report on its activities to the Secretary of State who shall lay copies of the report before Parliament.

The names, qualifications and other employments of the members of the Committee are listed each year in its annual report. The current membership is as follows:

Professor Margaret Brazier, LLB (Chairman)—Professor of Law, University of Manchester.

Professor Ronald Anderson, BVMS PhD MRCVS—Professor Emeritus of Animal Husbandry, University of Liverpool.

Professor Margaret Boden, FBA MA ScD PhD—Professor of Philosophy and Psychology, University of Sussex.

Dr. Yvonne Cripps, LLB LLM PhD—Reader and Director of Studies in Law, Emmanuel College Cambridge.

Professor Robin Dunbar, BA PhD—Professor of Psychology, University of Liverpool.

Professor Paul Flecknell, MA VetMB PhD DLAS DECVA MRCVS—Director, Comparative Biology Centre, the Medical School, University of Newcastle.

Mr. John Gregory, FIAT Cbiol MIBiol RAnTech—Imperial College of Science, Technology and Medicine.

Mrs. Judy Macarthur Clark, BVMS DLAS MRCVS—Director REC Europe Ltd. Consultant in laboratory animal science and ethics.

Miss Cindy Milburn, MSc—UK Director, International Fund for Animal Welfare.

Dr. Ian Purchase, BVSc PhD MRCVS FRCPath FIBiol—Director, Central Toxicology Laboratories, Zeneca.

Dr. Jacqueline Southee, PhD—Consultant in alternatives to the use of animals.

Dr. Anthony Suckling, BSc PhD—Deputy Director, Royal Society for the Prevention of Cruelty to Animals.

Professor John Turner, BSc DPhil FRSA—Professor of Evolutionary Genetics, University of Leeds.

Mr. Les Ward—Director, Advocates for Animals.

We expect to announce the appointment of a new Chairman shortly and to make further appointments to the Committee within the next two months.

The Committee met on 10 occasions during 1997. The primate sub-committee met twice and the research sub-committee met on three occasions during the year. In addition, the Committee held a two-day seminar in November and several working group meetings to progress its review of the operation of the Animals (Scientific Procedures) Act 1986.

Elections

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department what plans he has to permit voting in national and local elections (1) to take place in venues other than traditional polling stations; [22208]

(2) what plans he has to introduce electronic voting in national and local elections. [22209]

Mr. George Howarth: The Working Party on Electoral Procedures, which I will chair, has been set up to look at these and many other questions of electoral practice.

Police (Ranks in Post)

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department if he will list by police force the number of *(a)* constables, *(b)* sergeants and *(c)* other ranks in post on 1 January 1998. [22123]

Mr. Michael: The information collected centrally on police numbers relates to officers in post at the end of March and September each year. The table shows police numbers by rank in each force as at 30 September 1997.

Police strength in England and Wales Total strength for ordinary duty as at 30 September 1997 (provisional) [1]

Police force	*Constable*	*Sergeant*	*Other ranks*	*Total police ranks*
Avon and Somerset	2,309.50	449.00	214.00	2,972.50
Bedfordshire	837.00	151.10	93.00	1,081.10
Cambridgeshire	992.15	199.20	100.60	1,291.95
Cheshire	1,579.34	305.00	145.00	2,029.34
City of London	636.54	118.82	81.00	836.36
Cleveland	1,153.80	218.80	108.00	1,480.60
Cumbria	902.00	175.00	85.00	1,162.00
Derbyshire	1,341.70	276.00	139.00	1,756.70
Devon and Cornwall	2,274.00	418.00	218.00	2,910.00
Dorset	971.00	201.00	107.00	1,279.00
Durham	1,153.18	211.60	114.00	1,478.78
Dyfed Powys	751.30	184.00	73.00	1,008.30
Essex	2,261.26	465.00	218.00	2,944.26
Gloucestershire	857.60	161.60	88.00	1,107.20
Greater Manchester	5,357.88	1,010.75	539.00	6,907.63
Gwent	947.00	200.00	82.00	1,229.00

Police strength in England and Wales Total strength for ordinary duty as at 30 September 1997 (provisional) [1]

Police force	*Constable*	*Sergeant*	*Other ranks*	*Total police ranks*
Hampshire	2,721.49	511.39	248.00	3,480.88
Hertfordshire	1,340.70	256.40	141.00	1,738.10
Humberside	1,573.25	297.60	159.00	2,029.85
Kent	2,584.90	470.00	246.00	3,300.90
Lancashire	2,507.70	524.00	249.00	3,280.70
Leicestershire	1,550.69	271.05	136.00	1,957.74
Lincolnshire	895.20	188.70	105.00	1,188.90
Merseyside	3,265.50	649.00	308.00	4,222.50
Metropolitan Police	20,495.58	4,078.71	1,816.80	26,391.09
Norfolk	1,138.60	193.35	108.00	1,439.95
Northamptonshire	935.00	167.00	79.00	1,181.00
Northumbria	2,903.80	507.80	277.00	3,688.60
North Wales	1,032.50	225.00	113.00	1,370.50
North Yorkshire	1,060.58	218.00	104.00	1,382.58
Nottinghamshire	1,811.96	335.60	169.50	2,317.06
South Wales	2,285.60	461.00	243.00	2,989.60
South Yorkshire	2,437.75	473.00	247.00	3,157.75
Staffordshire	1,715.10	339.20	176.00	2,230.30
Suffolk	933.20	173.80	91.00	1,198.00
Surrey	1,234.27	237.20	136.50	1,607.97
Sussex	2,339.95	468.40	231.67	3,040.02
Thames Valley	2,876.07	547.50	281.75	3,705.32
Warwickshire	701.60	138.00	74.00	913.60
West Mercia	1,557.70	305.70	168.00	2,031.40
West Midlands	5,589.00	1,004.00	486.00	7,079.00
West Yorkshire	4,118.10	754.10	378.00	5,250.20
Wiltshire	891.53	187.10	88	1,166.63
Total all forces	96,822.57	18,727.47	9,264.82	124,814.85

[1] Full-time equivalents.

Plastic Baton Guns

Mr. Sedgemore: To ask the Secretary of State for the Home Department, pursuant to the answer of 15 July 1997, *Official Report*, column *145*, when the current review of baton gun guidelines which the Association of Chief Police Officers is conducting will be completed. [22480]

Mr. Michael: I understand that the Association of Chief Police Officers has nearly completed its review of the guidelines.

Republic of Ireland

Mr. John D. Taylor: To ask the Secretary of State for the Home Department if he will make a statement regarding a bilateral agreement between the United Kingdom and the Republic of Ireland on mutual assistance in criminal matters. [22544]

Mr. Michael: The United Kingdom has been concluding bilateral agreements with other countries since 1988 with the aim of enhancing co-operation in tracing, freezing and confiscating the proceeds of drug trafficking and other crimes. At the end of 1997, 37 such agreements had been concluded, of which 28 were in force. Negotiations on an agreement with the Republic of Ireland are underway following recent changes in legislation in the Republic.

Cycling (Fixed Penalty Offences)

Mr. Wallace: To ask the Secretary of State for the Home Department what proposals he has to include the offence of cycling on the pavement in the list of fixed penalty offences; and if he will make a statement. [22213]

Mr. Michael: The Government intend to make cycling on the pavement a fixed penalty offence later this year. This will be done by Statutory Instrument under provisions contained in the Road Traffic Offenders Act 1988.

Re-offending

Miss Widdecombe: To ask the Secretary of State for the Home Department what is his policy on the collection of statistics on re-offending while in receipt of a suspended sentence; and if he will make a statement. [22590]

Mr. Michael: The Criminal Justice Act 1991 restricted the use of fully suspended sentences to cases where a court decides the offence is so serious that only an immediate custodial sentence of not more than two years imprisonment is justified, but where there are exceptional circumstances which justify its suspension. Between 1993 and 1996, fully suspended sentences accounted for less than one per cent. of those sentenced for indictable offences.

Statistics on re-offending, as measured by reconvictions, can be derived from regular samples drawn from the Offenders Index, a database of criminal careers maintained by the Home Office. For example, in a sample of those sentenced in 1991 (prior to implementation of the Criminal Justice Act 1991), 39 per cent. of those given a fully suspended sentence were reconvicted of a standard list offence within two years. Samples of those sentenced in later years have been drawn but any information on reconviction derived from these samples would be unreliable because of the small numbers of fully suspended sentences in the samples.

Information on the number of offenders breaching fully suspended sentences is collected and published annually. The most recent published data relate to those breaching fully suspended sentences in 1996 and appear in table 7.25 of "Criminal Statistics, England and Wales, 1996" (Cm. 3764).

Information was published regularly on reconviction rates for standard list offences within two years of release for prisoners discharged from partly suspended sentences. However, partly suspended sentences were abolished under the provisions of the Criminal Justice Act 1991 which was implemented on 1 October 1992. The most recent available information appears in Home Office Statistical Bulletin 5/97 "Reconvictions of Prisoners Discharged from Prison in 1993, England and Wales". There were only 27 prisoners released from such sentences in 1993.

Prison Suicides

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department, pursuant to his answer of 10 December 1997, *Official Report*, column *586*, on female deaths in prisons, how many prisoners in each category, in each year, were *(a)* on remand and *(b)* convicted. [22122]

Ms Quin *[holding answer 22 December 1997]:* The information requested is given in the following table.

Year	Female[1] prisoners held	Rx	Sent	Female deaths	Rx	Sent	Female S.I.D.S	Rx	Sent
1988	1,789	507	1,282	0	—	—	0	—	—
1989	1,767	468	1,299	0	—	—	2	2	—
1990	1,597	384	1,213	1	—	1	1	—	1
1991	1,561	389	1,172	0	—	—	0	—	—
1992	1,577	383	1,194	0	—	—	2	—	2
1993	1,561	395	1,166	2	—	2	1	1	—
1994	1,811	490	1,321	0	—	—	1	—	1
1995	1,979	491	1,488	1	—	1	2	1	1
1996	2,262	537	1,725	2	—	2	2	1	1
1997	[2]2,888	671	2,217	1	—	1	3	0	3

[1] Average total female population.
[2] Average figure as at 30 November 1997.
Rx = Remand.
Sent = Convicted.
S.I.D.S = Self-inflicted deaths.

Not all self-inflicted deaths conclude with a verdict of suicide.

EDUCATION AND EMPLOYMENT

Higher Education

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will list those access courses that are designed for entry to specific higher education courses. [22102]

Dr. Howells: The Secretary of State publishes a list each year of courses of further education which are approved under Schedule 2(c) of the Further and Higher Education Act 1992 and which are eligible for funding. Such courses are commonly known as access courses. I have placed a copy of the current list in the Library.

Mr. Öpik: To ask the Secretary of State for Education and Employment how many students currently in higher education have completed an access or foundation course. [22104]

Dr. Howells: The numbers of entrants to higher education with an Access or Foundation course as the highest entry qualification over the last three years were:

1994: 20,464;

1995: 22,550;

1996: 22,950.

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will list the total number of students currently enrolled on *(a)* access and *(b)* foundation courses; and if he will make a statement. [22101]

Dr. Howells: The information requested is not available centrally and could be obtained only at disproportionate cost. However, publications by the Quality Assurance Agency for Higher Education suggest that there are around 30,000 students taking part in some 1,200 access courses in England.

Study and Training Leave

Mr. Willis: To ask the Secretary of State for Education and Employment if he will make a statement on his policy in respect of allowing certain employers exemption from the requirement to permit employees aged 16 or 17 years the right to time off for study or training. [22371]

Dr. Howells: The legislation proposed in clauses 23 and 24 of the Teaching and Higher Education Bill will apply to all employers. The Government will continue to work with employers, and other key partners, to build on existing good practice, so that the legislation can be implemented in a way that is both sensible and flexible, and attains its objective of enabling all young people who are able to achieve qualifications at Level 2 (whether National Vocational Qualification or equivalent).

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to exempt employers who offer in-house training for employees aged 16 and 17 years from the requirement to allow such employees time off for study or training; and if he will make a statement. [22369]

Dr. Howells: The long-term aim of this Government is that all young people who are able should achieve qualifications at least at Level 2 (whether National Vocational Qualification or equivalent), to equip them for the world of work. The legislation proposed in the Teaching and Higher Education Bill will apply to all employers. No employer will be exempt, but in-house training during the employee's working hours which leads to a relevant qualification, and which meets the requirements of reasonableness that are set out, will enable the employer to meet his obligations under the proposed legislation.

Equal Opportunities Commission

Mr. Drew: To ask the Secretary of State for Education and Employment what plans he has to reduce grant in aid to the Equal Opportunities Commission. [22235]

Mr. Andrew Smith: I refer my hon. Friend to the answer given to my hon. Friend the Member for Chorley (Mr. Hoyle) on 18 December 1997, *Official Report*, column *252*.

Youth Training

Mr. Etherington: To ask the Secretary of State for Education and Employment how many young people in Sunderland in receipt of youth training bridging allowance receive jobseeker's allowance. [22051]

Dr. Howells: No young person in Sunderland was in receipt of both allowances in the week ending 5 December, the latest period for which data are available.

Mr. Etherington: To ask the Secretary of State for Education and Employment which TECs have set *(a)* higher minimum levels of training allowance for non-employed trainees than the minimum permitted and *(b)* more than the 19.5 days per annum holiday; and if he will make a statement. [22047]

Dr. Howells: TECs are free to set allowances above the minimum and to determine holiday entitlements for non-employed trainees in conjunction with training providers. Information of TEC practice in this connection is not held centrally.

Mr. Etherington: To ask the Secretary of State for Education and Employment what plans he has to increase the minimum weekly training allowance for youth training. [22046]

Dr. Howells: The level of training allowance is under review.

Mr. Etherington: To ask the Secretary of State for Education and Employment what would be the present minimum weekly training allowance for youth training if it had been uprated in line with inflation since 1990. [22049]

Dr. Howells: The present minimum weekly training allowance, which is frequently supplemented by employers, would be £40.69 for 16-year-olds and £47.47 for 17-year-olds and above if it had been uprated in line with inflation since 1990.

Mr. Etherington: To ask the Secretary of State for Education and Employment if he will list the numbers and percentages of young people in Sunderland who are participating in youth training and the percentage who are receiving more than the minimum allowance from employers or training providers. [22050]

Dr. Howells: Around 3,000 young people in Sunderland are currently participating in work-based training for young people, representing about 40 per cent. of the 16 to 17-year-old population. Information on those who are receiving more than the minimum allowance in Sunderland is not available. Nationally, around two-thirds of young people in work-based training receive a wage or an allowance topped up above the minimum.

Student Fees

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to remove HEFC grant from those universities which fail to collect the student fee element. [22370]

Dr. Howells: Given the concern that has been expressed by universities about the reduction in public funding per student since 1989, it would be surprising if many decided that they could forgo tuition fees for a substantial number of students. However, where a university has extensive private income—for instance, from business sponsorship—which it can use to reduce or waive fees without affecting the quality of its provision, then we would not seek to intervene.

Special Needs

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will list the measures in the Green Paper "Excellence for All Children" which strengthen the present legal framework of protection of the rights of children with special needs; and if he will make a statement. [22699]

Ms Estelle Morris: The Green Paper does not propose changes to the fundamental legal framework for Special Educational Needs (SEN). Parents will continue to have the right to seek a statutory assessment and a statement of SEN for their child; their rights would be strengthened through our proposal that an independent adviser should be available to all parents whose children's needs are being formally assessed. We want parents to have greater assurance of effective intervention at the school-based stages of the SEN Code of Practice, with support from local education authorities. This emphasis on early practical support should in time mean that fewer children need to move onto a statement.

Child Care

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment how many additional childcare places he expects to become available under the Government's £300 million initiative in *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2000–01. [22367]

Mr. Alan Howarth: It is too early to give detailed information of this kind. The £300 million is made up of £30 million from the receipts of the Windfall Tax in 1998–99, £50 million under the Out of School Childcare initiative over five years from 1998–99, £220 million from the New Opportunities Fund over three years from 1999–2003. We expect that most of the funding will be allocated in response to bids and plans which originate at local level. The intention is that there should be a project in every community which needs it, providing places for up to a million children in total.

After-school Clubs

Mr. Chope: To ask the Secretary of State for Education and Employment if he will make a statement on his policy towards after-school clubs for under-eights. [22593]

Mr. Alan Howarth: The Government are committed to improving the quality and quantity of out of school childcare as part of our development of a national childcare strategy. We have made £300 million available over the next five years which will provide out of school child care to every community in Britain which needs it.

Circulars

Mr. McWilliam: To ask the Secretary of State for Education and Employment if he will review each of his Department's circulars issued to education authorities which are still in force; and if he will make a statement. [22260]

Mr. Byers: The Department reviews circulars when changes in the law or policy supersede the guidance they contain.

NORTHERN IRELAND

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her estimate of the expenditure by *(a)* her Department, *(b)* its agencies and *(c)* its non-departmental public bodies on overseas travel for (i) 1980–81, (ii) 1987–88, (iii) 1990–91, (iv) 1991–92, (v) 1992–93, (vi) 1993–94, (vii) 1994–95, (viii) 1995–96, (ix) 1996–97 and (x) 1 May to 30 September 1997; and if she will provide a breakdown to show (1) air fares and (2) other expenditure relating to overseas travel. [15251]

Mr. Murphy *[holding answer 11 November 1997]:* The information requested could be obtained only at disproportionate cost. However, information on all travel and associated expenses for the Northern Ireland Office and Northern Ireland Departments and Agencies is listed[1,2,3]:

	£000s
1990–91	[4]6,932
1991–92	14,555
1992–93	[4]7,619
1993–94	16,380
1994–95	15,301
1995–96	16,205
1996–97	16,991
1997–98	7,105 (1 May to 30 September)

[1] Information on NDPBs could be provided only at disproportionate costs.

[2] Information for 1980–81 and 1987–88 is not available.

[3] Northern Ireland Office figures include Personnel Services (Belfast) and NI Prison Service for 1990–91 to 1997–98 and also the Forensic Agency of NI for 1991–92 to 1997–98.

[4] The Department of Agriculture and the Department of the Environment could not provide information for 1990–91 and 1992–93 without incurring disproportionate costs.

Departmental Staff

Mr. Hawkins: To ask the Secretary of State for Northern Ireland how many *(a)* special advisers, *(b)* task force members and *(c)* review body members her Department employs; what is the total salary and benefits of *(a)* to *(c)*; and what was the equivalent cost prior to 1 May. [19314]

Mr. Paul Murphy: The information for the Northern Ireland Office and Northern Ireland Departments is as follows:

	Since 1 May		*Prior to 1 May*	
	Number	*Cost (£)*	*Number*	*Cost (£)*
(a) Special Advisers	2	52,686	1	35,746
(b) Task Force Members[1]	Nil	—	—	—
(c) Review Body Members[1]	1	2,655 (annually)	1	2,655 (annually)

In addition, two civil servants are currently seconded to work on a Pay and Grading Review in the Northern Ireland Prison Service at a cost of £109,000. In 1996–97, three civil servants were seconded to this work, at a cost of £121,000.

[1] With the exception of the Review in the Northern Ireland Prison Service, it is not possible to distinguish the cost of officials time spent on Task Force and Review Related work.

Flax Trust, Belfast

Mr. Trimble: To ask the Secretary of State for Northern Ireland if she will list *(a)* the sources and *(b)* the amount of funding made available to the Flax Trust, Belfast in the current and previous financial year; and if any of these funds were (i) intended for and (ii) used by the Golden Thread Arts Theatre. [20005]

Mr. Paul Murphy: The Department of Health and Social Services provides funding towards the cost of a project run by the Flax Trust through the Community Volunteering Scheme, which is administered on behalf of the Department by the Northern Ireland Volunteer Development Agency. In 1996–97 this amounted to £28,506. The same amount has been set aside for the project in 1997–98, of which £21,380 has been paid to date. The Golden Thread Art Theatre does not receive any funding from the Community Volunteering Scheme.

T&EA Belfast Region has no direct contractural arrangements with the Flax Trust; however the Trust is an overarching organisation for a number of initiatives in the Ardoyne area, and two of these are directly involved with the Agency.

(a) Brookfield Business School (BBS) is a Jobskills Training Organisation based in the Brookfield Mill complex. BBS offers training for young people and adults in Catering, Information Technology, Welding and Business Administration. T&EA provided funding of £347,081 in 1996–97 and £240,213 in the current financial year.

(b) Community Aid is a 117 place ACE project in the Ardoyne area, offering employment in Environmental, Clerical, Computing, Welfare, Home Visitation and Creche work. T&EA provided funding of £712,857 in 1996–97 and £351,445 in the current financial year.

Police

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many complaints were made against the police; what is the ratio of the number of complaints to *(a)* the population of the jurisdiction, *(b)* the number of police officers and *(c)* the number investigated; how many of these complaints were investigated; how many investigations led to the instigation of disciplinary proceedings against officers; what is the ratio of proceedings instigated to complaints made; how many disciplinary proceedings led to disciplinary action; and what is the ratio of disciplinary action to complaints made for the last year for which figures are available. [19500]

Mr. Ingram *[holding answer 10 December 1997]:* The available information for Northern Ireland, in relation to complaints made and completed in 1996 is given below. Number of complaints received: 4,429.

(a) Ratio of complaints to the population: 1 : 376.

(b) Ratio of complaints to number of officers at 30 November 1997 (including Full Time and Part Time Reserve): 1 : 2.89.

(c) Ratio of complaints received to the number of complaints fully investigated in 1996 is 1 : 0.45 (Complaints recorded in a year are not necessarily completed in that year; and the number of complaints investigated includes some originating in earlier years. Also, the figure for investigated complaints does not include complaints withdrawn, informally resolved or deemed incapable of investigation. It is not possible to give a figure for the number of complaints received in 1996 which were investigated in 1996, as the figures on completion can relate to cases originating in earlier years).

Two thousand and eleven complaints were fully investigated in 1996 and 10 completed investigations led to disciplinary proceedings against officers.

The ratio of disciplinary proceedings to complaints made against officers is 0.003 : 1. (The disciplinary proceedings may have arisen from complaints originating in earlier years; some investigations led to more than one officer facing disciplinary action).

Six officers received disciplinary action following disciplinary hearings arising from investigations completed in 1996. These figures may contain proceedings from complaints made in earlier years. The ratio of disciplinary action to the number of complaints is 0.0014 : 1.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when the Police Authority for Northern Ireland purchased the Seapark complex at Carrickfergus; what the purchase price was; what professional surveys and advice were obtained; and what amounts have since been spent in adapting and developing the complex. [20795]

Mr. Ingram: The Police Authority signed the contract to purchase the Seapark Complex, Carrickfergus, on 4 March 1988.

The agreed purchase price was £660,000.

In February 1987 the Authority commissioned a professional architectural, structural, mechanical and electrical condition survey of the Seapark premises.

Since 1988 the Authority has spent a total of £5.9 million on various projects.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will make a statement on the *(a)* location, *(b)* extent and *(c)* effects of the discovery of asbestos in the Police Authority's Seapark complex, and what estimate she has made of the cost of stores (i) cleaned and (ii) disposed of and the cost of surveys and other remedial work to deal with the asbestos problem. [20797]

Mr. Ingram: Asbestos, primarily in the form of asbestos/cement roof and wall panels, is present extensively throughout the former factory and boiler house areas of the Seapark complex.

Asbestos based material was also present in ceiling tiles and is present in pipe and duct lagging within certain roof voids.

The discovery of asbestos contamination led to the closure of all contaminated areas and required the relocation of staff, equipment and functions.

The cost of cleaning re-usable stores items and equipment totals £802,080 and the value of stores disposed of as a direct result of asbestos contaminated amounts to £579,760.

The cost of surveys and other remedial work to deal with the asbestos problem is £829,243.

Mr. McNamara: To ask the Secretary of State for Northern Ireland who was the vendor of the Seapark complex at Carrickfergus when it was purchased by the Police Authority for Northern Ireland. [20799]

Mr. Ingram: The vendor of the Seapark complex was Rothmans International PLC.

Mr. McNamara: To ask the Secretary of State for Northern Ireland who was involved in the decision to identify and evaluate the premises which led to the Police Authority for Northern Ireland purchasing the former Carreras Tobacco plant at Seapark, Carrickfergus. [20796]

Mr. Ingram: The availability of the former Rothmans/Carreras factory at Seapark was first identified by senior officials in the Police Authority in December 1986. There then followed a period of evaluation of the premises.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what representations she has received from the *(a)* Police Authority and *(b)* Chief Constable for legislation on the role and responsibilities of the Police Federation for Northern Ireland. [20791]

Mr. Ingram: The Secretary of State has received no representations from either the Police Authority or the Chief Constable on the role and responsibilities of the Police Federation for Northern Ireland.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what measures she will take to ensure that the Police Authority protects the health and safety of all staff at the Seapark complex and fully discloses the extent and implications of the discovery of asbestos in the complex. [20798]

Mr. Ingram: Assurances have been received from the Police Authority that it has taken, and will continue to take, whatever measures are necessary to protect the health and safety of all staff at the Seapark complex.

Following the discovery of asbestos contamination at Seapark, a programme involving re-location, de-contamination and remedial works was implemented.

Staff and the staff associations were informed about the contamination and, since that time, weekly tests have been carried out for the continuing reassurance of staff.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will encourage the Police Authority and RUC jointly to undertake a comprehensive fair employment audit and action plan and publish it. [20907]

Mr. Ingram: Both the Police Authority and the RUC already furnish the Fair Employment Commission with regular reviews of their employment composition and practices in accordance with the obligations placed on employers under Section 31 of the Fair Employment (NI) Act 1989.

Both bodies take seriously their responsibilities under the legislation and I am not convinced that an audit is required.

RUC Garnerville (Union Flag)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what factors determine the length of time the Union flag is flown at RUC Garnerville; and if she will review the practice. [20764]

Mr. Ingram: The Union flag has traditionally been flown at the RUC Training Centre on week-days during the hours of 8 am to 5 pm. The flying of the Union flag over police establishments in Northern Ireland is a matter to be dealt with by the Chief Constable.

Schools Funding

Mr. Trimble: To ask the Secretary of State for Northern Ireland if DENI's proposal that the premises factor in the LMS formulae should relate solely to the area of the premises will be implemented for 1998–99. [21226]

Mr. Worthington: Following extensive consultation with Education and Library Boards and schools, the original proposals for LMS funding have now been amended to ensure that over a period of years we progress towards commonality and transparent fairness of funding of schools in Northern Ireland. This means that in some cases in 1998–99 the determination of the premises factor will not relate solely to the area of premises.

Low Pay

Mr. Chidgey: To ask the Secretary of State for Northern Ireland how many full-time employees in her Department are paid at an hourly rate of between *(a)* £3.27 and £3.50, *(b)* £3.51 and £3.75 and *(c)* £3.76 and £4. [20613]

Mr. Paul Murphy *[holding answer 15 December 1997]:* The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

Hourly rate	*Employees*
(a) £3.27 to £3.50	1,500
(b) £3.51 to £3.75	329
(c) £3.76 to £4.00	390

Pensions

Mr. Mallon: To ask the Secretary of State for Northern Ireland what steps she will take to protect pensioners resident in Northern Ireland who receive their pensions from the Republic of Ireland against the impact of currency fluctuations. [21385]

Mr. Worthington: None. This is a matter for the Republic of Ireland who determine the rate of pension to be paid.

Mr. Jackie Mahood

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland if he will make a statement on the RUC investigation into the attempted murder of Mr. Jackie Mahood. [21511]

Mr. Ingram: The attempted murder of Mr. Mahood is currently the subject of an investigation by the RUC and is therefore sub judice.

Farm Improvements

Mrs. McGrady: To ask the Secretary of State for Northern Ireland what plans she has to continue the SPARD programme for improvements on farms after 1999. [21637]

Mr. Paul Murphy: Any decision about a future SPARD (Capital Grants) Scheme will be based on an assessment of the needs of the industry and an evaluation of the current scheme which, while closed to new applications is still being administered. Additionally, as a scheme with co-funding from the European Community it will need to address any agreements reached on foot of Agenda 2000.

Beef Export Ban

Mr. McGrady: To ask the Secretary of State for Northern Ireland what steps she is taking to ensure that the export ban on Northern Ireland produced beef is removed. [21628]

Mr. Paul Murphy: The Government have had exhaustive discussions with the European Commission over the last few months on the Export Certified Herd Scheme (ECHS). We have offered changes to meet all the main points of concern.

We are hopeful that the Commission will put a proposal on ECHS to the Standing Veterinary Committee on 14–15 January.

The Government are also in discussion with the Commission on the proposals on the Date Based Scheme which was submitted to the Commission in October. We are pursuing this Scheme with just as much urgency as the Certified Herd Scheme.

Guardsmen Fisher and Wright

Mr. Dalyell: To ask the Secretary of State for Northern Ireland if she will list the factors in addition to the advice of the Life Sentence Review Board which led her to reach her decision on the cases of Guardsmen Fisher and Wright; and if she will make a statement. [20981]

Marjorie Mowlam *[holding answer 22 December 1997]:* The two Guardsmen were each provided with a written gist of my considerations of their cases at the time that my decision was conveyed to them by the Northern Ireland Prison Service. A copy of the relevant extract from the letter is reproduced as follows.

"Gist of the Secretary of State's considerations

The Secretary of State carefully considered all the currently available information and reports about your case in the knowledge of the confidential recommendation of the Review Board. She also considered at length all the available information about the other cases identified. However, the Secretary of State concluded that while it was useful to recall the other cases and to be aware of their outcomes, and the reasons for them, in so far as they are known, they lent little assistance to the deliberations given the full facts of your particular case. The Secretary of State also felt that the information relating to Manslaughter cases and other serious crimes other than murder covered such a wide range that they were also not particularly helpful or relevant.

The Secretary of State also considered the formal representations from your Solicitor along with the other correspondence received about your case.

Looking therefore at your case on its own individual merits the Secretary of State weighed up the various competing mitigating and aggravating factors. The Secretary of State noted that there was no agreement as to who fired first. She concluded that this factor, which could be variously viewed as mitigating or aggravating, was of minor significance. She concluded that a gravely serious crime had been committed which resulted in the death of an unarmed youth who was running away from your patrol in circumstances where the

Courts found that there was no lawful justification for the shooting. She also acknowledged, however, the difficult background against which the offence had been committed in which you were operating during the course of your duty and the fact that there was no premeditation. She decided that, given all the available facts of your case, you have not yet served a period sufficient to reflect the seriousness of the crime. She therefore decided to invite the Life Sentence Review Board to consider your case again in one year's time when you will have served approximately six years.

I must of course, advise you, without prejudice to whatever recommendation that the Review Board may come to next year, that a deferral of your case for this period is not an indication that release will be appropriate at that time."

I would assure the House that the consideration that has been given to these cases by all those who are involved in the life sentence review process has been scrupulous. These are very serious matters and the cases have been carefully and thoroughly considered on the basis of the facts as adduced by the Courts. They have been dealt with strictly on their own merits and I can assure the House that no extraneous considerations, political or otherwise, have been permitted to influence my decision.

Prisoners (Head Counts)

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the dates and times of the last five full head counts of prisoners in each prison in Northern Ireland indicating for each such count whether the prisoners were locked in their cells at the time or outside their cells. [22175]

Mr. Ingram: With the exception of HMP Maze, head counts are carried out at frequent and regular intervals both in and out of cell. There are a minimum of five head counts in any period of 24 hours and these are detailed for the last 24 hours. At HMP Maze however, two head counts are carried out per day and prisoners are locked in the block but not in the cells.

Head counts—HMP Magilligan

08.00: Prisoners locked in cell

12.30: (lunchtime) Prisoners locked in cell

16.30: (return from work) Prisoners locked in cell

17.30: (teatime) Prisoners locked in cell

20.30: Prisoners locked in cell

Prisoners are checked approximately every two hours during the night in cell.

Head counts—HM Young Offenders Centre

08.00: (two checks) nightguard and day staff—Prisoners locked in cell

09.30: (before work) Prisoners not locked

12.45: (lunchtime) Prisoners locked in cell

13.30: (unlock) Prisoners locked in cell

16.00: (lock up) Prisoners locked in cell

16.45: (unlock) Prisoners locked in cell

20.00: (lock up) day staff—Prisoners locked in cell

21.30: (nightguard) Prisoners locked in cell

Head counts continue during the night at irregular intervals.

Head counts—HMP Maghaberry

08.00: (unlock) Prisoners locked in cell

12.30: (lunch) Some prisoners are locked in cell and some are in the exercise yards or out with work parties

14.00: (unlock) Same as 12.30 above

16.30: (lock up) Prisoners locked in cell

17.30: (unlock) Prisoners locked in cell

20.30: (lock up) Prisoners locked in cell

In addition, regular cell checks are carried out by the nightguard every hour.

Head counts—HMP Maze

08.30: approximately

19.30: approximately

Prisoners are locked in the blocks but not in their cells.

HM YOC is not a prison under the terms of the Act, but as the establishment is the responsibility of the NIPS it has been included in the answer.

Preparatory Schools

Mr. Donaldson: To ask the Secretary of State for Northern Ireland when the proposals to cut funding for preparatory schools in Northern Ireland were subjected to a policy appraisal and fair treatment analysis; and what were the results. [22256]

Mr. Worthington: A Policy Appraisal and Fair Treatment analysis is currently being carried out concurrent with the analysis of all the comments received during the consultation process. This analysis will be an integral part of the final decision making process.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland what research she has *(a)* commissioned and *(b)* evaluated on the impact of the proposed reductions in funding for preparatory schools in Northern Ireland upon the viability of such schools; and what were the findings of this research. [22257]

Mr. Worthington: As part of the consultative process, each school with a preparatory department was asked to provide an assessment of the impact the proposed funding changes would have on the existing and future pupil numbers and the ongoing viability of the school. Responses are currently under consideration.

Fair Employment Commission

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the classes or groups of employers for which the Fair Employment Commission does not require that information about the religious and community background of its work force be published below the level of the organisation as a whole; and what are the criteria which an employer has to meet to receive such status. [22219]

Mr. Ingram: The FEC does not publish information on the religious composition of any employers' workforce below the level of the workforce as a whole.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the organisations for which the Fair Employment Commission only requires information on the religious and community background of the workforce as a whole. [22220]

Mr. Ingram: There are none. All registered employers must submit to the Commission annual monitoring returns showing the community composition of their overall workforce and the composition in nine standard occupational classifications.

Prison Escape

Mr. William Ross: To ask the Secretary of State for Northern Ireland what reports she has received on the time and method of the escape of Liam Averill from prison, other then the information given to the prison authorities by the person claiming to be the spokesman for the IRA in the prison. [22203]

Mr. Ingram: Shortly after the escape, I received reports from the Governor of HMP Maze and from the Chief Executive of the NI Prison Service. I then initiated a full inquiry, the result of which will be published in due course.

Royal Ulster Constabulary

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the RUC stations which she has visited since she took up her present Ministerial responsibilities. [22177]

Mr. Ingram: My right hon. Friend the Secretary of State has visited the following RUC stations since taking up her present Ministerial responsibilities:

Lurgan
Strand Road
Newtownabbey
Dungannon
Musgrave Street
Ballymoney

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will place in the Library a copy of the survey recommended by Her Majesty's Inspector for Constabulary on religious harassment within the RUC. [20793]

Mr. Ingram: I have today placed in the Library of the House a copy of the survey recommended by Her Majesty's Inspector for Constabulary on religious harassment within the RUC.

Plastic Baton Rounds

Mr. Sedgemore: To ask the Secretary of State for Northern Ireland, pursuant to her answer of 15 July 1997, *Official Report*, column *145*, whether the army is participating in the review of baton gun guidelines which the Association of Chief Police Officers is conducting. [22481]

Mr. Ingram: The Army is not participating in the review being conducted by the Association of Chief Police Officers, but will consider any recommendations from that review with regard to its own guidelines on the use of baton guns.

Police Authority

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will amend the Police (Northern Ireland) Bill to require the Police Authority for Northern Ireland to hold its meetings in public and publish minutes for public inspection. [21050]

Mr. Ingram: The Secretary of State has no immediate plans to amend the Police (Northern Ireland) Bill so that the Police Authority is required to hold its meetings in public and publish minutes for public inspection.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps the Police Authority for Northern Ireland is taking to prepare and plan for its meetings to be held in public. [21049]

Mr. Ingram: The Police Authority's Code of Openness and Accountability, published on 8 April 1997, sets out its policy on public access to meetings and minutes. The Code commits the Authority to holding a well-publicised annual meeting open to the public. In December 1997, two such meetings were held in Belfast and Londonderry. The minutes of the Authority's monthly meeting with the Chief Constable are made available for public inspection and copies are issued to the media.

INTERNATIONAL DEVELOPMENT

Cycle Spaces

Mr. Brake: To ask the Secretary of State for International Development how many secure cycle spaces there are in her Department. [22683]

Clare Short: There are secure spaces for 28 bicycles at the Department's London office and 10 at the office in East Kilbride. Additional spaces could be made available in both locations if there were increased demand.

Aid (Rules for Use)

Mr. Hancock: To ask the Secretary of State for International Development what factors influenced the Government's decision to offer developing countries greater flexibility in the use of aid; and what measures she proposes to prevent aid being used for military purchases. [22469]

Clare Short: Our new emphasis on poverty elimination highlights the importance of entering deeper and long-term partnerships with those poorer countries who share our commitment to the international development targets through the adoption of sensible economic, social and political policies. A key feature of the UK's relationships with our developing country partners is to ensure that the latter play a full part in the planning, implementation and evaluation of development projects in their countries.

There is not and will not be any link between aid and sales of British arms equipment.

Multilateral Agreement on Investment

Mr. Drew: To ask the Secretary of State for International Development what terms Her Majesty's Government require to be met before signing up to the Multilateral Agreement on Investment; and what safeguards Her Majesty's Government will require for developing countries. [22431]

Clare Short: The Government will be seeking a Multilateral Agreement on Investment (MAI) with a satisfactory balance of commitments from each negotiating partner. The MAI is not designed for poorer developing countries but it could become a model, and we are supporting consultation with them on how their needs can be taken into account. My Department is commissioning a study to look at any implications the MAI may have for these countries.

Denver Summit

Mr. Hancock: To ask the Secretary of State for International Development what estimate she has made of the extra spending obligations arising from the Prime Minister's policy announced at the Denver Summit in relation to overseas aid; and from what budget extra resources will come. [22470]

Clare Short: My right hon. Friend the Prime Minister announced an increase by 50 per cent. of our bilateral commitments for basic education, health care and clean water in the sub-Saharan Africa. This means my Department will commit at least £360 million over the next three years in these areas compared with £240 million in the previous three. Funds will come from existing resources and will be found by giving higher priority to programmes to combat poverty.

Bilateral Aid (Africa)

Mr. Hancock: To ask the Secretary of State for International Development how much bilateral aid has been given for *(a)* health care, *(b)* education and *(c)* clean water in Africa in each of the last three years; and what is the estimated level for the next three years. [22468]

Clare Short: Over the last three years we have committed £240 million bilateral aid to health care, education and clean water in Africa and of this we have so far actually spent the following amounts:

£ million

	1994–95	*1995–96*	*1996–97*
Health care	19.0	35.8	32.6
Education	2.9	21.2	6.7
Water and sanitation	7.2	8.2	12.5

At the G7/8 Denver Summit in June last year my right hon. Friend, the Prime Minister, announced that we would increase by 50 per cent. our commitments on basic education, health care and clean water over the next three years. We intend, therefore, to commit at least £360 million over the next three years to meet these targets.

AGRICULTURE, FISHERIES AND FOOD

Beef

Sir George Young: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from independent butchers about deboning costs. [21376]

Mr. Rooker: A number of organisations consulted about the legislative proposals to require the deboning of all beef, whether from home supplies or imported, coming from cattle over six months old, before it is sold to the consumer, drew attention to the cost of deboning in their responses. Copies of all the responses received and considered before the Beef Bones Regulations 1997 were made have been placed in the Library of the House.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to ensure that beef labelled as produced in Britain is not merely processed in the United Kingdom. [22441]

Mr. Rooker: The Beef Labelling Scheme, which takes full effect from 31 March 1998 will require retailers and others selling beef to consumers which is labelled "British" to seek prior approval from a competent authority for use of the term. To obtain approval, such operators will have to demonstrate that beef labelled "British" is derived from animals born, reared and slaughtered in the United Kingdom.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library details of the representations he has received from *(a)* representative bodies and *(b)* others on his proposals to ban beef on the bone. [22286]

Mr. John Cunningham: Copies of all the responses received and considered following the formal consultation on legislative proposals to require the deboning of all beef, whether from home supplies or imported, coming from cattle over six months old, before it is sold to the consumer, were placed in the Library of the House on 22 December 1997.

Mr. Hogg: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library the advice that he received from Sir Kenneth Calman regarding the health risks posed by beef on the bone. [22494]

Mr. Rooker: A statement by Sir Kenneth Calman in which he outlined his advice to Ministers was published in a press release by the Department of Health on 5 December 1997. As is usual practice, a copy was placed in the Library of the House at the same time.

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food what steps he considered to ensure that all beef on the bone products are clearly identified and sold with suitable warnings of the risk of CJD infection; and what assessment he has made of the effectiveness of such measures as an alternative to the ban on the sale of beef on the bone products. [20505]

Mr. Rooker: We carefully considered the advice which was received from the Spongiform Encephalopathy Advisory Committee on the safety of bone-in beef, including making their assessment public and leaving it for consumers to decide whether or not to continue purchasing such products. Taking account of the views of the Chief Medical Officer, we concluded that further action was necessary on a precautionary basis, and, following consultation with interested organisations, have introduced a prohibition on the sale of bone-in beef products in the Beef Bones Regulations 1997.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what action has been taken in other EU countries to regulate the sale of bone-in beef. [21040]

Mr. Rooker *[holding answer 16 December 1997]:* The precautionary action taken in the United Kingdom to prohibit the sale of bone-in beef in the interest of consumer safety, together with the full advice from the Spongiform Encephalopathy Advisory Committee, was notified to the European Commission immediately. It was subsequently considered by the Scientific Steering Committee in Brussels who are continuing to review the scientific evidence in the light of their initial assessment. In the meantime, any action in individual Member States is a matter for their authorities. We understand, however, that Belgium is considering a ban on bone-in beef from

early in 1998, and the Irish Republic has given a strong warning about the risks of eating bone-in beef to its citizens but taken no further action.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effect of the ban on bone-in beef upon catering establishments specialising in such products. [21201]

Mr. Rooker *[holding answer 16 December 1997]:* Comments received by the deadline from those consulted, including the catering industry, on the proposed legislation to implement a ban on bone-in beef, were all carefully considered before the Beef Bone Regulations 1997 were made and presented to Parliament. The accompanying Regulatory Appraisal sets out our best assessment of the impact of this legislation on those sectors directly affected, based on the information available to us at the time. A copy is available in the Library of the House, and on the MAFF Internet site.

Mr. Hayes: To ask the Minister of Agriculture, Fisheries and Food when he was first notified of SEAC's recommendations on beef on-the-bone. [21608]

Mr. Rooker *[holding answer 18 December 1997]:* My right hon. Friend received SEAC's recommendations on bone-in beef just before 9.00 am on Wednesday 3 December 1997.

Mrs. Gillan: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to ensure that imported beef supplied to schools meets the *(a)* meat safety and *(b)* animal welfare standards required of United Kingdom producers. [21603]

Mr. Rooker *[holding answer 18 December 1997]:* The sourcing of food supplied to schools is a matter for the appropriate education authorities and governing bodies. Health provisions concerning the beef available on the British market are set at the EU level, and animal welfare provisions in both EU and Council of Europe measures. From the 1 January 1998, all beef entering the UK food chain is required to meet the UK SRM (specified risk material) controls.

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the advantages of exempting beef from cattle born after 1 August 1996 from the ban on beef on-the-bone; and if he will make a statement. [21598]

Mr. Rooker *[holding answer 18 December 1997]:* Consideration was given to such an exemption. However, as my right hon. Friend indicated in his statement to the House on 3 December 1997, *Official Report*, columns 372-89, this would give rise to considerable problems of identification and enforcement. We therefore concluded that, to avoid any possibility of errors, mix ups, cheating or confusion, we should follow SEAC advice that all beef from cattle over six months old should be deboned. The position will be kept under review.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will provide additional money to councils to fund environmental health officers' inspection of butchers' shops, following the ban of beef-on-the-bone. [21675]

Mr. Rooker: There will be no increase in the level of supervision as a result of the prohibition on the sale of bone-in beef contained in the Beef Bones Regulations 1997. Normal levels will continue to apply, although enforcement officers will, in future, be required to check that boning requirements are being met. I therefore see no need to make additional money available to local authorities for this work.

Common Agricultural Policy

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what is the current cost to the United Kingdom of its contribution to the Common Agricultural Policy. [21390]

Mr. Rooker: The United Kingdom is expected to contribute about £4.3 billion towards Community expenditure on the CAP in 1997, some of which will be abated next year under the Fontainebleau arrangements.

School Milk

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what European Union funding is available for the provision of school milk in schools within the United Kingdom; and if he will make a statement. [21889]

Mr. Rooker: Under the fully EU-funded scheme, the UK subsidises drinking milk and unflavoured yoghurt provided to primary schools and nurseries. The rate of subsidy is as follows:

	Pence per pint
Whole milk	11.99
Semi-skimmed milk	7.57
Plain whole milk yoghurt	2.05

Beef Imports

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food what arrangements with the Government of Argentina govern the importing of beef from that country; and if he will make a statement. [22191]

Mr. Rooker: Imports of beef from Argentina must be in accordance with harmonised Community rules laid down in Council Directive 64/433/EEC. Consignments of beef must also be accompanied by public health certification which conforms to the model laid down in Commission Decision 87/221/EEC. Argentina also benefits from certain concessionary tariff arrangements.

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what measures the Government will take to ensure that the labelling of beef and other meat products identifies the country of origin. [22357]

Mr. Rooker: I refer my hon. Friend to the answer I gave to the hon. Member for South-East Cambridgeshire (Mr. Paice) on 22 December 1997, *Official Report*, column *492*.

Meat Labelling

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what consultations his Department has held with supermarkets to ensure that beef and other meat products are properly labelled. [22358]

Mr. Rooker: The Department's officials have regular discussions with retailers about food law, including the accuracy of labelling information. Officials have held specific discussions with representatives of the major supermarkets and independent butchers about the forthcoming arrangements for the labelling of fresh and frozen beef and beef mince.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what plans he has to ensure that meat is labelled with the country of production. [22076]

Mr. Rooker *[holding answer 22 December 1997]:* The Government have already announced plans for the labelling of fresh and frozen beef and beef mince. Under the proposed arrangements, which will enter into full force on 31 March 1998, origin claims along with other detailed information, such as production method, will require approval by a competent authority. While these arrangements will be voluntary in the first instance, I expect the majority of beef sold retail to be covered. It is envisaged that origin claims on beef will be compulsory by the year 2000. The European Commission will be reviewing the operation of the beef labelling arrangements in 1999. As part of the review the Commission is expected to consider the possibility of extending the beef labelling arrangements to other species.

Rendering Subsidy

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he will reintroduce the rendering subsidy. [22356]

Mr. Rooker: The objective of the support to the rendering industry was to avoid the disorderly collapse of the meat chain in the immediate aftermath of the BSE crisis. This was achieved. A wide range of industry bodies and representatives were involved in drawing up the Schemes, which were always intended to cover only the financial years 1996–97 and 1997–98, and to provide reduced support in the second year to allow the meat chain to adjust to the post BSE economic and regulatory realities.

Following the election, the Government carefully considered representations made by a wide range of interested industry bodies, from producers to renderers, before confirming the phasing out of support, which began in July. The principal reason for the decision was that the conditions last year which gave rise to the threat of collapse of the meat chain no longer exist. The support has served its purpose and there are no plans to continue the support into 1998–99.

Cattle Traceability Scheme

Mr. Collins: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to encourage the use of *(a)* information technology and *(b)* electronic ear tags for cattle in the Cattle Traceability Scheme; and if he will make a statement. [22078]

Mr. Rooker: The British Cattle Movement Service, which is being set up to oversee the Cattle Tracing System (CTS), will operate a highly automated system. It will make use of barcode technology to process machine readable forms. Industry are also being encouraged to notify cattle movements to the BCMS by electronic mail.

It will not be a requirement of the CTS for cattle to have electronic eartags. However, the CTS will take account of the fact that increasing numbers of cattle are likely to have them in the future, which the Government view as a welcome development.

Food Agency

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to include farmers in consultations regarding the new Food Agency. [22446]

Mr. Rooker: We will be seeking the views of all interested parties when the White Paper on the Food Standards Agency is published and circulated for consultation later this week. We will also be meeting key stakeholders, including farmers' representatives, over the coming weeks to discuss specific issues.

BSE Crisis

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to instigate a public inquiry into the BSE crisis; and if he will make a statement. [22443]

Mr. Rooker: I refer the hon. Member to the statement made by my right hon. Friend and the reply he gave to my hon. Friend the member for Enfield, North (Ms Ryan) on 22 December 1997, *Official Report*, column *497-98*.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what stage the applications for EU compensation for *(a)* beef farmers, *(b)* dairy farmers and *(c)* sheep farmers affected by the BSE crisis have reached. [22444]

Mr. Rooker: No measures are currently in place at the EU level which provide for the payment of compensation to farmers for the effect of BSE on market prices. On 22 December 1997 my right hon. Friend announced a package of measures to assist beef and sheep farmers. This consists of two elements:

£60 million to be paid as agrimonetary compensation to suckler cow producers on the basis of their 1996 premium claims;

£25 million to be paid in increased Hill Livestock Compensatory Allowances, split equally between cattle and sheep.

Both elements of this package require the approval of the European Commission before they can be put into effect. To this end, discussions with the Commission are in progress.

Vitamin B6

Mr. Barnes: To ask the Minister of Agriculture, Fisheries and Food what is his timetable in respect of implementing regulations for the sale of vitamin B6; and if he will make a statement. [22432]

Mr. Rooker: The regulations required to implement the proposed controls on dietary supplements containing vitamin B6 are in the process of being drafted and we hope that it will be possible to issue them for consultation in early February. The European Commission will be notified of the draft regulations at the same time. The timing of the laying of the regulations before Parliament will depend on the outcome of the consultation exercise and the Commission's reaction to the proposals. The earliest date that they could be laid would be during May.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food if he will instruct the expert group recently constituted to assess the safety limits of vitamins and minerals to make examination of vitamin B6 a priority. [22571]

Mr. Rooker: The Government have already received advice from independent expert Committees on the safety of vitamin B6 in dietary supplements, following the very thorough review of this issue which was carried out last year. There are, therefore, no plans to ask the new expert group to undertake a further review of the data on the safety of vitamin B6.

Genetically Modified Food

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food if he will list the *(a)* date of appointment, *(b)* terms of reference and *(c)* membership of the focus groups established by his Department to discuss genetically modified food. [22604]

Mr. Rooker: Although the Department has not set up any formal focus groups to discuss genetically modified food, it has commissioned a number of research projects to investigate consumer opinion on this subject which include *ad-hoc* groups of this type. Consumer views are also obtained from projects conducted by others, such as the large study published by Lancaster University last year, as well as from a wide variety of other sources such as the MAFF Consumer Panel and the National Biotechnology Conference, held in March 1997, at which a number of consumer groups were represented.

In addition to these various methods for assessing public opinion, note is also taken of consumer purchasing patterns of products such as the genetically modified tomato paste which has been on sale since February 1996.

Tallow

Mr. Collins: To ask the Minister of Agriculture, Fisheries and Food what measures he has taken in the last three months to assist the trade in tallow; and if he will make a statement. [21956]

Mr. Rooker: Commission Decision 96/239 (as amended) set out conditions which must be met in order for the resumption of tallow exports. These requirements were implemented in the UK in March 1997, and the first plants meeting these conditions were registered in August. During the last three months, the registered plants have continued to be inspected weekly to ensure that the conditions set out in the legislation continue to be observed. A list of the plants was sent to the Commission on 23 October 1997 with a formal request that they undertake the inspections required by the Decision. We are currently awaiting a response.

Following the inspections, the Commission will put the matter to the EC's Standing Veterinary Committee who must then set a date for the resumption of tallow exports. However, the Standing Veterinary Committee has discussed a proposal to revoke and replace Commission Decision 96/239. These discussions may delay their consideration of a proposal to allow the resumption of exports of tallow from the UK.

Rescheduled Cattle Scheme

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what is the Government's policy towards the rescheduled cattle scheme. [22445]

Mr. Rooker: I am not aware of any rescheduled cattle scheme.

Novel Foods and Processes

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of the proposals in the White Paper on Freedom of Information on the modus operandi of the Advisory Committee on Novel Foods and Processes. [22631]

Mr. Rooker: The Advisory Committee on Novel Foods and Processes already operates in accordance with many of the proposals contained in the white paper. For instance, it has for some time published agendas for its meetings and notes of its discussions as well as detailed reports of its safety assessment of individual novel food applications. More recently, it has been considering what action it might take to increase the openness of its operations still further and an announcement of this conclusions will be made shortly.

Mink Farms

Mr. Livingstone: To ask the Minister of Agriculture, Fisheries and Food what action he is taking with regard to the evidence presented to his Department on 3 November 1997 regarding the conditions of animals at a mink farm in Hampshire. [22519]

Mr. Morley: The information supplied on 3 November 1997 has been followed up as a matter of urgency. Our investigations are continuing.

Mr. Livingstone: To ask the Minister of Agriculture, Fisheries and Food how many representations he has received over *(a)* escaped mink and *(b)* animal welfare in relation to the mink farm licensed in Hampshire. [22521]

Mr. Morley: The Department has received two letters making representations about escaped mink in relation to the mink farm licensed in Hampshire and 11 concerning animal welfare at the same premises.

Mr. Livingstone: To ask the Minister of Agriculture, Fisheries and Food at how many mink farms the killing of mink was witnessed by his officials over the last three months; and what methods were used in the killing. [22520]

Mr. Morley: Veterinary Officers of the State Veterinary Service have witnessed the killing of mink on 15 of the 16 mink farms currently licensed in the last three months. Ten farms used carbon monoxide gas, four used carbon dioxide gas and one, barbiturate injection. The sixteenth farm had no stock to kill during this period.

Poultry Meat

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact on the international competitiveness of the United Kingdom poultry meat industry of the ban on the use of mammalian meat and bone meal in poultry rations in the United Kingdom. [20572]

Mr. Rooker *[holding answer 12 December 1997]:* The ban on feeding mammalian meat and bone meal to all farmed livestock was introduced in 1996 by the Bovine Spongiform Encephalopathy (Amendment) Order 1996. An assessment was made, prior to the legislation being introduced, on how, in economic terms, the ban would affect the agriculture industry. It was estimated that the costs of feed for the egg laying flock would increase by about £3 per tonne and by around £4-£5 per tonne for broilers.

Beef Imports

Mr. Russell Brown: To ask the Minister of Agriculture, Fisheries and Food what action he will take to prohibit beef imports in cases of suspect documentation. [21582]

Mr. Rooker *[holding answer 18 December 1997]:* If there are suspicions regarding the authenticity of documentation, these would be investigated. Council Directive 90/675/EEC provides for imports of animal products from third countries which do not satisfy Community rules to be re-dispatched outside the Community, destroyed or used for a purpose, other than for human consumption, for which they are considered fit. In accordance with Council Directive 89/662/EEC, imports of animal products from other Member States which do not satisfy the conditions laid down in Community law may be destroyed, used for other purposes for which they are considered fit, or returned. Return of products must be authorised by the competent authority of the country of the establishment of origin.

Mr. Russell Brown: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that imported beef conforms to the criteria for United Kingdom domestic slaughter. [21581]

Mr. Rooker *[holding answer 18 December 1997]:* All fresh meat produced in the UK, and imported into the UK from other EU Member States, must be produced in accordance with harmonised Community rules laid down in Council Directive 64/433/EEC. Fresh meat imported from third countries must come only from approved establishments in countries which are authorised by the European Commission to export to the Community. These controls are designed to ensure that the meat satisfies health requirements equivalent to those applying within the Community.

In addition, national legislation, which came into force on 1 January 1998, prohibits imports of specified risk materials (SRM) of bovine, ovine or caprine origin (except for technical uses) from all other countries, including other EU Member States, and requires a number of imported animal products to be accompanied by official veterinary certification confirming that they do not contain and are not derived from SRM. National controls on the use of certain specified risk materials, which have been amended a number of times in the light of scientific advice, have been in place since 1989.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what mechanisms are used to ensure that beef imported into the UK from European countries is from animals which were less than 30 months old. [22077]

Mr. Rooker *[holding answer 22 December 1997]:* The Fresh Meat (Beef Controls) (No. 2) Regulations 1996 prohibit the sale for human consumption of all meat derived from bovine animals which at the time of slaughter were more than 30 months old. This measure applies to all bovines slaughtered on or after 29 March 1996, whether in the UK or overseas, other than those born, reared and slaughtered in those third countries specifically excluded by the Regulations and UK animals from the Beef Assurance Scheme. Local authorities enforce the Regulations acting on any information available to them. The Regulations do not impose restrictions on the import of meat.

Bovine Bones

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 17 December 1997, *Official Report*, column *232*, what method will be used by local authority staff to determine the age of bovine bones in butchers' shops and catering establishments. [22140]

Mr. Rooker *[holding answer 22 December 1997]:* If a local authority enforcement officer considers that bone-in beef sold to the ultimate consumer has come from animals over six months old at slaughter, (the age limit contained in the Beef Bones Regulations 1997) the onus will be on the seller to demonstrate the true age of the animal concerned.

Genetically Modified Crops

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the licensing of genetically modified crops for commercial planting. [21798]

Mr. Rooker *[holding answer 22 December 1997]:* The licensing of genetically modified crops for commercial planting involves two distinct clearance processes. First, the release and marketing of all GMOs is strictly controlled by regulations made under Part VI of the Environmental Protection Act 1990 which implements Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms. No release or marketing of genetically modified crops may take place without the prior consent of the Secretary of State for the Environment. This consent is issued by the Secretary of State if the release is in England, or the Secretary of State for Scotland or Wales as appropriate and my right hon. Friend acts jointly with the Secretary of State in matters in which he has an interest. No consent can be issued without the agreement of the Health and Safety Executive. Applications to market genetically modified crops are scrutinised by all EC Member States and a final decision is made by qualified majority vote under Article 21 of Directive 90/220/EEC. In the UK, the independent expert members of the statutory Advisory Committee on Releases into the Environment (ACRE) consider applications to release and market GMOs on the basis of a detailed environmental risk assessment and they advise Ministers on whether or not a consent should be granted and what conditions should apply. Matters of food safety are addressed by the Advisory Committee on Novel Food Processes in accordance with the EC Regulation on Novel Foods and Novel Food Ingredients.

Secondly, no seed of agricultural varieties can be marketed in the UK unless they appear on the UK National List or EC Common Catalogue of varieties. These systems—which usually involve two years or more of growing trials—ensure that new varieties are distinct from others already in the market place and that they have a value for cultivation and use in the UK. However, successful trialling under the National List system is not sufficient on its own to permit the marketing of a genetically modified plant variety.

SCOTLAND

NHS Administrative Staff

Mr. Moore: To ask the Secretary of State for Scotland how many staff were employed as management and administrative staff in each of the NHS trusts and boards in Scotland on 1 November; what percentage of the total staff of the NHS trusts and boards in Scotland this represents; and what was the figure and percentage on *(a)* 1 May 1997; *(b)* 1 November 1996 and *(c)* 1 May 1996. [20059]

Mr. Galbraith *[holding answer 10 December 1997]:* The information available is shown in the table.

NHSiS workforce: Management and administrative and clerical staff headcount: at 30 September 1996 [1] by NHS Trust and Health Board

	Headcount	
	Management and administrative staff [2,3]	*Management and administrative staff as percentage of all staff [4]*
Boards		
Argyll and Clyde Health Board	195	92.0
Ayrshire and Arran Health Board	91	89.2
Borders Health Board	65	90.3
Dumfries and Galloway Health Board	74	89.2
Fife Health Board	128	79.0
Forth Valley Health Board	139	87.4
Grampian Health Board	297	85.8
Greater Glasgow Health Board	444	89.9
Highland Health Board	154	83.7
Lanarkshire Health Board	189	88.7
Lothian Health Board	329	71.2
Orkney Health Board [5]	52	10.5
Shetland Health Board	15	75.0
Tayside Health Board	230	80.1
Western Isles Health Board	32	91.4
NHS Trusts		
Aberdeen Royal Hospitals NHS Trust	777	15.0
Angus NHS Trust	216	10.9
Argyll and Bute NHS Trust	161	11.6
Ayrshire and Arran Community Health Care NHS Trust	407	15.2
Borders Community Health Services NHS Trust	138	11.7
Borders General Hospitals NHS Trust	208	16.0
Caithness and Sunderland NHS Trust	87	12.4
Central Scotland Healthcare NHS Trust	328	9.9
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	266	14.6
Dumfries and Galloway Community Health NHS Trust	256	12.2
Dundee Healthcare NHS Trust	294	12.0
Dundee Teaching Hospitals NHS Trust	793	17.4
East and Midlothian NHS Trust	284	10.9
Edinburgh Healthcare NHS Trust	668	16.2
Edinburgh Sick Children's NHS Trust	241	21.0
Falkirk and District Royal Infirmary NHS Trust	250	16.1
Fife Healthcare NHS Trust	423	12.8
Glasgow Dental Hospital and School NHS Trust	77	17.3
Glasgow Royal Infirmary University NHS Trust	722	16.9
Grampian Healthcare NHS Trust	717	13.3
Greater Glasgow Community and Mental Health Services NHS Trust	794	13.7
Hairmyres and Stonehouse Hospitals NHS Trust	314	17.5
Highland Communities NHS Trust	256	11.4
Inverclyde Royal NHS Trust	275	17.1
Kirkcaldy Acute Hospitals NHS Trust	340	20.2
Lanarkshire Healthcare NHS Trust	433	10.2
Law Hospital NHS Trust	369	18.6
Lomond Healthcare NHS Trust	203	13.9
Monklands and Bellshill Hospitals NHS Trust	331	16.3
Moray Health Services NHS Trust	211	14.7
North Ayrshire and Arran NHS Trust	369	11.3
Perth and Kinross Healthcare NHS Trust	312	12.0
Queen Margaret Hospital NHS Trust	250	18.1
Raigmore Hospital NHS Trust	356	16.5
Renfrewshire Healthcare NHS Trust	428	12.5
Royal Alexandra Hospital NHS Trust	305	17.7
Royal Infirmary of Edinburgh NHS Trust	940	18.2
Scottish Ambulance Service NHS Trust	403	13.9
Shetland Hospitals and Community Services Unit [5]	68	17.7
South Ayrshire Hospitals NHS Trust	294	15.5
Southern General Hospital NHS Trust	441	13.4
Stirling Royal Infirmary NHS Trust	226	13.3
Stobhill NHS Trust	385	17.6
Victoria Infirmary NHS Trust	387	15.1
West Glasgow Hospitals University NHS Trust	781	15.9
West Lothian NHS Trust	429	14.1
Western General Hospitals NHS Trust	478	16.0
Western Isles Health Unit [5]	80	10.3
Yorkhill NHS Trust	350	14.6

[1] Information for September 1997 will be available by February 1998.

[2] The figures include some, but not all, senior managers of professional staff, for example nurses. Some managers of these professional groups remain employed under the terms and conditions of these professions and are not included.

[3] Comprises staff on senior management, administrative and clerical (A&C) and protected grades, ambulance officers and control assistants.

[4] The denominator comprises staff directly employed by Trusts and Health Boards and therefore excludes general practitioners and their staff.

[5] Includes the island DMUs. The DMU and Board cannot be separated for Orkney.

Source:

National Manpower Statistics from payroll—ISD Scotland.

Nurses

Mr. Moore: To ask the Secretary of State for Scotland how many nurses were employed by each of the NHS trusts in Scotland on *(a)* 1 November, *(b)* 1 May, *(c)* 1 November 1996 and *(d)* 1 May 1996. [20056]

Mr. Galbraith *[holding answer 10 December 1997]:* The information available is shown in the table.

NHSiS workforce: Nurses employed by NHS trusts
Headcount: at 30 September 1996 [1,4]

	Headcount [2,3]
Aberdeen Royal Hospitals NHS Trust	1,679
Angus NHS Trust	732
Argyll and Bute NHS Trust	523
Ayrshire and Arran Community Health Care NHS Trust	869
Borders Community Health Services NHS Trust	439
Borders General Hospitals NHS Trust	436
Caithness and Sutherland NHS Trust	274
Central Scotland Healthcare NHS trust	1,098
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	654
Dumfries and Galloway Community Health NHS Trust	709
State Hospital	217
Dundee Healthcare NHS Trust	953
Dundee Teaching Hospitals NHS Trust	1,482
East and Midlothian NHS Trust	869
Edinburgh Healthcare NHS Trust	1,392
Edinburgh Sick Children's NHS Trust	348
Falkirk and District Royal Infirmary NHS Trust	469
Fife Healthcare NHS Trust	1,263
Glasgow Dental Hospital and School NHS Trust	10
Glasgow Royal Infirmary University NHS Trust	1,458
Grampian Healthcare NHS Trust	1,942
Greater Glasgow Community and Mental Health Services NHS Trust	2,250
Hairmyres and Stonehouse Hospitals NHS Trusts	656
Highland Communities NHS Trust	836
Inverclyde Royal NHS Trust	440
Kircaldy Acute Hospitals NHS Trust	661
Lanarkshire Healthcare NHS Trust	1,600
Law Hospital NHS Trust	657
Lomond Healthcare Trust	480
Monklands and Bellshill Hospitals NHS Trust	793
Moray Health Services NHS Trust	535
North Ayshire and Arran NHS Trust	1,000
Orkney Health Board[4]	196
Perth and Kinross Healthcare NHS Trust	976
Queen Margaret Hospital NHS Trust	605
Raigmore Hospital NHS Trust	709
Renfrewshire Healthcare NHS Trust	1,005
Royal Alexandra Hospital NHS Trust	629
Royal Infirmary of Edinburgh NHS Trust	1,784
Shetland Hospitals and Community Services Unit[4]	180
South Ayrshire Hospitals NHS Trust	552
Southern General Hospital NHS Trust	1,042
Stirling Royal Infirmary NHS Trust	524
Stobhill NHS Trust	580
Victoria Infirmary NHS Trust	774
West Glasgow Hospitals University NHS Trust	1,222
West Lothian NHS Trust	926
Western General Hospitals NHS Trust	789
Western Isles Health Unit[4]	306
Yorkhill NHS Trust	786

[1] Information for September 1997 will be available by February 1998.

[2] The figures include some but not all senior nurses. Some are employed on senior manager grades and are not included here.

[3] Excludes nurse teachers, nurses in training and students on 1992 courses in nursing and midwifery.

[4] Includes, State Hospital and Island Units.

Source:

National Manpower Statistics from payroll. ISD Scotland.

Falkirk College (Grants)

Mr. Canavan: To ask the Secretary of State for Scotland if he will visit Falkirk College of Further and Higher Education in order to discuss with student representatives the need to expedite payment of student grants. [20485]

Mr. Wilson *[holding answer 12 December 1997]:* Neither my right hon. and learned Friend nor I have any plans to do so at present, but substantial progress is being made in dealing with the outstanding grant applications from students at Falkirk College of Further and Higher Education.

Mr. Canavan: To ask the Secretary of State for Scotland how many students at Falkirk College of Further and Higher Education have not received payment of their grants for the current session; and what is the reason for the continuing delay. [20484]

Mr. Wilson *[holding answer 12 December 1997]:* As at 15 December 1997, some 1,120 grant applications from students attending Falkirk College of Further and Higher Education had been processed and a further 237 remained to the be dealt with. The vast majority of the outstanding applications were submitted from October onwards, well after the academic year at the College had begun.

Initial problems with a new computer system at the Student Awards Agency for Scotland, together with the concentrated volume of applications received around the start of the new academic year, were the main causes of the delays. Substantial progress has now been made towards reducing the delays.

Health Service Vacancies

Mr. Moore: To ask the Secretary of State for Scotland how many vacant NHS posts there are currently in Scotland, by health board area, for *(a)* hospital doctors, *(b)* general practitioners and *(c)* nurses; and what these numbers were at the same time in 1996. [21161]

Mr. Galbraith *[holding answer 16 December 1997]:* The information is shown in the table.

Headcount: by health board area

Vacant posts for selected staff groups

	1996			1997		
	Hospital medical staff[1]	*General medical practitioners*[2]	*Nurses*[3,4]	*Hospital medical staff*[1]	*General medical practitioners*[2]	*Nurses*[3,4]
Scotland	220	35	[6]—	161	26	1,217
Argyll and Clyde	28	5	[6]—	19	2	128
Ayrshire and Arran	10	4	[6]—	15	4	31
Borders	6	1	[6]—	2	1	6
Dumfries and Galloway	6	2	[6]—	7	—	19
Fife	9	—	[6]—	6	—	20
Forth Valley	16	1	[6]—	5	1	134
Grampian	30	3	[6]—	21	3	103
Greater Glasgow	31	6	[6]—	15	6	316
Highland	13	1	[6]—	6	4	34
Lanarkshire	37	3	[6]—	36	—	58
Lothian	24	4	[6]—	14	3	281
Orkney	—	2	[6]—	—	—	1
Shetland	1	—	[6]—	4	—	7
Tayside	6	3	[6]—	7	1	75
Western Isles	3	—	[6]—	2	1	5
Common Services Agency	—	n/a	[6]—	2	n/a	—
State Hospital	n/a	n/a	[6]—	n/a	n/a	1

[1] As at 30 September. Comprises Consultant and Staff grades only.
[2] Unrestricted principals as at 1 October.
[3] Comprises qualified nurses only. Data are whole time equivalent at 31 March.
[4] Excludes some Trusts where ISD(M)36 forms were not returned.
[5] Provisional data. For hospital medical staff, excludes data for 3 Trusts where ISD(M)4 forms are still outstanding.
[6] not readily available.
n/a= not applicable.
Source:
ISD(M)4.
ISD(M)36.
General Medical Practitioner Database.
ISD Scotland.

NHS Staff

Dr. Harris: To ask the Secretary of State for Scotland what is the projected shortfall for *(a)* 1997–98 and *(b)* 1998–99 for (i) hospital doctors, (ii) general practitioners and (iii) nurses. [21358]

Mr. Galbraith *[holding answer 18 December 1997]:* The information requested is not collected centrally although vacancies are monitored on an annual basis. We are aware of recruitment difficulties in certain specialties and in particular localities.

Private Finance Initiative (NHS)

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will estimate, by scheme, the subsidies paid by his Department under the smoothing mechanism to the three major acute PFI schemes prioritised by his Department since May. [21407]

Mr. Galbraith *[holding answer 18 December 1997]:* The smoothing mechanism is not a feature of PFI in health schemes in Scotland, hence no subsidies will be paid to the NHS Trusts involved in the major PFI schemes. To succeed under PFI, schemes must prove themselves to be affordable to the healthcare planners.

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will estimate for each of the major acute PFI schemes prioritised by his Department since May, the financial and percentage change in the purchasers' annual revenue commitment to PFI hospital schemes between outline and full business case. [21410]

Mr. Galbraith *[holding answer 18 December 1997]:* Health Boards as strategic planners of healthcare do not make annual revenue commitments to schemes at either the outline or full business case stage.

As part of the business planning process for both publicly and privately funded schemes, Health Boards are required to confirm that the proposals are affordable within the wider context of healthcare provision. It is the responsibility of NHS Trusts to ensure that the revenue commitments implied by a scheme can be met from the resources available.

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will list for each of the acute PFI schemes prioritised by his Department since May, how much each relevant health trust paid for each of the last three years in annual capital charges to the Treasury. [21408]

Mr. Galbraith *[holding answer 18 December 1997]:* NHS Trusts do not pay capital charges to HM Treasury. However, they do repay interest on their interest bearing debt and may be required to pay a dividend on their Public Dividend Capital. The total sums for interest and

dividends remitted to HM Treasury in 1994–95 to 1996–97 by the three NHS Trusts with acute PFI schemes was as follows:

£000

NHS Trust	1994–95	1995–96	1996–97
Royal Infirmary of Edinburgh	6,010	6,324	6,167
Law Hospital	1,341	1,478	1,657
Hairmyres and Stonehouse Hospitals	1,996	2,687	2,441

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will list for each of the major acute PFI schemes prioritised by his Department since May, how much each lead consortium involved will receive per year for the use of the new hospitals upon completion. [21412]

Mr. Galbraith *[holding answer 18 December 1997]:* Since none of the deals for the major acute PFI schemes has reached financial close, details of the unitary charge payable to the private sector is still being negotiated.

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will list for each of the three major acute PFI schemes prioritised by his Department since May *(a)* the cost of renovating the existing facilities and *(b)* the current estimated cost of the scheme. [21406]

Mr. Galbraith *[holding answer 18 December 1997]:* As part of the capital investment process, NHS Trusts prepare outline business cases examining all the investment options and through an economic appraisal identify the preferred option. The preferred option is the one which, taking account of costs and benefits and the transfer of risk, delivers the best value for money. The renovation of existing facilities was not the preferred option in any of the major acute PFI schemes.

Hospital Beds

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will estimate the number of staffed acute beds in use for each of the last 10 years. [21403]

Mr. Galbraith *[holding answer 18 December 1997]:* The number of average available staffed acute beds for each of the last 10 years is given in the following table.

Average available staffed beds in acute specialties[1]

Years ending 31 March	Average available staffed beds
1988	19,597
1989	19,193
1990	18,798
1991	18,317
1992	17,580
1993	17,414
1994	16,873
1995	16,360
1996	15,963
1997	15,503

[1] Excludes beds in the specialities of geriatric assessment, maternity, psychiatric, learning disability and long stay.

Mr. Simon Hughes: To ask the Secretary of State for Scotland if he will estimate *(a)* the number in 1996 of, *(b)* the number projected upon completion for and *(c)* the percentage change in staffed acute beds at NHS trusts subject to PFI developments prioritised by his Department since May. [21409]

Mr. Galbraith *[holding answer 18 December 1997]:* For each Trust with a major acute PFI project, the number of acute beds in 1996; in the public sector comparator; and projected to be in the PFI facility are as follows:

NHS Trust	Number of acute beds in 1996	Number of acute beds in PSC	Projected number of acute beds in PFI facility
Royal Infirmary of Edinburgh	1,099	986	869
Law Hospital	404	336	336
Hairmyres and Stonehouse Hospitals	495	354	364

Crown Office

Mr. Ancram: To ask the Secretary of State for Scotland what assessment he has made of the adequacy of funding for the Crown Office. [22034]

Mr. Dewar: The Crown Office is an independent Government Department under the direction of my noble and learned Friend the Lord Advocate. As such, its funding is provided by Parliament through a separate vote and is not part of the Scottish Block.

The Government have initiated the Comprehensive Spending Review and, in common with the other Departments, the Crown Office is committed to ensuring that forward provision is sufficient to meet the needs of prosecution and law and order in Scotland.

Judicial Appointments Board

Mr. Ancram: To ask the Secretary of State for Scotland if he will make a statement about the Government's policy on a judicial appointments board for Scotland. [22035]

Mr. Dewar: I have no plans to propose a Judicial Appointments Board for Scotland.

Fishing Industry

Mr. Ancram: To ask the Secretary of State for Scotland how many times he has met the Minister for Agriculture, Fisheries and Food to discuss the Scottish fishing industry since 2 May. [22038]

Mr. Dewar: I and my noble Friend the Under-Secretary with responsibility for agriculture, environment and fisheries have regular discussions with our colleagues at the Ministry of Agriculture, Fisheries and Food about matters relating to the UK fishing industry.

Mr. Ancram: To ask the Secretary of State for Scotland how many times he has met representatives of Scottish fishing and fish-farming industries since 2 May; if he will list the bodies concerned; and if he will make a statement. [22040]

Mr. Dewar: My noble Friend, the Under-Secretary with responsibility for agriculture, environment and fisheries and I have met numerous representative organisations concerned with fisheries since 2 May, including meetings with the Scottish Fishermen's Federation, the Scottish Salmon Growers' Association and the Association of Scottish District Salmon Fishery Boards.

NHS (50th Anniversary)

Mr. Canavan: To ask the Secretary of State for Scotland what funds will be made available to celebrate the 50th anniversary of the National Health Service; and if he will ensure that the maximum proportion of such funds is used in ways which promote patient care. [21704]

Mr. Galbraith *[holding answer 19 December 1997]:* Ministers have decided that the special occasion of the 50th Anniversary of the National Health Service should be marked with events and initiatives that reflect the Service's achievements and equally importantly herald its further development over the coming years. The Service has been issued with guidance that emphasises that the main focus should be at local level, with active participation of staff and patients, and should reflect the caring ethos of the Health Service.

The guidance emphasises that events should be low-cost, sponsored, or self-financing so that resources are not diverted from patient care.

Arable Area Payments

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a statement on the retention of five per cent. of arable area payments due to farmers; and when he expects to complete the payments due for 1997. [22143]

Mr. Macdonald: Subject to the continuing co-operation of farmers, we aim to make most final payments by 31 March 1998.

It is a legal requirement that every field claimed under the 1997 Arable Area Payments Scheme (AAPS) must be checked against a register consisting of unique field identifiers. Failure to carry out such a check would result in the UK suffering disallowance of AAPS funding by the EC Commission. Due to the scale of the task, it was not possible to complete this exercise prior to paying the bulk of the 1997 AAPS claims.

To avoid payments being delayed, and following discussions with the commission, we have made advance payments of 95 per cent. of the eligible areas claimed. The remainder will be paid when each field can be fully validated.

To 31 December 1997, Scottish farmers received over £124 million under the 1997 AAPS. Almost £110 million was paid to over 98 per cent. of claimants with a further £14.6 million of advance oilseeds payments. The balance of the oilseeds aid will be paid in the early part of 1998 following the announcement by the Commission of the final payment rate.

Handguns

Mr. William Ross: To ask the Secretary of State for Scotland how many handguns were taken illegally from *(a)* firearms dealers, *(b)* police, *(c)* the armed forces, *(d)* members of the public, *(e)* a common carrier while in transit and *(f)* firearms clubs, in each year since 1992 in each police force area in Scotland up to the latest available date; what was the largest number taken at any one time; and what were the descriptions of the firearms taken as recorded by the Police. [21840]

Mr. McLeish *[holding answer 19 December 1997]:* The information is not held centrally.

Mr. William Ross: To ask the Secretary of State for Scotland how many persons have been *(a)* killed and *(b)* injured by (i) legally held handguns and (ii) handguns illegally owned or used in each police force area in Scotland in each year since 1992; and for how many deaths and injuries it had not been determined whether the handgun used was legally or illegally held. [21837]

Mr. McLeish *[holding answer 19 December 1997]:* The tables below detail the number of persons *(a)* killed and *(b)* injured by pistols or revolvers held (i) legally and (ii) illegally, in each police force area in Scotland in each of the years 1992 to 1996. Information has also been provided on the number of deaths and injuries caused by a pistol or revolver where it was not possible to determine whether or not the weapon was legally held; either because no accused was identified or the weapon was not recovered.

Number of persons killed by a pistol or revolver, 1992–96

	Legally held pistol or revolver	*Illegally held pistol or revolver*	*Legal possession of pistol or revolver not determined*[1]
1992			
Grampian	—	—	—
Strathclyde	—	—	—
Total	—	—	—
1993			
Dumfries and Galloway	—	1	—
Strathclyde	—	2	—
Tayside	—	—	—
Total	—	3	—
1994			
Fife	—	—	—
Lothian and Borders	—	1	—
Northern	—	—	1
Strathclyde	—	1	—
Total	—	2	1
1995			
Lothian and Borders	—	—	—
Strathclyde	—	—	1
Total	—	—	1

Number of persons killed by a pistol or revolver, 1992–96

	Legally held pistol or revolver	*Illegally held pistol or revolver*	*Legal possession of pistol or revolver not determined*[1]
1996			
Central[2]	17	—	—
Strathclyde	—	1	—
Total	17	1	—

[1] No accused identified or an accused identified but pistol or revolver not recovered.
[2] The figures for 1996 include the 17 fatal injuries which occurred at Dunblane.

In addition to the number shown above, there were a number of fatalities in which the weapon was not identified therefore it was not possible to determine either the type of weapon or whether or not it was legally held. There were two such cases in 1994, six in 1995 and one in 1996.

Number of persons injured by a pistol or revolver, 1992–96

	Legally held pistol or revolver	*Illegally held pistol or revolver*	*Legal possession of pistol or revolver not determined*[1]
1992			
Central	—	—	—
Lothian and Borders	—	—	—
Strathclyde	—	2	1
Tayside	—	—	—
Total	—	2	1
1993			
Central	—	—	—
Dumfries and Galloway	—	3	—
Strathclyde	—	2	1
Tayside	—	—	—
Total	—	5	1
1994			
Central	—	2	—
Fife	—	—	—
Lothian and Borders	—	1	—
Strathclyde	—	1	—
Total	—	4	—
1995			
Fife	—	2	—
Lothian and Borders	—	2	1
Strathclyde	2	—	4
Total	2	4	5
1996			
Central[2]	14	—	—
Lothian and Borders	—	2	—
Strathclyde	—	2	3
Total	14	4	3

[1] No accused identified or an accused identified but pistol or revolver not recovered.
[2] The figures of 1996 include the 14 injuries which occurred at Dunblane.

In addition to the number shown above, there were a number of injuries in which the weapon was not identified therefore it was not possible to determine either the type of weapon or whether or not it was legally held. There were 11 such cases in 1994, 15 in 1995 and seven in 1996.

Teacher Training

Mr. Ancram: To ask the Secretary of State for Scotland if he will make a statement on the recommendations made by Sir Stewart Sutherland about improved teacher training as they relate to Scotland. [22095]

Mr. Wilson: I am giving careful consideration to the recommendations relating to Scotland in Sir Stewart Sutherland's report on teacher education and training. I hope to be able to respond fully to the recommendations before the end of January.

Tuition Fees

Ms Gorrie: To ask the Secretary of State for Scotland how soon after supplying the necessary information to the Student Awards Agency applicants for places at Scottish colleges and universities will be notified of the amount they or their parents will have to contribute towards their fees. [21877]

Mr. Wilson: The Student Awards Agency for Scotland will be expected to meet its published performance target and respond to fully completed applications within 28 calendar days of receipt. This will apply to both students continuing their studies under the existing arrangements and those entrants in academic year 1998–99 whose entitlement to support with tuition fees will be subject to means-testing.

Mr. Gorrie: To ask the Secretary of State for Scotland (1) what additional resources will be allocated to colleges and universities to enable them to pursue the collection of fee income from students and parents who are reluctant to pay; [22272]

(2) what allowance for uncollected fee income is built into the calculations about college and university finances. [22361]

Mr. Wilson: From academic year 1998–99, new students entering full-time courses of higher education will be liable to contribute up to £1,000 towards their tuition. The balance will be paid by the Student Awards Agency in Scotland. The financial support made available to universities and colleges will assume that the assessed fee contributions from students will be paid, but the actual collection arrangements will be a matter for each institution.

On 3 December, the Government announced that an additional £17 million would be available to higher education sector and an additional £8 million to the further education sector in 1998–99. Uncollected fees and the cost of collection were factors taken into account in the Government's assumption that higher education institutions will collect some £14 million net, and further education colleges some £2 million, in fee income directly from students. This assumed a 5 per cent. reduction in potential gross fee income to take account of uncollected fees and the cost of collection.

Secondary Schools

Mr. Ancram: To ask the Secretary of State for Scotland what proposals he has to raise standards in Scottish secondary schools. [22036]

Mr. Wilson: Implementation of the Government's initiative to raise standards in Scottish schools is being overseen by the Action Group on Standards in Scottish Schools. I chair the Group and membership is widely drawn from within and beyond education.

In September, with the endorsement of the Action Group, we issued for consultation a strategy paper for the development of a framework of school targets in key areas with national introduction in the school year 1998–99. The key areas are, in the first instance, literacy, numeracy and attainment. The outcome of the consultation was discussed by the Group on 15 December. The Group gave broad support to the principle of target setting; agreed that improvement could be achieved in every school; and agreed also that comparability among similar schools was important. The Action Group agreed to meet again in February to take matters forward.

Private Finance Initiative (Construction Industry)

Mr. Gorrie: To ask the Secretary of State for Scotland on which PFI schemes in Scotland construction work has started; and on which schemes which have not yet started the legal and financial work has been completed. [21878]

Mr. Dewar: The information requested is set out in the tables.

In the Health Sector, there are other smaller projects developed on the same principles which fall within Trust and Health Board delegated limits and for which information is not held centrally.

PFI projects in Scotland

Procuring agency	*Project description*
(a) Construction/work under way	
Law Hospital NHS Trust	Provision and operation of a hospital information system
Grampian Health Board	Provision and operation of a community hospital in Kincardineshire (Stonehaven)
Perth and Kinross Healthcare NHS Trust	Provision and operation of an integrated healthcare information system
Victoria Infirmary NHS Trust	Provision of elderly care beds, Mearnskirk Hospital
Falkirk College	Stirling Further Education Centre
M6 DBFO	Upgrading and maintenance of A74 (M) (M6) between Millbank and Border
Scottish Prison Service	Bowhouse Prison, Kilmarnock
(b) Legal and financial work completed but construction yet to commence	
North of Scotland Water Authority	Inverness main drainage and Fort William sewage treatment
Dundee City Council	Baldovie waste to energy plant

Cornton Vale Prison

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will list *(a)* the funds allocated to Cornton Vale Prison for each of the years 1988–89 to 1992–93 and *(b)* the allocations under each of the heads of spending into which the figures are broken down, for each of those years. [22059]

Mr. McLeish *[holding answer 22 December 1997]:* Total net expenditure (excluding capital, headquarters and other central costs) on Cornton Vale Prison, allocated between vote categories (running costs and other current expenditure), is as shown in the table:

£ million

	Running costs	*Other current expenditure*	*Total*
1988–89	3.3	0.3	3.6
1989–90	4.1	0.2	4.3
1990–91	4.1	0.3	4.4
1991–92	4.2	0.3	4.5
1992–93	4.8	0.4	5.2

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland, pursuant to his answer of 10 December, 1997 *Official Report*, column *625*, on Cornton Vale Prison, if he will provide a breakdown of expenditure by budget category for each year. [22115]

Mr. McLeish *[holding answer 22 December 1997]:* Total net expenditure (excluding capital, Headquarters and other central costs) on Cornton Vale Prison, allocated between vote categories (running costs and other current expenditure), is as shown in the table:

£ million

	Running costs	*Other current expenditure*	*Total*
1993–94	5.5	0.4	5.9
1994–95	5.6	0.4	6.0
1995–96	5.3	0.4	5.7
1996–97	6.1	0.4	6.5
1997–98 (budget)	6.2	0.6	6.8

Cattle (Electronic Tagging)

Mr. Moore: To ask the Secretary of State for Scotland what plans he has to extend the electronic tagging scheme for cattle from the Borders area to the rest of Scotland; and if he will liaise with the Ministry of Agriculture, Fisheries and Food to extend the scheme elsewhere in the United Kingdom. [22276]

Mr. Macdonald: The Borders electronic tagging scheme is an independent venture over which the Scottish Office has no direct influence. However, Scottish Office officials are in regular contact, and a Ministry of Agriculture, Fisheries and Food representative recently visited the project. The Agriculture Departments regard electronic tagging as a positive development, and while there are no plans to make it compulsory, the computerised Cattle Tracing System, due to be introduced in Great Britain next year, will accommodate electronic tags.

Specialist Teachers

Mr. Gorrie: To ask the Secretary of State for Scotland if the annual statistical return provided by schools to the Scottish Office includes figures for visiting specialist teachers in primary schools and for learning support teachers. [22274]

Mr. Wilson: The annual School Census statistical return to individual schools does not collect information on the number of visiting specialist teachers in primary

schools and for learning support teachers. Such information was last collected in the School Census return to individual teachers in September 1994. The next collection of information on the number of visiting specialist teachers in primary schools and learning support teachers is planned for September 1998.

Further Education Colleges

Mr. Gorrie: To ask the Secretary of State for Scotland if he will co-ordinate and simplify the systems of financial and academic audit of further education colleges. [22266]

Mr. Wilson: This matter has been raised with me by the Association of Scottish Colleges. We are considering ways of improving audit procedures without compromising the necessary rigour of financial and academic audit of the further of the further education colleges.

Mr. Gorrie: To ask the Secretary of State for Scotland when he expects individual further education colleges to be notified of their Government funding for 1997–98 and 1998–99. [22268]

Mr. Wilson: Letters setting out Government grant-aid allocations to individual further education colleges for 1997–98 were issued in February 1997. We shall advise colleges of their allocations for 1998–99 as soon as we have considered responses to recent consultations on proposed changes to the funding methodology, and taken final decisions.

Ferry Crews

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what language requirements his Department demands in respect of crews employed on ferries operating solely within United Kingdom waters. [22168]

Mr. McLeish: All ferries operating within Scotland or from Scotland to other parts of the United Kingdom are subject to the Merchant Shipping (Minimum Standards of Safety Communications) Regulations 1997 which apply to United Kingdom ships and to all passenger vessels which start or finish a voyage in the United Kingdom. To comply with these regulations, the operators of passenger ferries in Scotland, as elsewhere in the United Kingdom, must ensure that all crew members with a responsibility for assisting passengers in emergency situations have communication skills that are sufficient for that purpose, including the ability to communicate in English. The oversight of these regulations is the responsibility of the Marine Safety Agency, an executive agency of the Department of the Environment, Transport and the Regions.

Female Prisoners

Sir Robert Smith: To ask the Secretary of State for Scotland how many female prisoners have been held in Scotland in each of the last five years, broken down by *(a)* length of sentence, in the categories (i) three months or less, (ii) three to six months, (iii) six to 12 months, (iv) 12 to 24 months and (v) more than 24 months, *(b)* type of offence and *(c)* age, in the categories (1) under 16, (2) 16, (3) 17, (4) 18 to 21, (5) 22 to 25, (6) 26 to 30, (7) 31 to 40, (8) 41 to 50, (9) 51 to 60 and (10) over 60 years. [22364]

Mr. McLeish: The information provided is for receptions rather than persons admitted to prison. The tables detail the number of direct sentenced and fine default receptions of female prisoners to Scottish Prison Service establishments by sentence length, type of offence and age in each of the years 1992–1996. One reception is counted if one or more warrants arrive for the same person from the same court on the same day. Some receptions relate to warrants arriving at establishments for people already held in custody.

As the information is rather lengthy, I have arranged for a copy of the tables to be placed in the Library of the House.

Pensions (Health and Education)

Mr. Gorrie: To ask the Secretary of State for Scotland what estimate he has made of the additional expenditure which will have to be made by *(a)* health boards and trusts, *(b)* further education colleges and *(c)* universities in Scotland in (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000, as a result of the changes in the rules governing advance corporation tax on pensions. [22376]

Mr. Dewar: The NHS superannuation scheme is not affected by the changes in the rules governing advance corporation tax.

Any effects on the superannuation schemes of further education colleges or universities in Scotland would be a matter for the managers of the schemes concerned.

Population Statistics

Mr. Barnes: To ask the Secretary of state for Scotland if he will list the latest estimates by the Register General of Populations of those aged 17 years and over, plus 63 per cent. of those aged 16 years, for each district council area and parliamentary constituency in Scotland, together with the equivalent electoral registration figures also expressed as a percentage of these population figures and in ascending order. [22293]

Mr. McLeish: The information requested is given in the tables. The population figures have been prepared by a method that involves a certain degree of approximation and therefore should be treated with some caution.

Council area	*Estimate of population aged 17 and over plus 63 per cent. of 16 year olds (as at 30 June 1996) (a)*	*Local government electors on the 1997 electoral register (qualifying date 10 October 1996) (b)*	*(b) as a percentage of (a)*
Argyll and Bute	73,000	69,971	95.9
East Dunbartonshire	88,100	84,978	96.5
Moray	67,700	65,361	96.5
Shetland Islands	17,600	17,012	96.7
Clackmannanshire	38,200	36,927	96.7
North Lanarkshire	255,000	246,599	96.7
Glasgow City	492,600	476,784	96.8
Midlothian	63,300	61,423	97.0
Dundee City	120,700	117,166	97.1
Falkirk	114,000	110,692	97.1
Aberdeen City	177,100	172,066	97.2
West Dunbartonshire	74,500	72,611	97.5
North Ayrshire	109,200	106,478	97.5
South Lanarkshire	242,000	236,038	97.5
East Renfrewshire	69,300	67,597	97.5

Council area	Estimate of population aged 17 and over plus 63 per cent. of 16 year olds (as at 30 June 1996) (a)	Local government electors on the 1997 electoral register (qualifying date 10 October 1996) (b)	(b) as a percentage of (a)
Aberdeenshire	176,600	172,767	97.8
East Ayrshire	96,300	94,368	98.0
Edinburgh, City of	369,500	362,788	98.2
Perth and Kinross	106,100	104,464	98.5
South Ayrshire	92,200	90,787	98.5
Angus	88,200	86,929	98.6
West Lothian	117,000	115,326	98.6
Inverclyde	68,600	67,805	98.8
Renfrewshire	141,300	139,766	98.9
Dumfries and Galloway	117,900	116,828	99.1
Stirling	66,400	65,798	99.1
East Lothian	70,100	69,870	99.7
Fife	276,200	276,989	100.3
Highland	163,700	164,711	100.6
Scottish Borders	85,400	86,051	100.8
Orkney Islands	15,500	15,658	101.0
Comhairle nan Eilean Siar	22,800	23,315	102.3

Parliamentary constituency	Estimate of population aged 17 and over plus 63 per cent. of 16 year olds (as at 30 June 1996) (a)	Parliamentary electors on the 1997 electoral register (qualifying date 10 October 1996) (b)	(b) as a percentage of (a)
Dumbarton	60,300	56,875	94.3
Motherwell and Wishaw	54,800	52,702	96.2
Moray	61,300	58,957	96.2
Aberdeen South	63,400	60,982	96.2
Hamilton North and Bellshill	56,300	54,158	96.2
Aberdeen Central	56,700	54,548	96.2
Aberdeen North	57,000	54,895	96.3
Hamilton South	48,800	47,023	96.4
Glasgow Springburn	55,800	53,814	96.4
Glasgow Govan	52,000	50,150	96.4
Glasgow Cathcart	51,600	49,765	96.4
Glasgow Maryhill	54,800	52,854	96.4
Glasgow Kelvin	59,800	57,695	96.5
Glasgow Pollok	51,500	49,693	96.5
Glasgow Shettleston	50,000	48,270	96.5
Strathkelvin and Bearsden	66,100	63,822	96.6
Cumbernauld and Kilsyth	50,300	48,590	96.6
Glasgow Anniesland	55,200	53,324	96.6
Glasgow Baillieston	53,400	51,589	96.6
Glasgow Rutherglen	52,900	51,106	96.6
Airdrie and Shotts	60,200	58,255	96.8
Coatbridge and Chryston	54,300	52,547	96.8
Midlothian	49,600	48,045	96.9
West Aberdeenshire and Kincardine	61,700	59,884	97.1
Falkirk West	54,900	53,308	97.1
Dundee West	59,500	57,809	97.2
Edinburgh Pentlands	62,100	60,338	97.2
Falkirk East	59,000	57,331	97.2
Dundee East	60,500	58,790	97.2
Edinburgh West	63,500	61,715	97.2
Edinburgh Central	65,800	63,969	97.2
Ochil	58,800	57,170	97.2
Edinburgh North and Leith	63,700	61,962	97.3
Edinburgh South	64,700	62,949	97.3
Kilmarnock and Loudoun	63,800	62,091	97.3
Cunninghame South	51,600	50,234	97.4
Cunninghame North	57,600	56,147	97.5
Clydesdale	65,700	64,048	97.5
Clydebank and Milngavie	53,900	52,643	97.7
Edinburgh East and Musselburgh	61,500	60,097	97.7
Angus	61,700	60,359	97.8
Banff and Buchan	60,500	59,189	97.8
Gordon	60,800	59,503	97.9
North Tayside	63,200	62,007	98.1
Paisley North	51,200	50,261	98.2
Perth	62,000	60,887	98.2
Dumfries	64,500	63,360	98.2
Paisley South	55,500	54,573	98.3
Ayr	57,400	56,455	98.4
Argyll and Bute	50,800	49,982	98.4
Livingston	61,900	60,944	98.5
Stirling	53,900	53,069	98.5
Linlithgow	55,100	54,258	98.5
West Renfrewshire	53,900	53,096	98.5
Orkney and Shetland	33,100	32,621	98.6
Eastwood	68,500	67,525	98.6
North East Fife	60,200	59,352	98.6
Carrick, Cumnock and Doon Valley	67,300	66,392	98.7
East Kilbride	66,800	65,915	98.7
Greenock and Inverclyde	50,000	49,364	98.7
Ross, Skye and Inverness West	56,500	56,141	99.4
Tweeddale, Ettrick and Lauderdale	51,700	51,448	99.5
East Lothian	58,200	57,988	99.6
Galloway and Upper Nithsdale	53,400	53,273	99.8
Kirkcaldy	52,400	52,618	100.4
Central Fife	58,600	58,884	100.5
Dunfermline West	52,700	53,005	100.6
Dunfermline East	52,200	52,530	100.6
Roxburgh and Berwickshire	47,400	47,739	100.7
Inverness East, Nairn and Lochaber	65,700	66,278	100.9
Caithness, Sutherland and Easter Ross	41,400	41,953	101.3
Western Isles	22,800	23,293	102.2

General Practitioners

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of GPs in Scotland. [22413]

Mr. Galbraith: The information is as follows:

1978–79: 2,884

1979–80: 2,921

1980–81: 2,959

1991–82: 3,001

1982–83: 3,040

1983–84: 3,106

1984–85: 3,169

1985–86: 3,223

1986–87: 3,271

1987–88: 3,304

1988–89: 3,354
1989–90: 3,390
1990–91: 3,359
1991–92: 3,379
1992–93: 3,421
1993–94: 3,456
1994–95: 3,490
1995–96: 3,524
1996–97: 3,573.

Gaelic

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the level of resources devoted to the promotion of, and education in, the Gaelic language. [22415]

Mr. Wilson: Direct Scottish Office support for Gaelic commenced in 1979–80. The information is set out in the table:

	£ million
1979–80	0.061
1980–81	0.072
1981–82	0.088
1982–83	0.101
1983–84	0.077
1984–85	0.081
1985–86	0.121
1986–87	0.381
1987–88	0.480
1988–89	0.708
1989–90	1.148
1990–91	1.506
1991–92	1.962
1992–93	11.564
1993–94	11.646
1994–95	11.183
1995–96	11.387
1996–97	11.401
1997–98	12.473

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of hours of Gaelic broadcasting on *(a)* radio and *(b)* television. [22411]

Mr. Wilson: Figures for the hours of Gaelic radio and television broadcast are available only for recent years. The main source of Gaelic radio broadcasts in Scotland is BBC Scotland. Figures for hours of radio broadcast on BBC Scotland for the last 3 years are set out in the following list:

Hours of radio broadcast

1994–95: 1,588
1995–96: 1,820
1996–97: 2,340

Gaelic television programmes are broadcast by BBC Scotland, Scottish Television, Grampian Television, and Channel 4. Since the establishment of the Gaelic Television Fund the total hours of Gaelic television broadcast are as set out in the following list:

Hours of television broadcast

1993: 489
1994: 569
1995: 521
1996: 551
1997: 528

Airports (Flight Departures)

Mr. Jenkins: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of *(a)* domestic and *(b)* international departures from Scotland's airports. [22403]

Mr. McLeish: The information from 1978 to 1983 is not available. With effect from calendar year 1984, the information is set out in the table:

Departing air transport movements at Scottish reporting airports 1984–1996

		Domestic	*International*	*Total*
1984	Aberdeen	15,913	27,620	43,533
1985	Aberdeen	15,143	24,827	39,970
1986	Aberdeen	13,186	21,748	34,934
1987	Aberdeen	13,158	20,793	33,951
1988	Aberdeen	14,165	21,601	35,766
1989	Aberdeen	16,788	21,637	38,425
1990	Aberdeen	18,159	24,485	42,644
1991	Aberdeen	18,945	24,872	43,817
1992	Aberdeen	19,398	25,561	44,959
1993	Aberdeen	21,056	26,018	47,074
1994	Aberdeen	20,361	20,088	40,449
1995	Aberdeen	20,947	19,177	40,124
1996	Aberdeen	21,235	20,693	41,928
1994	Barra	377	—	377
1995	Barra	554	—	554
1996	Barra	567	—	567
1984	Benbecula	955	—	955
1985	Benbecula	1,034	1	1,035
1986	Benbecula	1,026	—	1,026
1987	Benbecula	1,024	—	1,024
1988	Benbecula	1,016	—	1,016
1989	Benbecula	1,033	—	1,033
1990	Benbecula	1,068	3	1,071
1991	Benbecula	1,147	9	1,156
1992	Benbecula	1,144	13	1,157
1993	Benbecula	1,116	4	1,120
1994	Benbecula	1,276	—	1,276
1995	Benbecula	1,436	—	1,436
1996	Benbecula	1,445	—	1,445
1996	Campbeltown	401	—	401
1984	Dundee	1,839	22	1,861
1985	Dundee	1,432	50	1,482
1986	Dundee	1,459	29	1,488
1987	Dundee	988	17	1005
1988	Dundee	1,078	248	1,326
1989	Dundee	998	290	1,288
1990	Dundee	583	224	807
1991	Dundee	935	53	988
1992	Dundee	1,085	17	1,102
1993	Dundee	1,068	25	1,093
1994	Dundee	1,020	31	1,051
1995	Dundee	714	23	737
1996	Dundee	697	27	724
1984	Edinburgh	13,893	2,437	16,330
1985	Edinburgh	15,080	2,691	17,771
1986	Edinburgh	15,233	2,627	17,860
1987	Edinburgh	16,293	2,920	19,213
1988	Edinburgh	16,915	2,859	19,774
1989	Edinburgh	19,618	3,374	22,992
1990	Edinburgh	19,955	3,462	23,417
1991	Edinburgh	20,377	3,925	24,302
1992	Edinburgh	21,698	5,681	27,379
1993	Edinburgh	23,140	5,807	28,947
1994	Edinburgh	24,109	6,003	30,112
1995	Edinburgh	25,197	6,159	31,356

Departing air transport movements at Scottish reporting airports 1984–1996

		Domestic	International	Total
1996	Edinburgh	27,329	6,747	34,076
1984	Glasgow	20,074	7,411	27,485
1985	Glasgow	19,134	6,676	25,810
1986	Glasgow	19,156	9,294	28,450
1987	Glasgow	19,663	9,719	29,382
1988	Glasgow	20,832	9,870	30,702
1989	Glasgow	23,297	10,497	33,794
1990	Glasgow	24,585	11,344	35,929
1991	Glasgow	24,702	11,230	35,932
1992	Glasgow	26,246	12,254	38,500
1993	Glasgow	25,469	13,682	39,151
1994	Glasgow	24,108	14,142	38,250
1995	Glasgow	26,498	11,143	37,641
1996	Glasgow	27,491	10,496	37,987
1984	Inverness	3,792	77	3,869
1985	Inverness	3,630	23	3,653
1986	Inverness	3,363	34	3,397
1987	Inverness	3,073	22	3,095
1988	Inverness	3,206	24	3,230
1989	Inverness	3,382	22	3,404
1990	Inverness	3,261	50	3,311
1991	Inverness	2,923	35	2,958
1992	Inverness	3,522	37	3,559
1993	Inverness	3,203	86	3,289
1994	Inverness	3,584	29	3,613
1995	Inverness	3,164	32	3,196
1996	Inverness	3,345	47	3,392
1984	Islay	693	—	693
1985	Islay	735	—	735
1986	Islay	743	—	743
1987	Islay	695	—	695
1988	Islay	735	—	735
1989	Islay	782	1	783
1990	Islay	681	1	682
1991	Islay	593	—	593
1992	Islay	585	—	585
1993	Islay	558	—	558
1994	Islay	581	—	581
1995	Islay	605	—	605
1996	Islay	606	—	606
1984	Kirkwall	4,950	92	5,042
1985	Kirkwall	4,948	61	5,009
1986	Kirkwall	4,798	27	4,825
1987	Kirkwall	4,763	55	4,818
1988	Kirkwall	5,056	59	5,115
1989	Kirkwall	5,287	27	5,314
1990	Kirkwall	5,912	41	5,953
1991	Kirkwall	5,492	40	5,532
1992	Kirkwall	5,340	47	5,387
1993	Kirkwall	4,840	55	4,895
1994	Kirkwall	4,587	35	4,622
1995	Kirkwall	4,605	89	4,694
1996	Kirkwall	4,537	66	4,603
1984	Lerwick (Tingwall)	1,659	—	1,659
1985	Lerwick (Tingwall)	1,677	—	1,677
1986	Lerwick (Tingwall)	1,664	—	1,664
1987	Lerwick (Tingwall)	1,672	—	1,672
1988	Lerwick (Tingwall)	1,634	—	1,634
1989	Lerwick (Tingwall)	1,597	—	1,597
1990	Lerwick (Tingwall)	1,592	—	1,592
1991	Lerwick (Tingwall)	1,420	—	1,420
1992	Lerwick (Tingwall)	1,219	—	1,219
1993	Lerwick (Tingwall)	1,165	—	1,165
1994	Lerwick (Tingwall)	1,246	—	1,246
1995	Lerwick (Tingwall)	1,292	—	1,292
1996	Lerwick (Tingwall)	1,253	—	1,253
1984	Prestwick	684	917	1,601
1985	Prestwick	507	1,061	1,568
1986	Prestwick	447	1,098	1,545
1987	Prestwick	689	1,337	2,026
1988	Prestwick	714	1,427	2,141
1989	Prestwick	852	1,622	2,474
1990	Prestwick	989	846	1,835
1991	Prestwick	928	431	1,359
1992	Prestwick	771	273	1,044
1993	Prestwick	269	523	792

Departing air transport movements at Scottish reporting airports 1984–1996

		Domestic	International	Total
1994	Prestwick	94	1,113	1,207
1995	Prestwick	996	1,829	2,825
1996	Prestwick	2,874	1,887	4,761
1984	Scatsta	590	—	590
1985	Scatsta	482	—	482
1986	Scatsta	345	—	345
1987	Scatsta	352	—	352
1988	Scatsta	641	4	645
1989	Scatsta	381	13	394
1990	Scatsta	295	1	296
1991	Scatsta	304	22	326
1992	Scatsta	321	—	321
1993	Scatsta	378	—	378
1994	Scatsta	391	—	391
1995	Scatsta	415	—	415
1996	Scatsta	684	1,124	1,808
1984	Stornoway	1,592	15	1,607
1985	Stornoway	1,616	5	1,621
1986	Stornoway	1,629	6	1,635
1987	Stornoway	1,578	7	1,585
1988	Stornoway	1,558	5	1,563
1989	Stornoway	1,630	7	1,637
1990	Stornoway	1,961	5	1,966
1991	Stornoway	1,874	6	1,880
1992	Stornoway	2,003	—	2,003
1993	Stornoway	1,907	1	1,908
1994	Stornoway	1,964	2	1,968
1995	Stornoway	1,975	24	1,999
1996	Stornoway	2,012	69	2,081
1984	Sumburgh	3,340	3,406	6,746
1985	Sumburgh	3,205	3,660	6,865
1986	Sumburgh	3,328	2,948	6,276
1987	Sumburgh	3,420	4,062	7,482
1988	Sumburgh	3,895	4,866	8,761
1989	Sumburgh	4,678	6,177	10,855
1990	Sumburgh	4,850	7,294	12,144
1991	Sumburgh	4,818	7,608	12,426
1992	Sumburgh	4,505	5,433	9,938
1993	Sumburgh	4,456	5,213	9,669
1994	Sumburgh	5,256	6,395	11,651
1995	Sumburgh	5,565	7,194	12,759
1996	Sumburgh	4,968	5,952	10,920
1984	Tiree	507	—	507
1985	Tiree	506	—	506
1986	Tiree	491	—	491
1987	Tiree	482	—	482
1988	Tiree	524	—	524
1989	Tiree	427	1	428
1990	Tiree	408	—	408
1991	Tiree	401	2	403
1992	Tiree	376	1	377
1993	Tiree	366	1	367
1994	Tiree	517	—	517
1995	Tiree	376	—	376
1996	Tiree	368	—	368
1984	Unst	1,189	1,951	3,140
1985	Unst	1,047	1,705	2,752
1986	Unst	1,109	1,819	2,928
1987	Unst	1,125	1,962	3,087
1988	Unst	1,105	1,846	2,951
1989	Unst	963	1,547	2,510
1990	Unst	918	1,381	2,299
1991	Unst	892	1,383	2,275
1992	Unst	851	1,251	2,102
1993	Unst	1,287	2,513	3,800
1994	Unst	1,013	1,418	2,431
1995	Unst	818	1,198	2,016
1996	Unst	508	273	781
1984	Wick	2,324	2	2,326
1985	Wick	2,285	4	2,289
1986	Wick	2,461	6	2,467
1987	Wick	2,195	6	2,201
1988	Wick	2,743	6	2,749
1989	Wick	2,495	9	2,504
1990	Wick	2,119	7	2,126
1991	Wick	1,925	5	1,930

Departing air transport movements at Scottish reporting airports 1984–1996

		Domestic	International	Total
1992	Wick	1,882	6	1,888
1993	Wick	1,597	30	1,627
1994	Wick	1,749	83	1,832
1995	Wick	2,155	227	2,382
1996	Wick	1,970	296	2,266

Notes:
1. Air Transport Movements include scheduled and non-scheduled operations by UK and foreign carriers, Air Taxis are included.
2. Includes fixed wing and helicopter flights. Oil rig operations are counted as international.
3. Scottish reporting airports only.
4. Barra commenced reporting in April 1994.
5. Campbeltown commenced reporting in April 1996.

Source:
Civil Aviation Authority Airport Returns.

Nursery Schooling

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the percentage of Scottish children attending a nursery school in their pre-school year. [22400]

Mr. Wilson: The percentages of the number of pupils aged four attending nursery schools classes as at September in each year are set out in the table:

Education authority nursery schools/classes in Scotland

School year	Percentage of four-year-olds attending[1]
1978–79	29.1
1979–80	30.1
1980–81	31.7
1981–82	36.1
1982–83	37.8
1983–84	39.1
1984–95	39.3
1985–96	n/a
1986–87	n/a
1987–88	43.3
1988–89	45.9
1989–90	46.7
1990–91	47.3
1991–92	49.3
1992–93	50.9
1993–94	52.7
1994–95	55.0
1995–96	53.5
1996–97	54.2

[1] Based on the relevant mid-year estimate of the 4-year-old population.

Motor Cars

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of new motor cars registered in Scotland. [22391]

Mr. McLeish: The number of new cars registered in Scotland each year since 1978 is set out in the table.

Year	New registrations of cars Thousands
1978	135.5
1979	136.4
1980	127.8
1981	126.2
1982	132.5
1983	154.2
1984	144.8
1985	144.7
1986	147.8
1987	154.5
1988	164.8
1989	175.8
1990	160.3
1991	127.2
1992	129.8
1993	146.0
1994	143.3
1995	144.5
1996	153.8

Teachers' Salaries

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 average salaries in primary and secondary schools in Scotland in *(a)* cash terms and *(b)* current prices. [22401]

Mr. Wilson: Teachers' salaries are the responsibility of local authorities as employers. Information on average salaries is not held centrally.

Hospital Salaries

Mr. Jenkin: To ask the Secretary of State for Scotland what was the average annual salary of *(a)* nurses, *(b)* doctors and *(c)* consultants employed in Scotland's hospitals for each year since 1978–79 in 1996 prices. [22388]

Mr. Galbraith: It is not possible to identify the average annual salary of nurses, doctors and consultants. The current salary ranges for qualified nurses, doctors and consultants employed on national terms and conditions are as follows:

	£
Nurses	12,385 to 25,975
Doctors	15,440 to 56,470
Consultants	43,750 to 56,470

Nursery Provision

Mr. Jenkin: To ask the Secretary of State for Scotland how many meetings he has had with local authority representatives to discuss nursery provision. [22381]

Mr. Wilson: Neither my right hon. Friend nor I have had meetings with COSLA expressly for this purpose. However, officials met COSLA on 29 August 1997 to discuss pre-school education generally, and have also met 14 local education authorities individually as part of an ongoing programme of liaison visits on pre-school education provision. COSLA and a number of individual

authorities are part of a standing liaison group between officials and pre-school education providers in all the sectors. There are other contacts with local authorities in various fora, such as ADES. I published a major consultation paper on the future of pre-school education last November, a copy of which is available in the Library; the closing date for responses is 6 February.

Hospital Operations

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of *(a)* hospital operations and *(b)* hip operations carried out in Scotland. [22386]

Mr. Galbraith: The information requested is given in the following table:

Year ending 31 March	*Total number of in-patient/day case operations and procedures[1] (Excludes obstetrics and psychiatric specialties)*	*Number of total and partial hip replacements[1]*
1979	309,158	2,645
1980	331,351	3,124
1981	351,576	3,207
1982	370,458	3,642
1983	326,571	3,389
1984	407,437	4,247
1985	424,615	4,224
1986	445,284	4,722
1987	458,698	5,035
1988	477,855	5,323
1989	496,189	5,542
1990	504,048	5,571
1991	525,664	5,686
1992	560,668	5,886
1993	631,775	6,197
1994	713,563	6,312
1995	760,282	6,622
1996	795,148	6,958
1997[2]	824,307	6,869

Notes:
[1] Includes secondary operations and procedures during the same episode of care.
[2] Provisional.
Source:
SMR1.

Household Incomes

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the average household income in Scotland. [22394]

Mr. Wilson: Total income and total income per head for Scotland for the household sector is given in the table. The household sector covers individuals living in households and in institutions. Data are available from 1984 only and are given at current prices.

Household income: Scotland

	Total household income £ million	*Total household income per head £*
1984	23,423	4,552
1985	25,386	4,942
1986	27,493	5,369
1987	29,560	5,782
1988	31,573	6,198
1989	35,306	6,927
1990	40,313	7,901
1991	42,998	8,419
1992	46,849	9,166
1933	47,950	9,365
1994	48,459	9,442
1995	50,542	9,840

Household income: Scotland

Source:
Regional Accounts, Office for National Statistics.

Roads and Bridges

Mr. Jenkin: To ask the Secretary of State for Scotland what assessment he has made of the impact on public expenditure of the measures contained in the Roads and Bridges (Scotland) Invergarry, Kyle of Lochalsh Trunk Road (A87) Extension (Skye Bridge Crossing) Toll Order (Variation) Order 1997; from what budget expenditure it is to be met; and if he will make a statement. [22377]

Mr. McLeish: The Order gives effect to the reductions in discounted tolls on the Skye Bridge agreed between my right hon. Friend and Skye Bridge Ltd. The impact on public expenditure depends on users' uptake of the discounted tolls, but is limited to a maximum of £600,000 per annum (at 1996 traffic and toll levels). The limit will be revised annually to reflect traffic growth and inflation. The public expenditure will be met from the Roads and Transport Programme and will displace other expenditure on that programme.

Hospital Staff

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of *(a)* nurses, *(b)* doctors and *(c)* consultants employed in Scotland's hospitals. [22390]

Mr. Galbraith: The information is shown in the table.

Hospital staff employed by the NHS in Scotland

Year	*Nurses[1]*	*Doctors[2,3]*	*Consultants[2,3]*
1978	24,145	5,826	1,837
1979	24,512	5,998	1,868
1980	25,318	6,020	1,887
1981	27,124	6,181	1,907
1982	28,508	6,206	1,932
1983	29,521	6,305	1,951
1984	30,358	6,332	1,994
1985	31,177	6,319	2,008
1986	31,788	6,242	2,025
1987	32,432	6,227	2,061
1988	33,672	6,529	2,129
1989	34,367	6,584	2,139
1990	34,637	6,693	2,216
1991	35,228	6,706	2,230
1992	35,430	6,884	2,253
1993	34,822	6,942	2,292
1994	34,861	7,164	2,350
1995	34,590	7,339	2,470
1996	34,460	7,620	2,572

[1] Nurses are defined as qualified nurses. The transfer of elderly, physically and mentally infirm, and patients with learning disabilities out of long-term hospital care to community based settings since 1992 has resulted in a number of hospital nurses moving to a community setting.
[2] Excludes community medical staff.
[3] Doctors include consultants.

Jobs (Inward Investment)

Mr. Jenkin: To ask the Secretary of State for Scotland if he will state for each of the years between 1978–79 and 1996–97 inclusive, the number of *(a)* jobs created and *(b)* safeguarded in Scotland as a result of inward investment projects; and if he will indicate those projects that have (i) created and (ii) safeguarded 100 jobs or more. [22419]

Mr. Wilson: The number of jobs which the inward investment projects attracted to Scotland since April 1981 were expected to create or safeguarded is as follows:

Year[1]	Planned jobs		
	New	Safeguarded	Total
1981–82	4,559	2,443	7,002
1982–83	4,181	1,146	5,327
1983–84	3,446	3,460	6,906
1984–85	8,077	1,194	9,271
1985–86	4,663	3,554	8,217
1986–87	4,106	978	5,084
1987–88	6,746	5,106	11,852
1988–89	4,846	2,243	7,089
1989–90	9,649	2,640	12,289
1990–91	6,900	3,344	10,244
1991–92	4,857	1,145	6,002
1992–93	5,342	2,717	8,059
1993–94	7,688	3,384	11,072
1994–95	9,114	3,215	12,329
1995–96	10,136	2,424	12,560
1996–97	11,148	3,147	14,295

[1] Figures for years prior to 1981–82 are not available.

Tables listing the projects which were expected to create or safeguard 100 or more jobs have been placed in the Library.

Hospital Statistics

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of *(a)* in-patients and *(b)* out-patients treated in Scotland's hospitals. [22392]

Mr. Galbraith: The information requested is given in the following table.

Year ending 31 March	In-patient discharges	Day case discharges	New out-patients attendances[1]
1979	737,816	80,271	1,039,326
1980	764,301	87,223	1,035,655
1981	785,080	98,044	1,056,458
1982	793,171	104,729	1,056,364
1983	744,436	98,592	1,022,218
1984	809,010	126,721	1,070,042
1985	821,588	132,615	1,086,687
1986	837,044	147,132	1,121,911
1987	842,524	154,701	1,145,258
1988	871,287	159,763	1,169,512
1989	882,347	175,970	1,184,200
1990	895,790	185,974	1,195,467
1991	912,370	203,633	1,204,850
1992	920,144	213,846	1,232,966
1993	941,740	242,712	1,264,859
1994	952,256	284,996	1,281,914
1995	959,921	326,756	1,312,480
1996	973,404	354,410	1,326,600
1997[2]	975,846	362,799	1,331,992

Notes:

[1] Excludes accident and emergency attendances.

[2] Provisional.

Source:

ISD(S)1.

Road Statistics

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of miles of *(a)* dual carriageway and *(b)* motorway in Scotland. [22387]

Mr. McLeish: The numbers of miles of *(a)* dual carriageway and *(b)* motorway (excluding slip roads) in Scotland, reported by the appropriate authorities in annual Road Lengths returns for 1981 and later years, are shown in the table. Such figures are not readily available for the years prior to 1981.

Year (as at 1 April)	Dual carriageway	Motorway (excluding slip roads)
1981	365	146
1982	369	147
1983	375	147
1984	398	147
1985	412	151
1986	433	151
1987	454	152
1988	470	160
1989	478	160
1990	500	161
1991	538	160
1992	537	167
1993	536	177
1994	536	190
1995[1]	517	193
1996	535	193

[1] There may have been under-reporting of dual carriageway road lengths for 1995.

Car Ownership

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the percentage of Scottish households owning one or more motor cars. [22389]

Mr. McLeish: Information is not available in the form requested. The table shows the percentage of Scottish households which had regular use of cars, for each year since 1978–79 for which such estimates are available. The figure for 1981 is from the Census of Population. The other years' figures were estimated from the results of three sample surveys (the Family Expenditure Survey, the General Household Survey and the National Travel Survey), and are therefore subject to sampling errors. Accordingly, undue weight should not be placed on the figure for any single year, or upon the apparent change between one year and the next.

Year(s)	Estimated percentage of Scottish households with regular use of cars
1978–79	48
1981	51
1985–86	53
1986–87	51
1988	53
1989	55
1990	58
1991	58
1992	57
1993	60
1994	62
1995	64

Ferry Services

Mr. Jenkin: To ask the Secretary of State for Scotland what representations he has received from island communities about the costs of fares on ferry service in West of Scotland. [22384]

Mr. McLeish: My right hon. Friend has received a number of representations from island communities in the West of Scotland concerning the proposal by Caledonian MacBrayne Ltd. to implement an average 5 per cent. rise in ferry fares across their network. These representations included a petition, protesting against the company's intention to levy above-average rises on the Ullapool–Stornoway route, which was presented to my right hon. Friend on 5 December 1997 by the Vice-Convenor of Western Isles Council.

Economic Growth

Mr. Jenkin: To ask the Secretary of State for Scotland if he will make a statement on the rate of growth in the Scottish economy for each year since 1978–79. [22410]

Mr. Wilson: Output-based Gross Domestic Product (GDP(O)) in Scotland rose by an average annual rate of 1.6 per cent. between 1978 and 1995. The annual growth rates are given in the table:

	Growth in GDP(O) for Scotland
1978–79	1.0
1979–80	–1.9
1980–81	–1.4
1981–82	1.5
1982–83	1.4
1983–84	3.8
1984–85	2.8
1985–86	0.4
1986–87	2.0
1987–88	4.1
1988–89	2.6
1989–90	2.2
1990–91	0.2
1991–92	1.4
1992–93	2.3
1993–94	2.2
1994–95	2.1

Source:
The Scottish Office Education and Industry Department.

Exports

Mr. Jenkin: To ask the Secretary of State for Scotland if he will make a statement on the level of manufacturing exports from Scotland in each year since 1978–79. [22412]

Mr. Wilson: The Government do not maintain separate export figures for Scotland. The following figures are based on data maintained by the Scottish Council for Development and Industry.

Year	Scottish manufactured exports (£ million) (unadjusted)
1979	3,409
1980	3,762
1981	4,024
1982	4,065
1983	4,532
1984	4,953
1985	5,522
1986	5,137
1987	6,026
1988	7,166
1989	7,664
1990	8,574
1991	8,833
1992	9,682
1993	11,540
1994	14,264
1995	17,316
1996	18,415

Diabetes

Mr. David Stewart: To ask the Secretary of State for Scotland if he will support the introduction of a national screening programme for diabetes among high risk groups, with particular reference to those aged over 40 years with a hereditary propensity. [21617]

Mr. Galbraith: The Government receive advice on national screening programmes from the UK National Screening Committee, which prioritises existing or future screening programmes against criteria which are internationally recognised. The Committee will consider national screening for diabetes, along with other possible screening programmes, in accordance with its developing work programme. Any future decisions on a national programme will be made in the light of those considerations.

Students

Mr. Welsh: To ask the Secretary of State for Scotland if students who take a year out from their studies will be able to return to the same financial arrangements as before their year out. [22405]

Mr. Wilson: Eligible students who have already embarked on a continuous programme of full-time higher education up to first degree level will retain their entitlement to assistance under the existing arrangements until they complete that continuous programme.

Students who take a year out from study during a course of higher education will have their award suspended during that period, provided the absence is approved by the academic authority. They will then be able to return to the course under the same student support arrangements. Students who take a year out between two

separate courses of higher education will have their eligibility reassessed as new entrants at the beginning of the new course.

Students who took a year out prior to beginning their programme of study in academic year 1998–99 will be eligible for support under the existing arrangements if they had, by 1 August 1997, a firm offer of a place deferred until 1998, or a provisional offer for deferred entry which was subsequently confirmed.

DEFENCE

Former Military Airfields

13. **Mr. Gordon Prentice:** To ask the Secretary of State for Defence what steps he is taking to ensure that structures and runways of former military airfields which are of historic significance are safeguarded. [20208]

Mr. Spellar: My Department is fully compliant with the Government's Nine Point Plan of Action for care of Historic buildings which establishes appropriate levels of care for the continued upkeep of statutorily protected buildings and sites. This includes former military airfields.

Strategic Defence Review

14. **Angela Smith:** To ask the Secretary of State for Defence if the Strategic Defence Review will examine the capacity for increased jointery in Britain's armed forces. [20209]

35. **Mr. Bill Michie:** To ask the Secretary of State for Defence if the Strategic Defence Review will examine the capacity for increased jointery in Britain's armed forces. [20230]

Mr. George Robertson: Enhanced joint-Service co-operation, as a means both of enhancing efficiency whilst maintaining military effectiveness, is one of the main themes of the Strategic Defence Review. A great deal of work is in hand to examine practical options to achieve it.

20. **Sir George Young:** To ask the Secretary of State for Defence if he will make a statement on the factors underlying the delay in completing the Strategic Defence Review; and what consultations he has held with the Treasury. [20215]

28. **Mr. Clifton-Brown:** To ask the Secretary of State for Defence if he will make a statement on the reasons for the delay in completing the Strategic Defence Review. [20223]

Mr. George Robertson: I refer the right hon. Member and the hon. Member to the reply I gave on 25 November 1997 to my hon. Friend, the Member for Walsall, South (Mr. George), *Official Report*, column *499–500*.

HM Treasury and other Government Departments have been and will continue to be consulted throughout the Strategic Defence Review.

21. **Mr. Keith Simpson:** To ask the Secretary of State for Defence when he will publish the foreign policy base line for the Strategic Defence Review. [20216]

Mr. George Robertson: In my speech to the House on 27 October 1997, *Official Report*, Columns 609–20, I outlined the emerging conclusions of the first phase of the Strategic Defence Review, which looked at the foreign and security policy framework. This work will form an important part of the Review White Paper which I envisage publishing in the first part of year.

NATO Enlargement

15. **Laura Moffatt:** To ask the Secretary of State for Defence if he will make a statement on progress towards NATO enlargement. [20210]

22. **Mr. Hutton:** To ask the Secretary of State for Defence if he will make a statement on progress towards NATO enlargement. [20217]

31. **Ms Squire:** To ask the Secretary of State for Defence if he will make a statement on progress towards NATO enlargement. [20226]

Mr. George Robertson: The protocols for the accession of Hungary, Poland and the Czech Republic to NATO were signed in December by NATO Foreign Ministers: all Allies now need to ratify them. NATO is continuing its work with the invited countries to ensure their effective military and political integration into the Alliance.

Smart Procurement Initiative

16. **Mr. Ainger:** To ask the Secretary of State for Defence if he will make statement on the progress of the Government's smart procurement initiative. [20211]

Mr. Spellar: MOD is undertaking a fundamental and rigorous review of its procurement and commercial practices and of the organisation required to ensure that its business is done both economically and efficiently, and in a framework of continuing improvement. Much has already been done and we are now engaging industry in a constructive dialogue to ensure that they play their full part in improving our business.

Armed Services (Complement)

17. **Mr. Simon Hughes:** To ask the Secretary of State for Defence by how many each of the armed services was below establishment on 1 January. [20212]

Mr. Spellar: Details for 1 January are not yet available. As at 1 November 1997, the latest figures available, the shortfall in trained strength against trained requirement for each of the Armed Forces was as follows: Naval Service, 1,900; Army, about 4,500; and RAF, 2,900.

Royal Naval College

18. **Mrs. Virginia Bottomley:** To ask the Secretary of State for Defence if he will make a statement on the future of the Royal Naval College. [20213]

Mr. George Robertson: Considerable progress has been made on establishing the arrangements for the future of this magnificent site. I have now agreed the financial terms whereby the Foundation will hold the site by a lease from the Greenwich Hospital. The Department for Culture, Media and Sport and my own are working closely with the Foundation with a view to concluding shortly a package of financial and other support.

Rapid Reaction Corps

23. **Mr. Collins:** To ask the Secretary of State for Defence when he intends visiting the headquarters of the Allied Rapid Reaction Corps. [20218]

Mr. George Robertson: I visited the headquarters of the Allied Rapid Reaction Corps on 23 June last year. I currently have no plans for a further visit.

Eurofighter

24. **Mr. Hoyle:** To ask the Secretary of State for Defence if he will make a statement on progress in respect of the Eurofighter project. [20219]

Mr. George Robertson: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Blackpool, South (Mr. Marsden) on 22 December 1997, *Official Report*, column *417*.

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the need for a mid-life upgrade for the Eurofighter; and in which areas of capability. [22694]

Mr. George Robertson: Eurofighter is still being developed and the Memoranda of Understanding to commit to the production and support phases of the programme were only signed on 22 December 1997. I am confident that Eurofighter will respond to meet the operational requirements for which it is designed. Moreover, the Eurofighter design has growth potential to enable it to be modified to respond to changes in the threat and to take account of relevant tactical and technological developments. On this basis the question of a Eurofighter mid-life upgrade is likely to be one for consideration some years away.

Mr. Hancock: To ask the Secretary of State for Defence what are the anticipated annual costs of ownership of Eurofighter over the operational life of the aeroplanes ordered. [22693]

Mr. George Robertson: The current estimated annual in-service support cost to the UK of Eurofighter is £230 million.

Public Expenditure Review

25. **Mr. Dalyell:** To ask the Secretary of State for Defence if he will make a statement on his Department's review of public expenditure on defence *(a)* procurement and *(b)* research in the south-east of England; and if he will assess the advantages of relating such expenditure to the Barnett formula. [20220]

Mr. Spellar: My Department places contracts for research and for procurement on the basis of value for money after open competition wherever practicable. As such, this public expenditure is not targeted at any region in particular but depends upon the distribution across the UK of suppliers.

The latest figures available for the breakdown of expenditure on procurement by region are contained in Section 1.9 of the "UK Defence Statistics 1996", a copy of which is in the Library of the House. No similar figures are held centrally for research spending.

It would not be appropriate to apply the Barnett formula, or any other regionalisation mechanism, to defence spending on procurement and research as this would run contrary to our policy of obtaining best value for money for the taxpayer.

Long-term Costings

26. **Mr. Gibb:** To ask the Secretary of State for Defence what representations he has received in respect of the publication of his Department's long-term costings. [20221]

Mr. George Robertson: I refer the hon. Member to the reply given by my hon. Friend the Minister of State for the Armed Forces to the hon. Member for Salisbury (Mr. Key) on 8 July 1997, *Official Report*, column *425*. I am aware of no other representations on the publication of the Ministry of Defence's long-term costings.

Challenger Tank

27. **Mrs. May:** To ask the Secretary of State for Defence what representations he has received on the Army's current operational requirement for the Challenger tank. [20222]

Mr. Spellar: We have received a number of representations on the Army's current operational requirement for a main battle tank, which is to be met by Challenger 2.

Landmines

29. **Mr. Edwards:** To ask the Secretary of State for Defence if he will make a statement on progress towards a worldwide landmine ban through the Ottawa Process. [20224]

Mr. George Robertson: On 3 December my right hon. Friend the Secretary of State for International Development signed the Ottawa Convention. In the first two days, 125 countries signed the Convention which will ban the production, transfer, manufacture and use of anti-personnel landmines. This is a development which the Government warmly welcome; but there is no room for complacency and we will be pursuing complementary activity, notably in the Conference on Disarmament in Geneva, in order to ensure the widest possible participation in a ban of these weapons. The UK will seek to ratify the Convention as soon as possible; primary legislation will be required to enable the UK to meet fully its obligations under the Convention. The Government intend to bring forward the necessary Bill as soon as the Parliamentary timetable allows.

Defence Medical Service

30. **Mr. Rapson:** To ask the Secretary of State for Defence if he will make a statement on the current state of the Defence Medical Service. [20225]

34. **Mr. Martyn Jones:** To ask the Secretary of State for Defence if he will make a statement on his plans for the Defence Medical Service. [20229]

Mr. Spellar: I refer my hon. Friends to the reply given by my hon. Friend the Minister of State for the Armed Forces to the hon. Member for Harborough (Mr. Garnier) on 1 December 1997, *Official Report*, columns *22–23*.

The main problems experienced by the Defence Medical Service at present are shortages of personnel and equipment. The greatest manpower shortages are among general and orthopaedic surgeons, anaesthetists, physicians and operating theatre nurses.

Chemical and Biological Weapons

32. **Mr. Randall:** To ask the Secretary of State for Defence what measures his Department is taking to protect British service personnel in the event of their being deployed where chemical and biological weapons are a threat. [20227]

Mr. Spellar: Defensive measures taken to protect British service personnel against the threat of use of chemical and biological weapons comprise five components: Detection, Identification and Monitoring; Warning and Reporting; Individual and Collective Protection; Contamination Control; and Medical Countermeasures. Work is continuing to improve our capability in all five areas.

The passive defensive measures are part of a spectrum of capabilities relevant to chemical and biological threats, including intelligence and command and control, air defence, operational doctrine and training, and the potential for retaliatory military action. The Government are also fully committed to active support of arms control and non-proliferation measures to eliminate the threat of weapons of mass destruction.

European Defence Industry (Restructuring)

Mr. Touhig: To ask the Secretary of State for Defence if he will make a statement on the impact of European defence industry restructuring on his procurement programmes. [20214]

Mr. Spellar: The success of our procurement programmes depends on a strong defence industrial base. European companies must remain competitive on the world market to ensure their survival and commercial well being. Restructuring is essential if we are going to maintain a globally competitive defence industry.

Mrs. Betty Williams: To ask the Secretary of State for Defence if he will make a statement on European defence industry restructuring. [20228]

Mr. Spellar: I refer my hon. Friend to my answer given earlier today to the hon. Member for Colchester (Mr. Russell).

Republic of Ireland

Mr. John D. Taylor: To ask the Secretary of State for Defence how many goodwill calls were made by *(a)* Irish naval vessels to the UK and *(b)* the Royal Navy to the Republic of Ireland in each of the last three years. [22537]

Dr. Reid: Irish Naval Service vessels did not pay any goodwill visits to the UK in 1995. One was made in 1996, and three in 1997. Royal Navy ships paid two goodwill visits to the Republic of Ireland in 1995, one in 1996 and two in 1997.

Armed Forces (Disabled People)

Mr. Redwood: To ask the Secretary of State for Defence how many disabled people work *(a)* in the Ministry of Defence and *(b)* for the armed forces; and how many work at rates below £4 an hour. [22643]

Mr. Spellar: The number of civilian staff who were recorded as having some form of disability on my Department's civilian disability database at 1 October 1997 was 4,312. This includes staff serving in Defence Agencies. Armed Forces personnel are exempt from the employment provisions of the Disability Discrimination Act and therefore there are no accurate records of disabled Service personnel. Details of these, and how many disabled civilian staff work at rates below £4 an hour, could be provided only at disproportionate cost.

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Defence how many secure cycling spaces there are in his Department. [22678]

Mr. Spellar: This information is not held centrally and could be supplied only at disproportionate cost.

Non-lethal Weapons

Mr. Livingstone: To ask the Secretary of State for Defence which Ministry of Defence establishments have been carrying out research into non-lethal weapon technologies since 1990. [21884]

Mr. Spellar: The Ministry of Defence has for some years conducted research into potential Non-Lethal Weapons technologies to assess not only performance but also operational deplorability, supportability, environmental impact and effect on personnel. Accordingly, a wide range of technologies have been examined at various Establishments, all of which have now been subsumed into the Defence Evaluation and Research Agency.

AWE Aldermaston

Mr. Alan Simpson: To ask the Secretary of State for Defence when he expects the size reduction facility at AWE Aldermaston to be completed and able to commence operations. [21810]

Mr. Spellar: An interim facility should be completed and available to start operations by summer of 1998. Options for a longer term facility are under consideration.

Mr. Alan Simpson: To ask the Secretary of State for Defence what is the current space storage capacity at AWE Aldermaston for nuclear waste designated for disposal at the NIREX deep waste repository. [21807]

Mr. Spellar: Following the previous Government's decision in March 1997 not to support Nirex's appeal against the decision of the planning inspector concerning the proposed rock characterisation facility at Sellafield, none of the radioactive waste at AWE is designated for disposal at Nirex. Safe and secure storage for AWE's Intermediate Level Waste will be provided as necessary until a new national policy for the disposal of such material has been devised.

The total storage capacity for Intermediate Level Waste at AWE Aldermaston is 4,000 cubic metres of which approximately a quarter is still available.

Mr. Alan Simpson: To ask the Secretary of State for Defence what plans there are to construct further nuclear waste stores at AWE Aldermaston. [21834]

Mr. Spellar: Construction of a new Intermediate Level Waste store is under consideration.

Mr. Alan Simpson: To ask the Secretary of State for Defence what public safety assessments have been made of buildings at AWE Aldermaston converted from their previous use to become nuclear waste stores. [21805]

Mr. Spellar: All facilities at AWE Aldermaston that store radioactive waste have safety cases prepared which are submitted to the Health and Safety Executive and the Nuclear Installations Inspectorate.

Mr. Alan Simpson: To ask the Secretary of State for Defence how much intermediate-level and low-level nuclear waste that cannot be disposed of at Drigg is currently in store at AWE Aldermaston. [21806]

Mr. Spellar: There is currently 2,549 cubic metres of intermediate and low level waste in store at AWE Aldermaston which is not suitable for disposal at BNFL Drigg.

Mr. Alan Simpson: To ask the Secretary of State for Defence what are the estimated costs, for each of the next 10 years, of decommissioning old buildings and equipment at AWE Aldermaston. [21833]

Mr. Spellar: The detailed plans for decommissioning old buildings and equipment over the next ten years at AWE Aldermaston represent projections and assumptions which inform advice to Ministers on the affordability of that particular element of the defence programme and have not yet received approval. Accordingly I am withholding this information under exemption 2, internal discussions and advice, of the Code of Practice on Access to Government Information.

Mr. Alan Simpson: To ask the Secretary of State for Defence if repairs to the A91 plant at AWE Aldermaston have now been completed; and when he expects the plant to become fully operational. [21804]

Mr. Spellar: The repairs to A91 are complete. It is expected that the plant will become fully operational in 1999.

Mr. Alan Simpson: To ask the Secretary of State for Defence if he will list the estimated annual arisings of *(a)* low-level waste that can be disposed of at Drigg, *(b)* low-level nuclear waste that cannot be disposed of at Drigg, *(c)* intermediate-level nuclear waste arising from normal operations, *(d)* intermediate-level waste arising from decommissioning, *(e)* low-level waste arising from decommissioning operations that can be disposed of at Drigg and (f) low-level waste arising from decommissioning operations that cannot be disposed of at Drigg, from AWE Aldermaston, in each of the years between the present and 2020. [21808]

Mr. Spellar: Forecasts of waste arisings are produced annually for the following ten years. The present forecast is (all volumes shown in cubic metres):

(a) low level waste that can be disposed of at BNFL Drigg:

1998: 1,900

1999: 2,200

2000: 1,800

2001: 2,800

2002: 3,000

2003: 1,500

2004: 3,700

2005: 3,300

2006: 2,500

2007: 3,000

(b) low level waste that cannot be disposed of at Drigg is not forecast separately from intermediate level waste arisings and is included in (d) below.

(c) intermediate-level waste arising from normal operations:

1998: 40

1999: 40

2000: 40

2001: 40

2002: 40

2003: 40

2004: 40

2005: 40

2006: 40

2007: 40

(d) intermediate-level waste arising from decommissioning:

1998: 190

1999: 130

2000: 220

2001: 170

2002: 150

2003: 160

2004: 170

2005: 160

2006: 150

2007: 150

(e) low level waste arising from decommissioning operations that can be disposed of at Drigg:

1998: 400

1999: 760

2000: 510

2001: 1,580

2002: 1,970

2003: 680

2004: 3,010

2005: 2,750

2006: 2,010

2007: 2,530

(f) low level wastage arising from decommissioning operations that cannot be disposed of at Drigg is not forecast separately from ILW arisings and is included in (d) above.

AWE Visits (French Officials)

Mr. Alan Simpson: To ask the Secretary of State for Defence if he will list the visits made by French officials to each United Kingdom atomic weapons establishments since October 1996. [21827]

Mr. Spellar: Details of the visits are as follows. It is not possible to be more precise as the information requested is not held centrally.

Dates	*Aldermaston*	*Burghfield*	*Foulness*
October 1996 to March 1997	5	0	0
April 1997 to December 1997	6	0	0

Sludge (Aldermaston)

Mr. Alan Simpson: To ask the Secretary of State for Defence when he expects the sludge solidification treatment facility at AWE Aldermaston to be completed and able to commence operations. [21809]

Mr. Spellar: The sludge solidification treatment facility is complete and is being used to support commissioning of A91.

Trident

Mr. Alan Simpson: To ask the Secretary of State for Defence how many United Kingdom personnel are stationed in the US, and US personnel stationed in the United Kingdom, under the terms of the 1958 Agreement and the Polaris sales agreements, as amended for Trident. [21830]

Mr. Spellar: There are currently five UK personnel stationed in the US as part of the 1958 Agreement. In addition, 3 AWE employees are there on short-term appointments. A further 15 British personnel are in the USA as part of the Polaris Sales Agreement, as amended for Trident.

As regards US personnel stationed in the UK, none is here under the terms of the 1958 Agreement. There are 4 US employees in the UK as part of the Polaris Sales Agreement, as amended for Trident.

Mr. Alan Simpson: To ask the Secretary of State for Defence what is the cost to the United Kingdom of engineering services provided at the Sandia National Laboratory for the development, evaluation, production and stockpile surveillance of the UK's Trident re-entry body system. [21821]

Mr. Spellar: The relevant cost this year is estimated to be between $1 and 2 million.

Mr. Corbyn: To ask the Secretary of State for Defence if construction has begun on the new refit yard for Trident submarines at Devonport Royal Dockyard; and if he will make a statement. [21217]

Dr. Reid *[holding answer 17 December 1997]:* The contract with Devonport Management Ltd. covers both the design and construction of Trident submarine refitting and refuelling facilities, and the modernisation of existing nuclear submarine support facilities. Construction work on the existing facilities is progressing. Preparatory work on the Trident facilities, including the detailed design phase, is underway.

Gloveboxes

Mr. Alan Simpson: To ask the Secretary of State for Defence how many gloveboxes are currently in store, awaiting treatment and disposal, at AWE Aldermaston. [21832]

Mr. Spellar: There are at present forty-one gloveboxes stored at AWE Aldermaston. Decommissioned gloveboxes are classified as Intermediate Level Waste. Safe and secure storage is provided at the site.

Official Visits

Mr. Alan Simpson: To ask the Secretary of State for Defence if he will list the number of occasions since April 1996 on which United Kingdom officials have visited *(a)* CEA and *(b)* DGA facilities. [21828]

Mr. Spellar: The information requested is not held centrally and could be obtained only at disproportionate cost. However, details of visits made by personnel from the Atomic Weapons Establishments are as follows:

	CEA	*DGA*
April 1996 to March 1997	12	3
April 1997 to December 1997	10	2

Atomic Co-ordinating Offices

Mr. Alan Simpson: To ask the Secretary of State for Defence how many staff are employed in the Atomic Co-ordinating offices in London and Washington; what are their Civil Service grades; and what are the annual operating costs of each office. [21829]

Mr. Spellar: The details requested are currently as follows:

Atomic Control Office, London

Senior Executive Officer: 0.5[1]

Executive Office: 1

Administrative Officer: 1

Administrative Assistance: 4

[1] This official has other duties in addition to his responsibilities as Head of the Atomic Control Office, London.

Atomic Control Office, Washington

Unified Grade 6: 1

Unified Grade 7: 1

Executive Officer: 1

Personal Secretary: 1

Administrative Officer: 1

The annual running costs of the London and Washington offices are £121,000 and £296,000 respectively.

Nimrod

Mr. Corbyn: To ask the Secretary of State for Defence what are the average annual costs of one Nimrod aircraft. [21213]

Dr. Reid *[holding answer 17 December 1997]:* The estimated average annual cost of supporting a Nimrod MR Mk2 aircraft is some £4 million. This figure does not include fuel and aircrew costs.

Commachio Company

Mr. Corbyn: To ask the Secretary of State for Defence what are the primary roles and functions of Commachio Company, Royal Marines; and what are its annual running costs. [21210]

Dr. Reid *[holding answer 17 December 1997]:* Commacchio Group Royal Marines protects the nation's independent strategic nuclear deterrent on UK territory. It also administers Royal Marines Condor, Arbroath, for itself and for two other units of the Royal Marines Command. The Group's estimated annual running costs for financial year 1997–98, including Service Pay, are some £10 million.

Nuclear Accident Response Organisation

Mr. Corbyn: To ask the Secretary of State for Defence what are the annual running costs of the Nuclear Accident Response Organisation. [21208]

Mr. Spellar *[holding answer 17 December 1997]:* The Ministry of Defence Nuclear Accident Response Organisation (NARO) would only be activated for exercises or in the event of a defence nuclear accident, using resources from a number of military commands. The occasional costs attributed to the NARO function in these commands are not separately identified. The annual manpower costs for the Headquarters element in the Ministry of Defence in London, however, amounts to £300,000 and the annual cost of support contracts provided by the Meteorological Office, Defence Evaluation and Research Agency and other associated costs amounts to some £2.5 million.

Nuclear Submarines

Mr. Corbyn: To ask the Secretary of State for Defence what are the annual running costs of a hunter-killer nuclear powered submarine. [21206]

Dr. Reid *[holding answer 17 December 1997]:* The annual running costs of an RN vessel depend on the activities it carries out, and the amount of maintenance it undergoes. In approximate terms, the annual running costs of a hunter-killer nuclear powered submarine are some £10 million. These costs include manpower, stores and fuel. They exclude maintenance.

Destroyers and Minesweepers (Running Costs)

Mr. Corbyn: To ask the Secretary of State for Defence what are the average running costs of *(a)* one Royal Navy destroyer and *(b)* one mine countermeasure vessel. [21214]

Dr. Reid *[holding answer 17 December 1997]:* The annual running costs of an RN vessel depends on the activities it carries out, and the amount of maintenance it undergoes. In approximate terms, the annual running costs of a Type 42 destroyer are some £12 million; and for a Sandown class MCMV some £2 million. These costs include manpower, stores and fuel. They exclude maintenance.

Service Accommodation (Evictions)

Mr. Gorrie: To ask the Secretary of State for Defence how many households on armed forces' housing estates have been served with notices of eviction in the current year; what estimate he has made of the figures for each of the next three years; and how many of these are in the categories *(a)* civilian and *(b)* irregular. [21320]

Mr. Spellar: In the current year, 28 Irregular Occupants have been served with eviction notices, none of whom were civilian licensees. It is not possible to predict future numbers as Irregular Occupancy arises as a result of loss of entitlement through bereavement, marital breakdown and personnel leaving the Services but remaining in their quarters. On occasion, civilian licensees may similarly refuse to leave their homes at the end of their licence periods but it is not possible to predict this eventuality. Even in such circumstances it is not always necessary to seek eviction of occupants.

Armed Forces (Pay and Conditions)

Mr. Redwood: To ask the Secretary of State for Defence how many people in the armed forces earn less than £4 an hour. [22640]

Mr. Spellar: I refer the right hon. Member to the reply given to the hon. Member for Eastleigh (Mr. Chidgey) on 19 December 1997, *Official Report*, columns *380–81*.

Millennium Compliance

Mr. Malcolm Bruce: To ask the Secretary of State for Defence (1) if he will list the functions, bodies or units not covered by the £200 million estimated cost of dealing with the millennium computer problem in his Department and its associated public bodies; if this estimate covers the cost of dealing with the problem as it affects front-line military units; if it includes provision for dealing with the embedded chip problem; and if he will make a statement; [21541]

(2) what estimate he has made of the moneys which will be made available to his Department from the contingency reserve to ensure millennium computer compliance in the United Kingdom armed forces; [21543]

(3) what margin of error is associated with his Department's estimate of a £200 million total cost for resolving the millennium computer problem; and if he will make a statement; [21542]

(4) if he will give a breakdown of the £200 million cost of resolving the millennium computer problem in his Department and related bodies to show the estimated expenditure necessary, broken down by each agency or centre. [21540]

Mr. Spellar *[holding answer 18 December 1997]:* The £200 million estimated as the cost to MOD of addressing the millennium problem covers costs associated with tackling the problem in the Department and its associated public bodies. It includes dealing with the problem as it affects front line units and provision for dealing with the embedded chip problem. The figure is based on estimates associated with Year 2000 tasks which have been assessed and for which costed plans have been produced. However the number, scope and complexity of systems to be checked within Defence means that the figures are still being refined.

In estimating the costs, contingency sums are included to cover unforeseen difficulties. The margin of error included for each system will depend on its complexity and the associated risk of finding that there is more to correct than originally estimated.

The Department's internal plans represent projections and assumptions which inform advice to Ministers on the affordability of particular parts of the Defence programme. Accordingly I am withholding information requested on the breakdown of costs associated with the millennium computer problem under exemption two of the Code of Practice on Access to Government information.

Funds to meet the projected costs are being allocated on the assumption that no additional money will be available from the contingency reserve.

Mr. Malcolm Bruce: To ask the Secretary of State for Defence (1) what existing problems have been encountered in *(a)* his Department and *(b)* public bodies under the responsibility of his Department and *(c)* the armed forces as a consequence of the millennium computer problem; and if he will make a statement; [21539]

(2) what assessment he has made of the extent to which the operational military effectiveness of the United Kingdom armed forces is likely to be impaired by the millennium computer problem; and if he will make a statement. [21544]

Mr. Spellar *[holding answer 18 December 1997]:* Millennium date change problems have already been identified and are being addressed in a number of operational and administrative computer systems across the Department, the Armed Forces and Non-Departmental Public Bodies.(NDPBs).

Within the programme established within MOD to address the year 2000 date change problem, priority is given to the rectification of those systems which could affect safety or operational effectiveness.

Joint Working Groups

Mr. Alan Simpson: To ask the Secretary of State for Defence (1) if he will list the projects on which his Department is working jointly with Lawrence Livermore National Laboratory; [21825]

(2) if he will list the joint working groups currently in operation as part of *(a)* the 1958 mutual defence agreement for co-operation on the uses of atomic energy for defence purposes, *(b)* the Polaris sales agreement and *(c)* the Trident sales agreement; [21822]

(3) if he will list the projects on which his Department is working jointly with Sandia National Laboratory; [21826]

(4) if he will list the research projects on which his Department is working jointly with Los Alamos National Laboratories. [21824]

Mr. Spellar: The Joint Working Groups established under the terms of the 1958 Mutual Defence Agreement exchange technical information on the following subjects:

Radiation Simulation and Kinetic Effects Technology
Energetic Materials
Test Monitoring
Nuclear Materials
Warhead Electrical Components and Technologies
Non-Nuclear Materials
Nuclear Counter-Terrorism Technology Facilities
Nuclear Weapons Engineering
Nuclear Warhead Physics
Computational Technology
Aircraft, Missile and Space System Hardening
Laboratory Plasma Physics
Manufacturing Practices
Nuclear Weapon Accident Response Technology
Nuclear Weapon Code Development
Nuclear Weapon Environment and Damage Effects

With the exception of support to the UK Trident Project which is effected under the terms of the Polaris Sales Agreement, as amended for Trident, there is no joint work under way on new weapons systems. There are however regular exchanges on a wide range of research and technology areas as specified above. They involve all three US National Laboratories, namely Lawrence Livermore National Laboratory, Sandia National Laboratory and Los Alamos National Laboratory.

Separate arrangements are in place for exchanges under the Polaris Sales Agreement, as amended for Trident. The groups concerned are the Joint Steering Task Group, supported by the Trident Joint Re-Entry Systems Working Group and the Joint Systems Performance and Assessment Group.

Arms Control

Mr. Livingstone: To ask the Secretary of State for Defence (1) what was the annual budget for his Department's Proliferation Arms Control Unit in the last two years; [22512]

(2) what work his Department is currently carrying out to support and implement arms control treaties in the fields of *(a)* chemical weapons and *(b)* nuclear weapons; and if he will make a statement; [22516]

(3) What work is currently being carried out by the Chemical and Biological Defence Establishment Porton Down to *(a)* support and implement the Chemical Weapons Convention and *(b)* support the negotiations to strengthen the 1972 Biological and Toxic Weapons Convention; [22548]

(4) what work is currently being carried out by the Atomic Weapons Establishment Aldermaston to support and implement international arms control agreements and treaties; [22549]

(5) what work is being carried out by his Department to support the negotiations to strengthen the 1972 Biological and Toxic Weapons Convention. [22517]

Mr. George Robertson: The Ministry of Defence and its agencies and contractors conduct a wide range of activities in support of the negotiation and implementation of international nuclear, biological and chemical arms control and non-proliferation agreements, in parallel with extensive activities in support of conventional arms control. It provides particular expertise in support of the effective verification of such arrangements.

The central division for this work is the Proliferation and Arms Control Secretariat within the Defence Policy Staff. It draws on other parts of the Department as necessary, including the Defence Commitments Staff, and specialists within the Defence Intelligence Staff and the Defence scientific staffs. The division works closely with the Foreign and Commonwealth Office to develop Government Arms Control policy as a whole and routinely provides part of the UK team at international arms control negotiations and discussions. Its budget for 1995–96 was £3.362 million, and for 1996–97, £2.735 million. As well as the costs of the London-based staff, this also includes provision for the Senior Military Adviser to the UK Delegation to the Organisation for Security and Cooperation in Europe based in Vienna, and for a range of work at the Chemical and Biological Defence Sector (CBD) of the Defence Evaluation and Research Agency at Porton Down in support of the effective verification of the Chemical and Biological Weapons Conventions. Outside the Department's Central Staffs, the Joint Arms Control Implementation Group, based at RAF Henlow, although mainly engaged in incoming and outgoing inspections under the CFE Treaty and Vienna Document, also provides escorts when UK defence facilities and units are inspected under the Chemical Weapons Convention. JACIG is also responsible for escorting under the INF Treaty and inspections to the former US Ground Launched Cruise Missile facilities in the UK.

The Department and the Armed Forces also continue to provide significant support to the work of the UN Special Commission on Iraq (UNSCOM) and the International Atomic Energy Agency (IAEA) in eliminating Iraq's nuclear, biological and chemical weapons and long-range ballistic missiles. The Director of the Proliferation and Arms Control Secretariat is a member of the Special Commission.

The Atomic Weapons Establishment has long had particular expertise in the seismic monitoring of nuclear tests, a programme costing some £1.5 million in the current financial year. Its specialist staff made a widely recognised contribution to the negotiation of an effective verification regime for the Comprehensive Nuclear Test Ban Treaty (CTBT). The UK's contribution to the costs of the CTBT Organisation and the establishment of the International Monitoring System—£850,000 in the current financial year—is funded from the Defence budget. The MOD also provides a specialist in the UK Mission in Vienna in support of CTBT implementation.

CBD Porton Down provides advice and research and development on a range of Chemical and Biological arms control and export control matters, both for the MOD and other Government Departments, including for the DTI in support of national implementation of the CWC. It is recognised internationally as a leading player in development of chemical and biological verification techniques. Experts from Porton Down provide technical support to the UK delegation in Geneva in the negotiations to strengthen the BTWC. This includes acting as Friend of the Chair in some technical meetings. CBD also provides support for the UN Special Commission on Iraq, and for the Organisation for the Prohibition of Chemical Weapons (OPCW), including input to inspector training, and is preparing for nomination as an OPCW designated laboratory for sample analysis.

Atomic Weapons Establishments

Mr. Corbyn: To ask the Secretary of State for Defence what are the current annual running costs of the Atomic Weapons Establishments. [21215]

Mr. Spellar *[holding answer 17 December 1997]:* The annual running costs of the Atomic Weapons Establishment are of the order of £300 million. As well as research and production, they cover such things as capital investment, site maintenance, decommissioning redundant buildings, equipment and weapons, and waste management.

HEALTH

Psychiatric Hospitals

Dr. Julian Lewis: To ask the Secretary of State for Health (1) what sums of money, out of the totals announced in his oral statement of 12 December, *Official Report*, column 1330, as being allocated to mental health care, will be used for providing *(a)* single-sex ward areas, *(b)* half-spindle locks on doors and *(c)* moves towards safe and therapeutic environments, within NHS acute psychiatric units; [21491]

(2) what he estimates the cost to be of providing *(a)* single-sex ward areas and *(b)* half-spindle locks on doors, in NHS acute psychiatric hospitals. [21492]

Mr. Boateng: Our prime concern is to ensure that the additional resources we have identified are deployed in the light of Departmental guidance, including guidance on single-sex wards and security, and in the most effective way to improve services for mentally ill people.

Detailed decisions about the allocation of the Local Authority Partnership Fund and the National Health Service Partnership Fund have yet to be made. We expect the Independent Reference Group to offer advice about priorities for the use of both funds. There is no reason why health and local authorities should not bid for these funds to support the development of facilities, of the kind suggested by the hon. Member, if they consider them to be a priority.

Information about the estimated costs of providing single-sex ward areas and half spindle locks on doors in NHS acute psychiatric units is not available centrally.

Northwick Park Hospital, Kenton

Mr. Vaz: To ask the Secretary of State for Health if he will call for a report on the care policy of Northwick Park Hospital, Kenton. [21862]

Mr. Milburn: We know of no reason to call for a report on the care policy of Northwick Park Hospital. If there are specific concerns about an individual's treatment, the Northwick Park Hospital and St. Mark's National Health Service Trust has a complaints procedure through which these should be addressed in the first instance. Complaints should be referred to the Chief Executive of the trust.

St. George's Hospital, Tooting

Mr. Cox: To ask the Secretary of State for Health how many people were waiting for operations at St. George's Hospital, Tooting on 1 December 1997. [22183]

Mr. Milburn: The information requested is not available. Waiting time data collected centrally give the position at the end of each quarter. The latest figures are for 30 September 1997 and show 7,087 patients awaiting admission to St. George's Group National Health Service Trust on an in-patient basis. This includes all patients waiting for admission to hospital whether it be for surgery, medical treatment, assessment, therapy or rehabilitation. The number of patients waiting for an operation cannot be identified separately.

AIDS

Mr. Sheerman: To ask the Secretary of State for Health what discussions he has had with health authorities and trusts on standards of health care for AIDS patients. [22169]

Ms Jowell: Earlier this year a consensus statement was published in the *Lancet* by The British HIV Association. This provides guidelines for antiretroviral treatment of HIV seropositive individuals, and has been widely disseminated across the country. The Department will shortly be issuing guidance to all health authorities in England on the use of the £228 million provided for HIV/AIDS treatment and care in 1998–99, which will draw attention to the publication of the guidelines, so that all health authorities are aware of them.

Mr. Sheerman: To ask the Secretary of State for Health which health authorities and trusts are not offering the full range of treatment and drugs to AIDS patients. [22171]

Ms Jowell: There have been anecdotal reports but no formal evidence that health authorities and trusts are not offering the full range of treatments and drugs to AIDS patients. In recognition of the increased costs and uptake of combination drug treatments we have allocated an extra £23 million to the HIV/AIDS treatment and care budget for 1998–99. £3 million of this extra funding is to provide additional resources to the 14 health authorities with the highest caseload. The new National Health Service White Paper outlines a modernisation programme which will provide a more consistent quality of care in the future.

Mr. Sheerman: To ask the Secretary of State for Health what are the relative costs of treating an AIDS patient *(a)* in hospital and *(b)* as an outpatient. [22172]

Ms Jowell: The relative costs of treating AIDS patients in hospital and as outpatients will vary from hospital to hospital due to a variety of factors including the choice of treatment, which is a matter for discussion between patient and doctor. The success so far of new combination drug treatments for people with HIV and AIDS is resulting in fewer patients being treated as hospital in-patients. For the longer term, we have set up an Expert Working Group to undertake a Stocktake of the HIV/AIDS treatment and care budget, its use and future distribution, taking into account the costs and benefits of combination drug treatments.

Nursing Homes

Mr. Cox: To ask the Secretary of State for Health when was the most recent review of the registration and inspection of privately-run nursing homes. [22180]

Mr. Boateng: There was a review of the regulation and inspection of social services in 1995–96 which covered the regulation and inspection of nursing homes. It stemmed from a Government consultation document, "Moving Forward", published in October 1995, for which Mr. Tom Burgner acted as independent assessor of consultation responses. The report following the review, "The Regulation and Inspection of Social Services" (commonly known as the Burgner Report) was published in October 1996. Copies of both "Moving Forward" and the Burgner Report are available in the Library.

We are committed to creating independent regulatory arrangements for residential care and nursing homes which are tough, transparent and accountable. We intend to publish a White Paper next year setting out our proposals.

Xenotransplantation

Mr. Baker: To ask the Secretary of State for Health (1) what advice he has received from the Advisory Group on the Ethics of Xenotransplantation regarding the possibility of cross-species viral transfer as a result of xenotransplantation; [22612]

(2) what advice he has received from the Advisory Group on the Ethics of Xenotransplantation regarding clinical trials involving genetic material from pigs. [22611]

Mr. Boateng: The Advisory Group on the Ethics of Xenotransplantation completed its work in August 1986. Its advice is contained in its Report "Animal Tissue into Humans" which was published in January 1997. Copies are available in the Library.

Mr. Baker: To ask the Secretary of State for Health what assessment he has made of the impact of the proposals in the white paper on Freedom of Information on the modus operandi of *(a)* the United Kingdom Xenotransplantation Interim Regulatory Authority and *(b)* the Advisory Group on the Ethics of Xenotransplantation. [22633]

Mr. Boateng: The Government have recently published a White Paper "Your Right to Know: Freedom of Information" setting out our proposals for a Freedom of Information Act. These proposals will be discussed by the United Kingdom Xenotransplantation Interim Regulatory Authority and appropriate action taken. The Advisory Group on the Ethics of Xenotransplantation completed its work in August 1996 and no longer exists.

Mr. Baker: To ask the Secretary of State for Health if he will list the Members of the Advisory Committee on Dangerous Pathogens, indicating *(a)* the date on which each membership commenced, *(b)* those members who are employed or have been employed by companies with interests in biotechnology and *(c)* those members who, either individually or on behalf of groups, are known to be opposed to xenotransplantation on ethical grounds. [22629]

Mr. Boateng: The joint Department of Health/Health and Safety Executive Advisory Committee on Dangerous Pathogens (ACDP) was reconstituted in January 1995 for a three-year term (subsequently extended for a further 10 months). All current members, except for the two indicated, have served on the ACDP for the full term since January 1995. The members are:

Chairman

Dr. M. J. Crumpton: Served as Chairman since 1991

Expert members

Dr. B. Bannister: Member since 1993

Professor G. E. Griffin: Appointed December 1994

Professor D. J. Jeffries: Member since 1993

Dr. E. A. Gould: Member since 1991

Dr. P. W. Jones: Appointed December 1994

Dr. H. S. Tranter: Appointed December 1994

Dr. R. W. A. Girdwood: Appointed December 1994

Dr. T. D. Wyatt: Member since 1987

Employer/employee representatives

Mr. A. R. Clare: Member since 1984

Miss A. M. Harris: Member since January 1984

Ms V. Bevan: Member since May 1994

Dr. R. C. Slade: Appointed December 1994

Dr. R. Owen: Member since 1981

Mr. P. Taylor: Re-joined ACDP November 1996, served previously 1986–1990

Ms P. Smith: Appointed November 1996

Mrs. T. McGuire: Appointed December 1994

Of the expert members Dr. Bannister, Professor Griffin, Professor Jeffries, Dr. Girdwood and Dr. Wyatt are employed within the health service. Dr. Gould is an Assistant Director at the National Environment Research Council Institute of Virology and Environmental Microbiology. Dr. Jones is the head of the Division of Environmental Microbiology at the Institute for Animal Health. Dr. Tranter is a microbiologist at the Centre for Applied Microbiology and Research.

In line with the tripartite principle of all Health and Safety Commission Advisory Committees, employer and employee representatives were nominated by the Confederation of British Industry, The Public Health Laboratory Service (PHLS) Board, the Committee of Vice Chancellors and Principals, the Trades Union Congress and the Royal College of Nursing. Mr. Clare is under contract to his former employer, SmithKline Beecham and Miss Harris is the Medical Affairs Manager at Glaxo Research and Development Ltd. Ms Bevan is head of PHLS Technical Services. Dr. Slade is Safety Advisor at King's College London. Dr. Owen is now retired; he was the former Deputy Director of Medical Services at the Health and Safety Executive. Mr. Taylor, Ms Smith and Mrs McGuire all work within the health service.

We shall write to the hon. Member with further details of the commercial and non-commercial interests of the Chairman and members.

The ACDP is concerned with formulating advice on the infection risks of xenotransplantation. They have not been required to provide advice on ethical issues, and their personal views are not known.

Mr. Baker: To ask the Secretary of State for Health, pursuant to his answer of 27 November 1997, *Official Report*, column 652, when the invitation to visit Imutran's animal facilities was received by his Department; and on which date the visit occurred. [22636]

Mr. Boateng: My noble Friend, The Baroness Jay, Minister of State, who has responsibility for this area, at Imutran's invitation, visited their facilities on 17 October 1997. During her visit she was advised of the developments in their work. The invitation was oral and the proposed itinerary was faxed to the Department on 10 September 1997.

Mr. Baker: To ask the Secretary of State for Health if he will list those companies and other organisations from whom his Department has formally sought views in respect of the development of a regulatory structure for xenotransplantation, indicating in each case the date on which views were formally sought. [22609]

Mr. Boateng: An open consultation was held in January 1997 to which industry and others responded. The responses have been considered in depth by the United Kingdom Xenotransplantation Interim Regulatory Authority and advice submitted to Ministers. Copies of all those responses, other than those made in confidence, will be placed in the Library in due course.

Mr. Baker: To ask the Secretary of State for Health (1) which animals he plans to exclude, on ethical grounds, from use as source animals for xenotransplantation; and if he will make a sttaement; [22628]

(2) if he will list those studies which he has evaluated regarding the transfer of pig viruses into human cells through the process of xenotransplantation; and if he will make a statement; [22610]

(3) if the government will make it their policy to prohibit clinical trials of xenotransplantation involving genetic material from pigs until further data have been collected on cross-species viral transfer; and if he will make a statement. [22607]

Mr. Boateng: Proposals for the use of any animal in xenotransplantation will be carefully considered by the United Kingdom Xenotransplantation Interim Regulatory Authority (UKXIRA).

The Government are advised by the UKXIRA on the acceptability of any application to undertake trials in xenotransplantation involving humans. The UKXIRA's advice will include consideration of issues such as the microbiological risk of any proposed procedure, the use of the animal proposed as the source, and the likely effect on the patient and their relatives. Within the UK we will allow clinical trials involving humans to take place only if and when we are satisfied that the risks associated with such procedures are acceptable. The UKXIRA will take the latest published information and other evidence offered into account in its advice.

The Home Office has responsibility for the use of animals in scientific procedures and their view on the acceptability of the use of any animal as a source will depend on a consideration of the harm of the procedure against the benefit it may bring. My right hon. Friend the Secretary of State for the Home Office, however, has indicated that he is not prepared to sanction the use of Great Apes for use in scientific procedures.

Research continues into the science underlying xenotransplant developments, including cross-species viral transfer. The Advisory Committee on Dangerous Pathogens (ACDP) is also working with the UKXIRA on microbiological issues involved in xenotransplantation.

Epilepsy

Mr. Lock: To ask the Secretary of State for Health what research his Department has commissioned into sudden death in epilepsy; what directions have been issued to health authorities and trusts concerning sudden death in epilepsy; and if he will make a statement. [22484]

Mr. Boateng: The Medical Research Council (MRC) funds around £600,000 of general epilepsy research. There is no research currently being undertaken which is specifically and exclusively into sudden death in epilepsy. However, the MRC multicentre study of early epilepsy and single seizures is looking at immediate versus deferred drug therapy in patients with recently diagnosed single seizures. A number of different outcomes are being examined, including death, and prognostic factors for these are being determined.

The Department issued an Executive Letter (95)120 "A Positive Approach to Epilepsy" to all health authorities and trusts in January 1996 asking the National Health Service to work towards best practice in commissioning, contracting and service delivery for epilepsy. The Epilepsy Task Force's "Specification for Epilepsy Services" was enclosed with the EL which made specific recommendations to improve and prioritise epilepsy services, including reducing morbidity and preventing avoidable mortality.

The Department is working closely with other government departments to increase cooperation on epilepsy and encourage initiatives in other areas such as education and employment.

Dental Services

Mr. Bill O'Brien: To ask the Secretary of State for Health if he will make a statement on the estimated *(a)* over and *(b)* under spend for each quarter of 1997–98 in respect of the NHS dental budget. [22561]

Mr. Milburn: There is no fixed allocation for expenditure in the General Dental Service (GDS). Expenditure is affected by a number of factors including patient charge contribution. GDS expenditure, net of patient charges, for the two quarters of 1997–98 for which figures are available are as follows:

Net GDS expenditure—England

1997–98	*£ million*
April to June	237.5
July to September	236.5

Mr. Cann: To ask the Secretary of State for Health if he will estimate the current cost of introducing free dental preliminary examinations in the United Kingdom; and what plans he has to bring forward proposals to that end. [22769]

Mr. Milburn: The annual cost of abolishing charges for dental examinations in the United Kingdom based on December 1997 costs, would be about £75 million. This makes no allowance for any resulting increase in the number of examinations or in the amount of treatment provided.

Dental charges are being examined as part of the comprehensive spending review, which is looking at all aspects of the Department's spending in the context of the Government's election manifesto commitment

"if you are ill or injured there will be a national health service there to help; and access to it will be based on need and need alone—not on your ability to pay, or on who your general practitioner happens to be or on where you live".

Mr. Cann: To ask the Secretary of State for Health what arrangements he has made for emergency dental treatment for those who are deregistered following the change of period for continuing care payments. [22768]

Mr. Milburn: Patients are not being deregistered by this change. The registration period for both adult continuing care and child capitation payments was harmonised at fifteen months with effect from 1 September 1996. Regular attenders will be unaffected by the change as their registration period will roll forward when they attend their dentist. The registration of those patients who have not attended the dentist for fifteen months will lapse.

Dentists are free to re-register any patients whose registrations have lapsed. It is for dentists to decide whether they wish to accept any patient onto their list.

Dentists can treat any patient as an occasional patient for emergency care. Health authorities may also make arrangements for dental treatment of patients in urgent cases, when dentists in their area are not normally available to provide treatment.

Mr. Cann: To ask the Secretary of State for Health if he will commission a study to evaluate the costs per item of treatment carried out by *(a)* community dentists and *(b)* general dental practitioners. [22770]

Mr. Milburn: We have no plans to do so. The General Dental Service (GDS) and the Community Dental Service are complementary services and are not directly comparable. The fees paid for each item of service in the GDS is set out in the Statement of Dental Remuneration, a copy of which has been placed in the Library.

Mr. Cann: To ask the Secretary of State for Health what current studies he has commissioned to analyse the benefits of preventative dentistry. [22771]

Mr. Milburn: We monitor the combined effect of preventative and restorative dentistry through regular surveys of adult and child dental health. The next survey of adults is due to take place this year and of children in 2003.

Mr. Cann: To ask the Secretary of State for Health what has been the cost to his Department of continuing care payments for dentists in each financial year since the scheme was initiated; and what estimate he has made of the comparable cost had the payments been made on a 15-month basis. [22767]

Mr. Milburn: In October 1990 the new dental contract was introduced. From this date, general dental service dentists received continuing care payments for adult patients who were registered with them for National Health Service treatment. The cost of payments made in respect of continuing care for the financial years 1990–91 to 1996–97 in England is set out in the table. Expenditure in 1990–91 and 1991–92 reflects the introduction of the new contract and is therefore not comparable to later years. No estimate has been made of the comparable cost had payments been made on a 15-month basis.

General dental service: Cost of continuing care payments[1] for year ending 1990–91 to 1996–97

England

Year	*Continuing care cost (£)*
1990–91[2]	13,921,120
1991–92	89,639,544
1992–93	109,105,816
1993–94	105,616,458
1994–95	108,162,318
1995–96	107,429,935
1996–97	108,170,299

[1] Continuing care payments were introduced in October 1990 with the introduction of the new dental contract.
[2] Figure is for six months from October 1990.

Mr. Cann: To ask the Secretary of State for Health if the sums allocated to the remuneration of general dental practitioners are cash limited. [22774]

Mr. Milburn: No. Neither health authorities nor individual general dental practitioners are subject to fixed budgets for general dental services.

Mr. Cann: To ask the Secretary of State for Health what plans he has to recognise the GDPA for purposes of negotiation. [22772]

Mr. Milburn: None. The General Dental Services Committee is the organisation recognised by my right hon. Friend the Secretary of State as being representative of the dental profession for the purposes of consultation on the general dental services.

Mr. Cann: To ask the Secretary of State for Health what have been the rises in real terms in NHS payments to general dental practitioners in the last five years; and how these have compared with *(a)* the retail prices index and *(b)* real rises in income for non-manual workers. [22773]

Mr. Milburn: Gross expenditure in the General Dental Service in England was £1245.97 million in 1991–92 and £1323.07 million in 1996–97, a rise of 6.2 per cent. in the five year period. In real terms, when compared to the GDP deflator, gross expenditure fell by 7.6 per cent.

Changes in gross expenditure cannot be compared directly with the retail prices index and the income for non-manual workers. Gross expenditure includes not only income for general dental practitioners but also payments to meet practice expenses and additional payments such as maternity allowance, sick pay, seniority payments etc. Levels of expenditure are also linked to the volume of National Health Service dental services provided by dentists.

Dentists working not less than 2 days per week in the GDS, had average earnings of about £50,000 per annum from the NHS in 1996–97, after expenses.

Information on the rise in the retail price index and the earnings of non-manual employees at April each year as reported in the "New Earnings Survey 1997" (Table 30) is available in the Library.

Mr. Chaytor: To ask the Secretary of State for Health if he will extend the registration period for NHS dental treatment to 24 months from the end of the month in which the patient last visited his or her dentist. [22283]

Mr. Milburn: The National Health Service (General Dental Services) Amendment (No. 2) Regulation 1996 SI 1996/2051, which implemented the changes to the registration period, were laid before Parliament on 6 August 1996, and came into force on 1 September 1996.

We have no plans to review this policy, which will improve value for money by focusing payments to dentists on those patients receiving active care from them.

Any savings generated will be put back into the General Dental Service, in a targeted way to achieve better oral health for the population.

Waiting Times

Mr. Collins: To ask the Secretary of State for Health what were the average waiting times for treatment *(a)* at the Westmorland General Hospital and *(b)* in the Morecambe Bay Health Authority area in (i) 1994, (ii) 1995, (iii) 1996 and (iv) 1997. [21958]

Mr. Milburn: The available information is given in the table. This shows average waiting times for all waiting list admissions to hospital during the years concerned.

Average waiting times (days) for admission to hospital on either an ordinary or day case basis during:

	1994–95	*1995–96*
Westmorland Hospital NHS Trust	85.0	81.0
Morecambe Bay Health Authority	131.3	100.0

Source:
Department of Health, Hospital Episode Statistics (HES).

Insulin Pen Injector Needles

Mr. Öpik: To ask the Secretary of State for Health what plans he has to make insulin pen injector needles available on prescription for diabetics. [22487]

Mr. Milburn: I refer the hon. Member to the reply I gave my hon. Friend the member for Greenock and Inverclyde (Dr. Godman) on 17 June 1997, *Official Report*, column *102*.

Suffolk Health Authority Funding

Mr. Ruffley: To ask the Secretary of State for Health what effect the introduction into the capitation formula this year of a needs weighting for *(a)* services for people with learning disabilities and *(b)* administration and other hospital services has had on the Government's health spending allocation to the Suffolk Health Authority for 1998–99. [22483]

Mr. Milburn: The aim of the weighted capitation formula is to determine health authorities' fair shares of available resources by setting targets. The formula does not directly determine allocations. Allocations reflect our

decisions on the speed at which health authorities are brought nearer to target through the distribution of growth.

For 1998–99 the formula has been made fairer by the introduction of two new needs weightings. Relative to other health authorities, the introduction of an administration and other hospital services weighting has reduced Suffolk Health Authority's target share by £2,975,000 (1.14 per cent.); and the introduction of a weighting for people with learning disabilities has reduced Suffolk Health Aurhtority's target share by £3,742,000 (1.44 per cent.).

Genetic Engineering

Mr. Tyler: To ask the Secretary of State for Health if he will list the *(a)* date of appointment, *(b)* terms of reference and *(c)* membership of the focus groups established by his Department to discuss genetic engineering. [22599]

Ms Jowell: There are no specific focus groups established by the Department to discuss genetic engineering. However, the Department provides the Secretariat for the Gene Therapy Advisory Committee (GTAC) which was set up in 1993, and is chaired by Professor Norman Nevin (Professor of Medical Genetics) from Belfast City Hospital.

GTAC members are:

Professor E. Anionwu—Thames Valley University
Mrs. R. Barnes—Cystic Fibrosis Trust
Professor J. Burn—Royal Victoria Infirmary
Professor A. Dayan—St. Bartholomew's Hospital
Revd. Dr. K. Denison—Church in Wales
Dr. B. Gibson—Hospital for Sick Children
Professor I. Hart—St. Thomas' Hospital
Mrs. A. Hunt—Genetic Interest Group
Professor P. Johnston—Belfast City Hospital
Professor T. Marteau—Guy's Hospital
Professor J. Neil—University of Glasgow.
Professor A. Pinching—St. Bartholomew's Hospital
Miss E. Platt QC—Lawyer
Sir B. Richards—Peptide Therapeutics Group plc
Professor M. Steel—University of St. Andrew's
Mrs. I Train—Nurse

GTAC advises on the ethical acceptability of proposals for gene therapy research in humans.

The Human Genetics Advisory Commission (HGAC), chaired by Professor Sir Colin Campbell (Vice Chancellor, University of Nottingham), was set up in 1996 and reports to health and industry Ministers.

HGAC members are:

Professor C. Aitken—Emeritus Professor, University of Edinburgh
Dr. M. Aldred—Retinoblastoma Society
Professor M. Bobrow—University of Cambridge
Mrs. D. Littlejohn—Central Office of Industrial Tribunals, Scotland
Professor N. Nevin—Chair GTAC
Dr. O. O'Neill—Chair Nuffield Council on Bioethics
Revd. Dr. J. Polkinghorne—Chair Advisory Committee on Genetic Testing
Dr. G. Poste—SmithKline Beecham
Ms M. Stuart—British Broadcasting Corporation

HGAC has a remit to keep under review scientific progress at the frontiers of human genetics and related fields.

Adhesive Arachnoiditis

Mr. Collins: To ask the Secretary of State for Health how many cases of adhesive arachnoiditis have been diagnosed in the last 20 years; and if he will make a statement. [21960]

Mr. Boateng: The information requested is not available centrally. Statistics held by the Department of Health reflect only diagnostic information collected on in-patients attending National Health Service hospitals in England. The diagnostic information is held in the form of codes from the World Health Organisation International Classification of Diseases, which is ordered by the cause of disease. In this classification, arachnoiditis is not directly used as a term because it is a symptom, not a cause. The Department cannot determine the prevalence of incidence of arachnoiditis from the statistics collected centrally.

Lady Helen Gardiner

Mr. Gerald Howarth: To ask the Secretary of State for Health, pursuant to the letter of 14 December from the Minister of State, if he will set out the considerations which led him to conclude that Lady Helen Gardiner should not be reappointed as Chairman of the Surrey Ambulance Service NHS Trust. [22216]

Mr. Milburn: My right hon. Friend the Secretary of State has today written to Lady Helen inviting her to serve until the end of September as chair of the Surrey Ambulance Trust. Lady Helen has already indicated her willingness to accept the appointment.

Read Codes Version 3

Mr. Rhodri Morgan: To ask the Secretary of State for Health what assessment he has made of the length of time required to produce a service-strength product of Read Codes Version 3; and if he will make a statement. [22404]

Mr. Milburn: The release of Read Codes Version 3 planned for March 1998 will contain all codes and terms from earlier Read Versions. This is the service strength product, which will enable Read Codes Version 3 to be used in both the Acute and General Practice sectors.

Mr. Rhodri Morgan: To ask the Secretary of State for Health what is the number of *(a)* NHS sites participating in the Read Codes Version 3 partnership programme, *(b)* NHS sites which have ceased participation in the programme, *(c)* non-partnership NHS sites currently using Version 3 and *(d)* non-partnership NHS sites which have ceased to use Version 3; and, for categories *(a)* and *(c)*, to what extent Version 3 is in use on those sites. [22407]

Mr. Milburn: To avoid being overwhelmed by inquiries from other hospitals, hospitals participating in the partnership programme have asked that their names should not be placed in the public domain. Accordingly, we shall provide a personal response to the hon. Member dealing with his first two points.

The information to answer the remaining points is not held centrally.

Mr. Rhodri Morgan: To ask the Secretary of State for Health if he will list each evaluation *(a)* conducted or *(b)* commissioned by his Department into the efficacy of the Read Codes Version 3 coding system, stating the date and author or body responsible for each one; and if he will place the evaluation reports in the Library. [22408]

Mr. Milburn: The Read Codes Version 3 partnership programme started in mid 1995 and was designed to identify, from its operational use, what additional terms might need to be added to Version 3, such as those describing new clinical practices and procedures. Evaluation of the benefits from using Read Codes is part of this programme, which will finish in March 1998. No further evaluations are planned.

Within the partnership programme, one of the main sites for evaluating Version 3 of the Read Codes is the Pembrokeshire and Derwen NHS Trust. Two draft reports on its use of Read Codes Version 3 for clinical coding purposes have been published recently. One is an internal report produced by the trust itself; the other is the result of both external and internal evaluations. Copies of these two draft reports will be placed in the Library as will copies of the final reports when published.

NHS Wages

Mr. Redwood: To ask the Secretary of State for Health how many NHS employees earn less than £4 an hour. [22641]

Mr. Milburn: The information is not available centrally following a decision made during the previous Government to discontinue the collection of detailed earnings information.

Minimum Wage

Mr. Redwood: To ask the Secretary of State for Health what plans he has to seek exemptions from the minimum wage for description of persons working in the NHS. [22654]

Mr. Milburn: The Department of Health is contributing to the Government's evidence to the Low Pay Commission. There are no plans to seek specific exemptions from the minimum wage for descriptions of persons working in the National Health Service.

NHS (Suffolk)

Mr. Yeo: To ask the Secretary of State for Health when he expects to reply to the letter of the hon. Member for South Suffolk of 20 November with respect to the NHS in Suffolk. [22291]

Mr. Milburn: I have written to the hon. Member today.

Condom Machines

Mr. Flynn: To ask the Secretary of State for Health what plans he has to require that condom machines in entertainment venues and public lavatories stock only products approved to British kite mark standards; and if he will make a statement. [12915]

Ms Jowell *[holding answer 27 October 1997]:* I refer my hon. Friend to the reply I gave him on 27 October 1997, *Official Report* column *767.*

There is no general power which would enable me to require this. However, local authority Trading Standards Officers could take action under the General Product Safety Regulations 1994 if the product could be deemed unsafe under the regulations.

Community Nurses

Mr. Burnett: To ask the Secretary of State for Health what was the average number of community nurses in English health authorities in each year since 1979 for which figures are available. [15656]

Mr. Milburn *[holding answer 12 November 1997]:* The information requested is available from 1982 and is shown in the table.

NHS Hospital and Community Health Services (HCHS) average number of community health nurses per health authority in England; as at 30 September of each year

Whole-time equivalents

	Community Health nurses	*Number of Health Authorities*	*Average number of Community Health Nurses*
1982	40,440	191	210
1983	41,230	191	220
1984	41,420	191	220
1985	43,050	191	230
1986	42,560	191	220
1987	42,230	191	220
1988	42,470	192	220
1989	41,410	190	220
1990	44,000	190	230
1991	44,540	184	240
1992	43,910	178	250
1993	43,850	145	300
1994	43,090	117	370
1995	53,260	105	510
1996	56,560	100	570

Notes:

1. Figures are not available before 1982.

2. Figures for 1982 to 1989 are for "primary healthcare" nursing and midwifery staff, including: health visitors, district nurses, school nurses, community midwives and a small number of other "primary healthcare" nursing and midwifery staff. The figures for 1990 to 1994 cover the same staff groups as for 1982 to 1989, but include community psychiatric nurses and community learning difficulties nurses, and exclude community midwives. The figures for 1995 to 1996 are based on new occupation codes and are not, therefore, directly comparable with figures for earlier years although they cover similar groups to those used in 1990 to 1994.

Figures are rounded to the nearest ten.

Source:

Department of Health's annual non-medical workforce census.

NHS Appointments

Mr. Maples: To ask the Secretary of State for Health if he will publish the guidance given to regional chairmen in June on NHS board appointments. [21909]

Mr. Milburn *[holding answer 22 December 1997]:* We wrote to Regional Chairmen on 23 June signalling a raft of changes that we had decided should be made to the appointments process. They were as follows:

the person specification for non-executives and chairmen to be changed to encourage more National Health Service users and carers as their community representatives on NHS boards;

interview panels to ensure that all candidates were personally committed to the NHS and would bring a user's perspective to the board;

local authorities and Members of Parliament to be invited to nominate candidates. All nominees to go through the usual selection process and be judged on merit;

the balance of board membership to be changed, shifting more towards users and carers and others with a community voice; and

all candidates, including those nominated by MPs and local authorities, those already on a database, new self-nominees and serving board members seeking reappointment to be considered against the new criteria for the vacancies available.

Written Answers to Questions

Tuesday 13 January 1998

DEFENCE

Armed Forces (Food)

Mr. Öpik: To ask the Secretary of State for Defence (1) if he will give a breakdown of the country of origin of meat bought for the armed forces in the last year for which figures are available; and if he will make a statement; [20243]

(2) if he will ensure that all meat bought for the armed forces is of United Kingdom origin; and if he will make a statement. [20244]

Mr. Spellar: The procurement of food for the Armed Forces is contracted to Booker Foodservice which took over the contract from NAAFI on 1 October 1997. The Ministry of Defence does not specify the source from which Booker Foodservice should obtain meat, but expects it to seek the best market prices for these and all other products. It is required to give full consideration to British products. Booker Foodservice has advised the following estimate for the breakdown of country of origin for meat purchased for the Armed Forces, based on value, for the 12-month period ending September 1998:

	Per cent.
Pork	
United Kingdom	100
Lamb	
New Zealand	52
Uruguay	48
Beef	
Australia	30
New Zealand	24
Uruguay	22
United Kingdom	13
Holland	4
Ireland	4
Brazil	3

These figures will be subject to variation dependent upon markets providing the best value for money.

Chemical and Biological Weapons

Mr. Livingstone: To ask the Secretary of State for Defence how many staff are currently employed at the Chemical and Biological Defence Establishment at Porton Down; and what plans he has for staffing levels over the next five years. [22514]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 13 January 1998:

I have been asked to reply to your question concerning numbers of staff employed at DERA's Chemical and Biological Defence Sector (CBD) at Porton Down.

The number of staff employed by CBD Porton Down was 588 at 1 December 1997.

With respect to staffing levels over the next five years, on current plans we expect our numbers to remain fairly constant. However, these plans take no account of the outcome of the Strategic Defence Review which may affect our plans in either direction.

I hope this is helpful.

Lewisite

Mr. Livingstone: To ask the Secretary of State for Defence what is the Chemical Defence Establishment's evaluation of the effects of short-term exposure to lewisite. [22515]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 13 January 1998:

I am replying to your question to the Secretary of State for Defence about the evaluation of the effects of short term exposure to lewisite as this matter is my responsibility as Chief Executive of the Defence Evaluation and Research Agency (DERA).

I have nothing to add to my letter to you of 20 August 1997 (Official Report dated 27 October col. 660) in which I said that lewisite is one of a group of chemical warfare agents known as vesicants or blistering agents. I also explained that DERA's Chemical and Biological Defence Sector's evaluation, based on US human studies from the 1940s and continuing Porton Down animal studies, of the effects of short term exposure to lewisite are that both liquid and vapour forms result in chemical burns to the skin, eyes and respiratory tract. Lewisite injuries are immediately painful. The potential for widespread damage to the internal organs is significant.

Armed Forces (Pay and Conditions)

Mr. Redwood: To ask the Secretary of State for Defence what is his Department's estimate of the value of free board and lodging to an employee expressed as an hourly pay rate. [22642]

Mr. Spellar *[holding answer 12 January 1998]:* The information requested could be obtained only at disproportionate cost.

Hawk Aircraft

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to upgrade Hawk trainers with digital cockpits. [22692]

Mr. Spellar: There are currently no plans to fit the RAF's Hawk aircraft with a digital cockpit.

PR9 Canberra Reconnaissance Aircraft

Mr. Hancock: To ask the Secretary of State for Defence when the PR9 Canberra reconnaissance aircraft each came into service; what was their design life; and what is the date on which they are expected to leave service. [22696]

Mr. Spellar: There are five Canberra Mk PR9 aircraft. The aircraft all entered service between 4 March 1959 and 4 August 1960. It is assessed that sufficient fatigue life remains on the Canberra Mk PR9 aircraft to enable them to achieve their predicted out of service date of 2003.

System Requirements

Mr. Hancock: To ask the Secretary of State for Defence when he expects to sign a memorandum of understanding with the USA to combine the TRACER and Future Scout and Cavalry system requirements. [22695]

Mr. Spellar: Ministers are currently considering the case for signature early this year of a Memorandum of Understanding covering the combine TRACER/Future Scout and Cavalry System requirement. I will write to the hon. Member when a decision is made.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Contaminated Land

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions which EU standards on contaminated land have not been implemented by the United Kingdom Government. [22755]

Angela Eagle: There are no EU standards on contaminated land.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions (1) when his Department expects to complete a register of contaminated land; [22753]

(2) when his Department expects to formulate a definition of contaminated land. [22754]

Angela Eagle: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Environment to the hon. Member for Liverpool, Riverside, (Ms Ellman) on 22 December 1997, *Official Report*, column *439*. The legislation referred to in that answer provides a definition of contaminated land. The legislation will also place a duty on enforcing authorities to maintain registers of land which meet that definition. These registers will also contain prescribed particulars of enforcement action taken and of remediation works carried out.

Inland Waterways

Dr. Whitehead: To ask the Secretary of State for the Enviornment, Transport and the Regions how many inland waterway freight grants have been issued since 1981; and if he will list them by location and value. [22760]

Ms Glenda Jackson: 10 inland waterway freight grants have been awarded:

		£
1983	Millgate Investments, Gainsborough, Lincs	369,340
1984	Varma Services Ltd., Deptford, London SE	859,200
1984	Sheffield Haulage and Storage Ltd., Rotherham	61,375
1985	West Country Fuels Ltd., Gloucester	26,950
1986	Colwick Petroleum Ltd., Nr. Nottingham	63,494
1990	Sand and Gravel Ltd., Leeds	20,640
1991	Wimpey Hobbs Ltd., Greenwich, London SE	402,832
1993	Huntsman Chemical Co. Ltd., Carrington, Manchester	415,000
1996	Medway Shipping Ltd., Gillingham, Kent	47,338
1997	J. J. Prior (Transport) Ltd., Fingringhoe, Essex	121,410

Waste Management

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review and update the waste management policies set out in the 1995 White Paper "Making Waste Work: A Strategy for Sustainable Waste Management in England and Wales". [23176]

Mr. Meacher: Reducing the waste we generate, making better use of waste, and ensuring that the remainder is disposed of safely, are all critical components of a more sustainable society. The Government set a high priority on improving our waste management. That is why I am announcing today the preparation of a new waste strategy for England and Wales.

My right hon. Friend the Secretary of State for Wales and I have asked officials, working with the Environment Agency and other interested parties, to begin preparation of the new strategy which will fulfil the requirements of the Environment Act 1995. The first step towards this goal will be a wide public consultation beginning in the Spring of this year, leading to publication of a White Paper in 1999.

The 1995 White Paper "Making Waste Work" set out the previous Government's policy framework for the management of waste, identified ways in which waste could be managed in a more sustainable way and set a number of targets for achieving that aim. It recognised the principles of the waste hierarchy and best practicable environmental option as being at the heart of waste policy, and set out a number of options by which central Government, local authorities, industry and commerce, the waste management industry, householders, and the voluntary and community sectors could help achieve that strategy's aims.

This Government support the broad thrust of the policies set out in the 1995 White Paper but nevertheless believe that the time is now right for a comprehensive review of waste management in England and Wales. I am sure that this will be welcomed by all interested parties. They will want to know what our future priorities will be so that they can plan and invest for them.

LORD CHANCELLOR'S DEPARTMENT

Small Claims

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications to have

housing cases rescinded from the small claims procedure have been granted since the introduction of the higher small claims limit in January 1996. [21313]

Mr. Hoon: This information is not held centrally and could be obtained only at a disproportionate cost.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what *(a)* monitoring and *(b)* research his Department has undertaken into the impact on housing cases of the increase in the small claims limit from January 1996. [21315]

Mr. Hoon: Claims for possession, which form the overwhelming majority of housing cases, are excluded from the small claims regime. The collection of more detailed statistical information in relation to small claims was introduced by the Court Service in 1996 as part of the exercise in monitoring the effects of the rise in the limit to £3,000. One of the categories is "non-possession housing disputes". This Department has not undertaken any research specifically in connection with housing cases, however, a wider study of litigants' experiences of small claims by Professor John Baldwin was published in December 1997.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the impact on *(a)* the volume of legal aid certificates and *(b)* legal aid expenditure of the increase in the small claims limit made in January 1996. [21319]

Mr. Hoon: It is estimated that the increase in the small claims limit made on 1 January 1996, from £1,000 to £3,000, has resulted in a reduction of 18.8 per cent. in the number of certificates issued during 1996–97 for money claims (excluding personal injury claims).

Certificates issued

Year	*Money claims (excluding PI)*	*Annual change (per cent.)*
1995–96	148,364	—
1996–97	120,492	-18.8

It is not possible to identify separately any overall savings resulting from the small claims limit.

Money and Damages Claims

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the potential savings accruing from the removal of money and damages claims from the scope of legal aid. [21314]

Mr. Hoon: Our spending plans remain unaffected by the proposed removal of money and damages claims from the scope of legal aid. The aim is to use the existing budget better. Until we have reached final decisions on the types of case that are to be excluded and other matters of important detail the expenditure implications cannot be quantified. That will not be until we have completed the extensive consultation we are currently undertaking.

DUCHY OF LANCASTER

Civil Service (Management Functions) Act

Mr. Purchase: To ask the Chancellor of the Duchy of Lancaster what delegations were made in 1997 under the Civil Service (Management Functions) Act 1992; to whom those delegations were made; and what were the main conditions attached to them. [23096]

Dr. David Clark: Since the last report to Parliament on, 14 January 1997, *Official Report*, columns *187–88*, Ministers and statutory office holders in charge of departments' have been given delegated authority (from 1 April 1997) under the Civil Service (Management Functions) Act 1992 to determine in respect of home civil servants in their respective departments the allowances for members of the Senior Civil Service.

In some cases, for staff appointed by statutory office holders, the Minister for the Civil Service was statutorily required to give consent to terms and conditions of service. For such staff, delegation has been effected by waiving that requirement, subject to the conditions attaching to delegation.

The delegation was subject to the condition that recipients comply with the provisions of the Civil Service Management Code as amended from time to time. Copies of the Civil Service Management Code are available in the Libraries of both Houses.

A similar authorisation was also made to the Health and Safety Executive. This came into effect on 12 May 1997 and was similarly subject to the condition that they comply with the provisions of the Civil Service Management Code as amended for time to time.

'The statutory office holders are:

Commissioners of Inland Revenue;

Head of the Registry of Friendly Societies, being the Chief Registrar of Friendly Societies and the First Commissioner of the Building Societies Commission;

Chief Charity Commissioner;

Commissioners of Customs and Excise;

Crown Estate Commissioners;

Director General of Electricity Supply;

Director General of Fair Trading;

Director General of Gas Supply;

Director General of National Lottery;

Director of National Savings;

Director of Passenger Rail Franchising;

Director General of Telecommunication;

Director General of Water Services;

Director of Public Prosecutions;

Director of the Serious Fraud Office;

Government Actuary;

Her Majesty's Chief Inspector of Schools in England;

Her Majesty's Chief Inspector of Schools in Wales;

International Rail Regulator;

Public Works Loan Commissioners;

Parliamentary Commissioner for Administration and Health Service Commissioners;

Rail Regulator;

Registrar General for Scotland.

WALES

Literacy and Numeracy

Mr. Gareth Thomas: To ask the Secretary of State for Wales what plans he has to raise standards in the basic skills of literacy and numeracy in Wales. [22861]

Mr. Hain: Responses to our White Paper "Building Excellent Schools Together" have strongly endorsed the Government's overriding emphasis on strengthening the basic skills of literacy and numeracy and the targets set for attainment in the core subjects in primary schools. The broad purpose and content of the curriculum in Wales—notably as regards the Welsh language and the Curriculum Cymreig—is also well understood and appreciated. The responses did, however, show that many teachers are concerned about overload within the curriculum taught in primary schools in Wales and feel that this might work against the drive to improve standards of literacy and numeracy.

I take these concerns very seriously and I have therefore asked for urgent advice from the Qualifications, Curriculum and Assessment Authority for Wales (ACCAC) on ways in which the curriculum might be slimmed down in a way which reflects the distinctive nature of the curriculum in Wales. I have also written to every primary school head teacher to emphasise the Government's commitment to the targets set in the White Paper and to explain what I have asked ACCAC to do.

In the light of the responses to the White Paper, I want to be sure that the position of Welsh and more generally of the Curriculum Cymreig have been weighed along with our broader objectives to ensure rigorous standards of teaching and learning together with a sound progression into secondary school education. I do not assume that a reduction in overload would of itself result in a better use of available time and I have, therefore, asked Her Majesty's Chief Inspector of Schools to provide further guidance to deal with this point.

I expect to receive advice by March. I will then set out an agenda for action and will consult teachers and others before changes are introduced. This timetable will allow for the option of modifying the Welsh curriculum from September 1998 in line with the announcement today by my right hon. Friend the Secretary of State for Education.

Copies of my letters to head teachers and ACCAC have been placed in the Library of the House.

Summer Schools

Mr. Evans: To ask the Secretary of State for Wales how many children took part in the summer school scheme in 1997; and what estimate he has made of the number taking part in *(a)* 1998, *(b)* 1999 and *(c)* 2000. [20101]

Mr. Hain: A total of 736 children took part in the 1997 Wales Summer Literacy Programme. Provision for expansion is being made. The Scheme is to be extended to every authority for 1998 and they are currently working up their delivery plans.

Mr. Evans: To ask the Secretary of State for Wales what was the cost of the summer school scheme in 1997; and what estimate he has made of the cost in *(a)* 1998, *(b)* 1999 and *(c)* 2000. [20100]

Mr. Hain: The 1997 pilot programme was implemented as a joint initiative between Local Education Authorities (LEAs) and Training and Enterprise Councils (TECs). Seedcorn funding of £75,000 was provided by the Welsh Office.

Subject to Parliamentary approval there will be £220,000 available through the Grants for Education Support and Training (GEST) programme in 1998–99. Provision beyond 1999 is the subject of the Department's Comprehensive Spending Review.

Chiropody and Podiatry Services

Angela Smith: To ask the Secretary of State for Wales what was the budget for each trust in Wales for NHS chiropody and podiatry services in *(a)* 1997–98, *(b)* 1996–97, *(c)* 1995–96 and *(d)* 1994–95. [22542]

Mr. Win Griffiths: Figures on NHS Trust budgets are not available centrally. Expenditure on community chiropody services by NHS Trusts in Wales for the years 1994–95 to 1996–97 is given in the table. Expenditure for 1997–98 is not yet available.

£000

NHS Trust[1]	1996–97	1995–96	1994–95
Bridgend and District	238	n/a	n/a
Cardiff Community	722	634	[2]967
Carmarthen and District	185	185	180
Ceredigion and Mid Wales	117	111	107
Clwydian Community Care	760	751	656
Glan y Mor	1,022	n/a	n/a
Gwent Community	843	848	811
Gwynedd Community	569	464	392
Llandough Hospital	259	213	n/a
Llanelli Dinefwr	239	220	232
Pembrokeshire	246	234	301
Powys Healthcare	375	347	462
Rhondda Healthcare	28	75	120
All Wales total	5,603	4,082	3,261

[1] Source: Annual financial returns of NHS Trusts, (not audited).
[2] Source: Annual financial returns of health authority directly managed unit, (not audited).
n/a = not available.

INTERNATIONAL DEVELOPMENT

Sri Lanka

Mr. Cox: To ask the Secretary of State for International Development what *(a)* financial, *(b)* food and *(c)* medical aid has been given by Her Majesty's Government to Sri Lanka since 1 January. [21891]

Mr. Foulkes: The total expenditure on bilateral assistance given to Sri Lanka in 1997 by Her Majesty's Government was about £6 million. This included some assistance to projects in the health sector; in particular for a project to improve health of mothers and children displaced by civil conflict. No food aid was provided.

HOME DEPARTMENT

Firearms (Compensation)

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department how many outstanding unpaid

claims there were for compensation under the Firearms (Amendment) Act 1997 on 1 January 1998; and what was the average delay between claim and payment for categories A, B and C on that date. [22210]

Mr. Michael *[holding answer 12 January 1998]:* On 1 January 1998, there were 20,779 claims awaiting processing under Options A and B and 9,628 claims awaiting processing under Option C, the great majority of which are mixed claims on which the Option A and B elements have been paid. The average turn round time between receipt of claims from the police and processing of Options A and B was 19 weeks. Regular processing of Option C claims is expected to begin later this month.

Mr. Steen: To ask the Secretary of State for the Home Department when he expects to make payment for the confiscated pistols of C. J. A. Foules, West Charleston Grange, near Kingsbridge, Devon. [22527]

Mr. Michael *[holding answer 12 January 1998]:* Claims under the Firearms Compensation Scheme are dealt with in the order in which they are received from the police. This claim was received on 23 September 1997, towards the end of the three month hand-in period, and is defective, in that the claimant has declined to sign the required declaration relinquishing ownership of the surrendered weapons. Until this is done, no payment can be made. The claim is therefore being returned for completion.

Special Constables

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Maidenhead (Mrs. May) of 4 December 1997, *Official Report*, column 292, on compensation for special constables, for what reasons he does not plan to consult organisations representing business and industry on his proposals for new regulations governing the Special Constabulary. [22215]

Mr. Michael *[holding answer 12 January 1998]:* We have not consulted organisations representing business and industry because the proposals contained in the consultation papers do not have direct implications for these sectors. If, as a result of the consultations with the police and local authority associations and the special constabulary, the proposals are revised so that they do have such implications, then we shall, of course, consult these organisations.

Common Travel Area

Mr. John D. Taylor: To ask the Secretary of State for the Home Department if he will make a statement about the efficacy of the common travel area between the United Kingdom and the Republic of Ireland in relation to immigration matters and asylum. [22545]

Mr. Mike O'Brien: The Common Travel Area is an important part of our immigration control arrangements, recognising geographical proximity and shared close interests. Its operation is kept under constant review.

Lottery Draws

Ms Blears: To ask the Secretary of State for the Home Department if he has published the draft Bill to restrict the frequency of lottery draws. [23094]

Mr. George Howarth: I published the draft Lotteries (Frequent Draws) Bill on 7 January for comments by 30 January.

This follows my announcement on 13 November that the Government intend to introduce legislation seeking to restrict the frequency of on-line lottery draws under the Lotteries and Amusements Act 1976.

The draft Bill restricts the frequency of such draws to one a day on any particular premises in Great Britain.

CULTURE, MEDIA AND SPORT

Ms Mary Allen

Mrs. Golding: To ask the Secretary of State for Culture, Media and Sport what were the bonuses, benefits and pay of Ms Mary Allen during her time at the Arts Council. [20776]

Mr. Chris Smith: The table gives details of Ms Allen's remuneration for the time that she was at the Arts Council. From 1995–96 onwards, these figures were published in the Arts Council's annual reports.

1 June 1992–31 August 1992 Temporary contract

1 September 1992–31 March 1994 Deputy Secretary-General

1 April 1994–23 May 1997 Secretary General

£

Financial year	*Salary*	*Pension costs*	*Other*	*Total*
1992–93	31,805	3,100	—	34,905
1993–94	48,676	5,549	—	54,225
1994–95	60,509	7,987	—	68,496
1995–96	62,446	8,242	—	70,688
1996–97	63,806	5,615	—	69,421
1997–98[1]	25,819	1,487	[2]750	28,056
Total	293,061	31,980	750	325,791

[1] Payment in lieu of notice was agreed at £5,000 a month (for three months), the second and third payment being subject to her not taking up remunerated employment in those periods.

[2] This was a contribution to legal costs.

Sport (Lottery Funds)

Mr. Grogan: To ask the Secretary of State for Culture, Media and Sport how much Government and lottery money was allocated to cricket through *(a)* the Sports Council and *(b)* other mechanisms in each of the last five years. [22255]

Mr. Banks: I have been advised by the English Sports Council and Sportsmatch that the sums are as follows:

£

	1993–94	1994–95	1995–96	1996–97	1997–98 (to date)	Totals
(a) GB/English Sports Council[1]						
Grant-In-Aid	169,344	200,000	220,000	375,000	[2]241,700	1,036,700
Lottery Sports Fund	—	—	6,738,380	22,597,283	[3]18,500,222	47,835,885
(b) Other mechanisms						
Sportsmatch[4]	248,192	274,300	385,498	325,901	126,405	1,360,296
Totals	417,536	474,300	7,343,878	23,298,184	18,868,327	50,402,225

[1] The English Sports Council was established on 1 January 1997.
[2] The 1997–98 Grant-In-Aid figure is provisional and awaiting approval.
[3] The 1997–98 Lottery Sports Fund figure includes a World Class Performance grant of £157,379 for women's cricket.
[4] Sportsmatch awards are matched by similar amounts from business sponsors.

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport how much money has been received from the National Lottery for sports funding since November 1994. [21393]

Mr. Banks: From November 1994 to December 1997, the Sports Councils for England, Scotland, Wales and Northern Ireland have received in total £950.3 million of Lottery money to fund sports projects of which £768.8 million has already been awarded. In addition the Millennium Commission has made two awards to sports related projects totalling £69 million.

Information on Lottery awards is now available on the Department's website www.lottery.culture.gov.uk.

Lottery Funding (Scotland)

Mr. Jenkin: To ask the Secretary of State for Culture, Media and Sport if he will list the date, value and recipient of each award of Lottery funding to good causes in Scotland. [22416]

Mr. Banks *[holding answer 12 January 1998]:* As at 31 December 1997, 4,105 Lottery awards worth £498,679,648 have been made to organisations and individuals in Scotland. A full list will be placed in the Library.

Details of Lottery awards can be found on the Department's internet website www.lottery.culture.gov.uk.

Football Trust

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport who was responsible for selecting the new Chairman-designate of the Football Trust; how many candidates were considered; what was the process of interviewing and consultation prior to the announcement;and what will be the remuneration of the Chairman-designate. [22668]

Mr. Banks: The appointment of the Chairman-designate of the Football Trust was wholly a matter for the Trustees. I was consulted by Trustees on their nomination of my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry), as the Trust Deed provides, and was very pleased to be able to support that nomination. My hon. Friend has considerable experience of all aspects of football and is widely acknowledged as a key figure in sports policy making. I understand the question of remuneration is to be considered at the first meeting of the new Trust. I would like to pay tribute to the excellent work Lord Aberdare has done as Chairman of the Football Trust since 1979, and to wish my hon. Friend well when he succeeds Lord Aberdare shortly.

National Lottery

Mr. Peter Bottomley: To ask the Secretary of State for Culture, Media and Sport on what statutory basis he has ordered the diversion of money from the National Lottery to causes other than those originally approved by Parliament. [22574]

Mr. Banks: No funds have been diverted from the existing good causes. Funds continue to be allocated between the existing five good causes according to the percentages approved by Parliament. My right hon. Friend the Secretary of State announced on 1 October 1997 that, from 14 October, and with the agreement of existing Lottery distributors, "shadow" accounts would be maintained, setting aside funds for the New Opportunities Fund and NESTA on the basis of the proposed percentage shares outlined in the National Lottery Bill. The existing distributors are planning their commitments and expenditure on the basis of these "shadow" accounts. Subject to Parliamentary approval of the relevant provisions of the Bill, resources will be transferred to the New Opportunities Fund and NESTA in line with these accounts after Royal Assent. If the legislation were not passed, for whatever reason, the funds would simply remain in the accounts of the existing distributors, as currently provided.

TREASURY

Millennium Compliance

Mr. David Atkinson: To ask the Chancellor of the Exchequer what is his Department's preferred method for companies to interface with the Inland Revenue for millennium computer compliance; and if he will make a statement. [21892]

Dawn Primarolo: The Inland Revenue has adopted a "no change" policy for handling Year 2000 dates across interfaces between its computer systems and those of other organisations, including companies, so that current protocols will continue to apply in the new millennium.

Inheritance Tax

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will extend beyond seven years the period within which gifts between individuals are free of inheritance tax. [22238]

Dawn Primarolo: The Chancellor of the Exchequer keeps under review all aspects of the tax system to ensure that it continues to meet the Government's objectives.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many works of art, on which there is conditional exemption of inheritance tax by virtue of public access, are on the Inland Revenue's register; and what was the figure in 1992. [22237]

Dawn Primarolo: In December 1997 there were 19,716 items listed on the Register of conditionally exempt works of art and other objects and the estimated figure for December 1992 is about 8,500.

Guernsey Trusts

Mr. Lilley: To ask the Chancellor of the Exchequer what information the Inland Revenue receives from the Guernsey authorities about *(a)* the deeds, *(b)* trustees and *(c)* letters of wishes of trusts established in Guernsey with discretionary beneficiaries in the United Kingdom.[22588]

Mr. Gordon Brown *[holding answer 12 January 1998]:* The exchange of information between the UK and Guernsey tax authorities is governed by the provisions of Article 10 of our Double Taxation Arrangement with Guernsey (S.I. 1952 No. 1215).

Paymaster General

Mr. Lilley: To ask the Chancellor of the Exchequer in which EU meetings in Brussels the Paymaster General *(a)* has represented and *(b)* plans to represent the UK. [22278]

Mr. Gordon Brown *[holding answer 12 January 1998]:* Treasury European issues are not the responsibility of the Paymaster General. He has never represented the UK at any EU meeting in Brussels and he has no plans to do so.

Mr. Fallon: To ask the Chancellor of the Exchequer (1) when the Permanent Secretary received the documentation in support of the assurances made to him by the Paymaster General in respect of the Orion Trust; and what assessment he has made of that documentation; [22814]

(2) if he will publish the questions upon which the Paymaster General sought advice from Sir Terrence Burns about his personal financial affairs. [22345]

Mr. Gordon Brown *[holding answer 12 January 1998]:* On his appointment as a Minister, the Paymaster General sought advice about his personal financial affairs from his solicitors, Titmuss Sainer Dechert, and the Permanent Secretary to the Treasury. In line with the Ministerial Code, his beneficial interests have been placed in a blind trust.

Government Actuary's Department

Ms Lawrence: To ask the Chancellor of the Exchequer what changes are proposed to the cash limit and net running cost limit for the Government Actuary's Department for 1997–98. [22971]

Mr. Darling: The net running cost limit for the Government Actuary's Department, Class XVI, Vote 12, will be decreased by £120,000 from £384,000 to £264,000 and the cash limit will be reduced by £120,000 from £604,000 to £484,000. The decrease follows the breach of the net running cost limit in 1996–97. The Government Actuary's Department has reviewed its systems and procedures to prevent a recurrence of the breach.

SCOTLAND

Falkirk College (Grants)

Mr. Canavan: To ask the Secretary of State for Scotland if he will instruct the Student Awards Agency for Scotland to ensure that all eligible students at Falkirk College of Further and Higher Education receive payment of their grants before Christmas. [20486]

Mr. Wilson *[holding answer 12 December 1997]:* I have been monitoring the progress made by the Student Awards Agency for Scotland since it became clear that there were delays in the payment of student grants for academic year 1997–98.

The Agency is confident that all new students at Falkirk College who submitted properly completed applications by mid November would have had them processed before Christmas.

Pre-employment Courses

Mr. Gorrie: To ask the Secretary of State for Scotland if he will request the Scottish Qualifications Authority to consider certificating pre-employment courses. [22271]

Mr. Wilson: All existing SQA courses and awards, to varying degrees, prepare people for employment. Academic qualifications such as Standard Grades, Highers and CSYS provide a foundation of knowledge in preparation for later life. Work-related qualifications such as National Certificate, HNC and HND combine knowledge and practical experience in a wide range of subject areas to prepare for employment. Work-based Scottish Vocational Qualifications (SVQs), which are assessed in workplace conditions and recognise that individuals are competent for specific occupations, can in certain situations also be taken in preparation for employment.

Broadly-based General SVQs were introduced in Scotland in 1991 specifically to assist people acquire the skills and knowledge required for employment, incorporating core skills in communication, numeracy, information technology, personal and interpersonal skills, and problem solving. The GSVQ concept, to be known as Scottish Group Awards, is being incorporated in the new Higher Still structure which, in 1999–2000, will reform the existing Highers, CSYS and National Certificate.

Further Education Colleges

Mr. Gorrie: To ask the Secretary of State for Scotland if he will phase in the changes in the method of calculating the funding of further education colleges, so that they will not take full effect until August 1999. [22267]

Mr. Wilson: We have yet to take decisions on changing the funding methodology for further education colleges, in light of responses to consultations following a recent review. When we do, we shall wish to consider appropriate transitional arrangements, including the possibility of phased introduction of certain elements.

Gross Domestic Product

Mr. Jenkin: To ask the Secretary of State for Scotland if he will make a statement on GDP per capita in relation to *(a)* England, *(b)* Wales, *(c)* Northern Ireland and *(d)* the United Kingdom for each year since 1978–79. [22414]

Mr. Wilson *[holding answer 12 January 1998]:* Provisional data for 1996, together with information for 1986 to 1995 will be published in an article called "Regional Accounts 1996 Part 1" in the January edition of the Office for National Statistics Publication, "Economic Trends". This will be available from the House of Commons Library from 15 January. Data for earlier years are currently available from the Library.

Data covering years to 1995, now about to be revised, were published in the January/February 1997 edition of "Economic Trends".

Class Sizes

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the average class sizes in *(a)* primary schools and *(b)* secondary schools in Scotland. [22418]

Mr. Wilson *[holding answer 12 January 1998]:* The information is as follows:

Education Authority Schools

Average number of pupils per class at September[1]

	Primary[2]	*Secondary*
1978–79	24.9	19.4
1979–80	23.9	18.9
1980–81	23.8	19.0
1981–82	23.8	19.1
1982–83	23.8	19.0
1983–84	25.3	19.5
1984–85	25.2	n/a
1985–86[3]	n/a	n/a
1986–87	n/a	n/a
1987–88	24.9	18.8
1989–90	24.7	18.6
1991–92	24.7	18.9
1993–94	24.7	19.3
1995–96	24.8	19.5

[1] Since 1983 for secondary schools and 1987 for primary schools, this information has only been collected biennially.

[2] Until the 1983 School Census, classes for small numbers of primary pupils withdrawn for short periods of time from their normal classes were included in the calculation of average class size. From 1983, all pupils were counted against their normal class for statistical purposes.

[3] Information for 1985–86 and 1986–87 is unavailable because of industrial action in some schools.

Capita

Mr. Jenkin: To ask the Secretary of State for Scotland how many meetings he has had with Capita. [22406]

Mr. Wilson *[holding answer 12 January 1998]:* My right hon. Friend the Secretary of State has had no meetings with Capita.

Mr. Jenkin: To ask the Secretary of State for Scotland how much it will cost to cancel the Government's contract with Capita following the abolition of the Nursery Voucher Scheme. [22380]

Mr. Wilson *[holding answer 12 January 1998]:* The amount of the termination fee the Government have negotiated with Capita is commercial in confidence.

Small Businesses

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of small businesses in Scotland. [22393]

Mr. Wilson *[holding answer 12 January 1998]:* There is no single official definition of a small business. For Scotland, the best guide to trends in the number of small businesses is given by the number of VAT-registered enterprises.

VAT registered businesses: Scotland, 1980–96[1, 2]

	Stock at start of year
1980	100,015
1981	100,965
1982	102,715
1983	103,785
1984	106,000
1985	108,210
1986	109,735
1987	111,485
1988	113,165
1989	115,455
1990	119,090
1991	122,770
1992	119,140
1993	118,755
1994	119,825
1995	118,610
1996	117,785
1997	118,125

Notes:

[1] Large increases in the threshold for VAT registration in 1991 and 1993 mean that the estimates for 1980–91, 1992–93 and 1994–96 are not entirely comparable.

[2] Figures for 1980–93 count VAT reporting units. Figures for 1994–96 count whole VAT registered enterprises.

Source:

DTI Statistical Bulletin, "Business Start-ups and closures: VAT registrations and deregistrations 1980–96".

Scottish Parliament

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he will make a statement on the membership and remit of the Consultative Steering Group on the Scottish Parliament. [23095]

Mr. McLeish: My right hon. Friend the Secretary of State for Scotland announced on 14 November 1997 his intention to establish an all party Consultative Steering Group to take forward consideration of how the Scottish Parliament might operate.

I am delighted to report that all the main political parties have agreed to participate in the Group. Their agreement to come together to contribute to the development of ideas at this early stage augurs well for the future of the Parliament and the political process in Scotland.

The Group, which I will chair, will comprise the hon. and learned Member for Orkney and Shetland (Mr. Wallace) and the hon. Member for Banff and Buchan (Mr. Salmond), or their representatives, representing the Liberal Democrats and the Scottish National Party, Mr. Paul Cullen QC, representing the Scottish Conservative Party, Mr. Keith Geddes CBE from the Convention of Scottish Local Authorities, Canon Kenyon Wright, from the Scottish Constitutional Convention, Professor Alice Brown, from the Department of Politics, University of Edinburgh, Dr. Joan Stringer, Principal of Queen Margaret's College, Ms Joyce McMillan, a writer and journalist who chaired the Constitutional Commission, Ms Esther Roberton of the Scottish Constitutional Convention, Mrs. Deirdre Hutton, Scottish Consumer Council, Mr. Andrew Cubie, a lawyer and former chair of the CBI in Scotland, and Mr. Campbell Christie, General Secretary of the STUC.

These individuals, who cover a wide range of relevant Scottish interests, have been chosen for the personal contributions they can make to the work of the Group. I am confident that this Group will work effectively to develop proposals for how the Scottish Parliament should operate and how it will relate to the Scottish public.

The Group will be supported by Scottish Office officials who will be able to draw in advice from a number of expert panels in the relevant fields in preparing proposals for further consideration by the Consultative Steering Group. These will include expert panels on Parliamentary procedures, on the scrutiny of financial matters, on how the Parliament might make best use of IT and telematics and on broadcasting and related media arrangements.

The Group will meet for the first time on Monday 19 January, when members will be asked to approve the following draft remit:

To bring together views on and consider the operational needs and working methods of the Scottish Parliament.

To develop proposals for the rules of procedure and Standing Orders which the Parliament might be invited to adopt.

To prepare a report to the Secretary of State for Scotland by the end of 1998, to inform the preparation of draft Standing Orders.

HOUSE OF COMMONS

Information Technology

Mr. Ian Bruce: To ask the President of the Council what assessment she has made of the demand on IT specialists and systems of the Government's legislative programme other than that caused by preparations for EMU and the year 2000 computer date change problem. [19612]

Mrs. Ann Taylor *[holding answer 17 December 1997]:* A Compliance Cost Assessment is required for any Bill which has cost implications for Business, Charities and Voluntary Organisations and should include any IT Costs.

PRESIDENT OF THE COUNCIL

Privy Council

Mr. Gordon Prentice: To ask the President of the Council if she will list the executive functions of the Privy Council. [22261]

Mrs. Ann Taylor: The Privy Council approves amendments to the byelaws and statutes of Chartered institutions. It also approves rules made by the statutory registration councils responsible for the medical and certain other professions, and makes instruments of government for higher education corporations. In addition, it makes certain appointments to statutory bodies and to the governing bodies of universities and colleges.

Mr. Gordon Prentice: To ask the President of the Council if she will list the Committees of the Privy Council, the number of times each has met since May and the quorum in each case. [22262]

Mrs. Ann Taylor: The standing Committees of the Privy Council are:

The Judicial Committee;

The Universities Committee;

The Scottish Universities Committee;

The Committee for the purposes of the Crown Office Act 1877;

The Committee for the Affairs of Jersey and Guernsey;

The Baronetage Committee;

The Political Honours Scrutiny Committee.

None of these Committees has met since May 1997 other than the Judicial Committee, which has sat throughout the Easter, Trinity and Michaelmas terms, and the Honours Committee, which has met three times. The quorum for the Judicial Committee is three. No quorum is stipulated for the Honours Committee.

In addition, ad hoc Committees are constituted when required. None has met since last May.

EDUCATION AND EMPLOYMENT

Literacy and Numeracy

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment what further plans he has to ensure that priority is given to the basics of literacy and numeracy within the primary curriculum. [22798]

Mr. Blunkett: I am announcing today plans that will free up primary teachers' time so that they can give a clear priority to the teaching of literacy and numeracy and to meeting our literacy and numeracy targets. From September 1998 the priorities in the primary curriculum will be English and mathematics. The position of science, information technology and religious education will remain unchanged.

Schools will still need to offer a balanced and broadly based curriculum and to that end will be required to have regard to the other National Curriculum subjects of art, design and technology, geography, history, music and physical education. Key stage 1 and Key stage 2 statutory requirements will be modified so that primary schools have more flexibility in how they teach these subjects. The Qualifications and Curriculum Authority (QCA) will give schools advice shortly after Easter on how they can achieve this.

I have asked QCA to conduct consultations on these proposals this term; and intend to lay new statutory Orders for the six non-core subjects in the summer.

Sir Richard Body: To ask the Secretary of State for Education and Employment if he will list the universities in the United Kingdom which now provide tuition in remedial English for students unable to write to an appropriate standard. [22614]

Dr. Howells: Individual universities and colleges are responsible for assessing the skills and tuition needs of their students. Information on supplementary tuition for students who need to improve their communication skills is not available centrally. The Department is committed to improving literacy and other key skills at all levels of the education system, and has supported a number of projects to develop key skills in higher education.

Project Work

Mr. Rooney: To ask the Secretary of State for Education and Employment how many claimants have been referred to project work in each quarter since April 1996; and how many of these have had their benefit cut for (i) two weeks and (ii) four weeks for failure to attend or complete their work placement. [21519]

Mr. Alan Howarth *[holding answer 18 December 1997]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under it's Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Terry Rooney, dated 13 January 1998.

As the Employment Service is an Executive Agency, the Secretary of State has asked me to reply to your question about the number of individuals referred to Project Work in each quarter since April 1996; and how many of these have had their benefit cut for (i) two weeks and (ii) four weeks, for failure to attend or complete their work placement. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency. I would like to apologise to you for the delay in supplying the information you have asked for.

Unfortunately, information is not available in precisely the format you have requested. Statistics on referrals to the work experience element of Project Work—as opposed to starts on this element of the programme—were not collected for the original pilots in Hull and Medway and Maidstone which began in April 1996, and it is not now possible to collect this information retrospectively

However, the figures in Table 1 set out the number of starts on the work experience element of Project Work and the number of cases referred for adjudication for refusal and failure to attend Project Work in the two pilot areas. The figures do not include people who left the register between being referred to the work experience element of Project Work and their planned date of starting. The first referrals to the work experience element of Project Work were not made until 22 July 1996.

Table 1

Quarter ending	*Number of jobseekers who started project work*	*Number of jobseekers referred to adjudication*
September 1996	658	44
December 1996	1,315	229
March 1997	1,152	223

Statistics on referrals to the work experience element of Project Work were collected for the extended pilots and I am therefore able to supply you with the number of people referred to the work experience element of Project Work from 1 April 1997. This information is contained in Table 2 below. Although the extended pilots started in February 1997 referrals to the work experience element in these areas did not begin until July 1997. The figures in Table 2 for the June quarter relate, therefore, only to Hull and Medway and Maidstone where Project Work was already in operation.

Table 2

Quarter ending	*Number of Jobseekers who were referred to Project Work*
June 1997	1,482
September 1997	13,727
December 1997	15,726

With the introduction of the extended Project Work Pilots separate figures for referrals to adjudication resulting from referrals to Project Work were not collected. Information on the total number of Adjudication Officers' decisions and opinions and disallowance rates relating to all government employment training programmes is contained in a published document entitled "Analysis of Adjudication Officers' Decisions". This provides information on all the labour market entitlement and sanction questions arising on claims. The latest information available is up to September 1997. Copies of this document are held in the Library of the House.

Table 3 contains the number of sanctions and disallowances imposed and opinions given from the introduction of JSA in October 1996 for:

- giving up a place on a training scheme or employment programme;
- refusal of a place on a training scheme or employment programme;
- neglect to avail of a place on a training scheme or employment programme;
- failure to attend on a training scheme or employment programme; and
- losing a place on a training scheme or employment programme through misconduct.

Schemes and programmes included in this definition are Jobplan Workshops, Restart Courses, Workwise, Worklink and Project Work. Employment Service statistics do not identify the number of sanctions relating to each programme, nor do they differentiate between tow and four week sanctions or disallowances.

Table 3

Quarter ending	*Sanctions and disallowances imposed and opinions given*
December 1996	5,193
March 1997	12,284
June 1997	10,961
September 1997	11,294

I hope this is helpful.

Mr. Rooney: To ask the Secretary of State for Education and Employment what have been the destinations of *(a)* claimants leaving or completing project work and *(b)* claimants in the selected control areas broken down to show those (i) in full-time employment, (ii) in self-employment, (iii) in part-time employment, (iv) in full-time education or training course, (v) on another Government programme, (vi) unemployed and claiming jobseekers's allowance, (vii) unemployed and not claiming benefit, (viii) in receipt of another benefit and (ix) doing something else. [21517]

Mr. Alan Howarth *[holding answer 18 December 1997]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Terry Rooney, dated 13 January 1998:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to reply to your question about the destinations of (a) individuals leaving or completing Project Work and (b) individuals in the selected control areas broken down to show those (i) in full-time employment, (ii) in self-employment, (iii) in part-time employment, (iv) in full-time education or training course, (v) on another Government programme, (vi) unemployed and claiming Jobseeker's Allowance, (vii) unemployed and not claiming benefit, (viii) in receipt of another benefit and (ix) doing something else. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency. I would like to apologise to you for the delay in supplying the information you have asked for.

Unfortunately, information is not available in precisely the format you have requested. Information on the destinations of Project Work participants at a national level is given in Tables 1 and 2. The figures

refer to the period July-November 1997. Information on the two Project Work pilots in Hull and Medway and Maidstone is given in Table 3 for the period March 1996-June 1997.

It may help if I explain that before entering the work experience element of Project Work, clients are given a Restart Interview following by a 13 week period of intensive job search help. During this time, participants are offered the full range of programmes available to long-term unemployed people, as well as a number of interviews with an adviser. If the person is still unemployed at the end of this period of intensive help, they are required to attend a 13 week period of work experience. This is intended to focus on the participant's job goals and work experience that is of benefit to the local community.

Project Work was initially piloted in two locations during 1996–97, and was expanded subsequently to cover 31 locations. There are no selected control areas for expanded Project Work.

I hope this is helpful.

PROJECT WORK

Table 1: Outcomes from 13 week period of intensive job search help: (from Restart Interview to work experience referral interview): July 1997–November 1997

Jobs[1]	*Training for Work (TfW)*	*Transfers to other benefits*
5,224	2,210	2,353

[1] ES placings including full-time, part-time and self-employed vacancies.

Table 2: Outcomes from 13 week period of work experience: July 1997–November 1997

Jobs[1]	*Full time education*	*Full time Training/TfW*
1,210	39	259

[1] This includes full-time and part-time employment and self-employed.

Table 3: Outcomes from the Project Work Pilots: March 1996–June 1997

	Jobs	*Full time education and training*	*Other benefit*	*Other reasons*
Pilots	761	87	409	444
Control	424	79	188	235

Further Education

Mr. Öpik: To ask the Secretary of State for Education and Employment what will be the total level of his Department's budget, in 1995–96 prices, for further education in *(a)* 1997–98 and *(b)* 1998–99; what such figurers would be for (i) 1997–98 and (ii) 1998–99 on the basis of the estimates of the gross domestic product deflator contained in the November 1996 Budget; and if he will make a statement. [22109]

Dr. Howells: The total level of the Department's budget for further education in 1997–98 at 1995–96 prices is £2.973 billion. Planned provision for 1998–99 at 1995–96 prices is £2.870 billion. Comparable figures using the GDP deflators contained in the November 1996 Budget are £3.001 billion and £2.920 billion respectively.

Mr. Öpik: To ask the Secretary of State for Education and Employment what assessment he has made of the impact on per capita funding levels in further education of the measures contained in his announcement of 12 November. [22111]

Dr. Howells: Part of the additional funding available to the further education sector is to restrict the squeeze on unit costs in the 1998–99 teaching year to no more than the rate of inflation.

Mr. Öpik: To ask the Secretary of State for Education and Employment if he will list the expenditure per student on capital projects within the further education sector for *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99; and if he will make a statement. [22113]

Dr. Howells: This information is not yet available.

Figures for individual colleges' capital expenditure in 1996–97 will not be available until January 1998 as the information is taken from colleges' audited accounts which are received by Further Education Funding Council on 30 November 1997. Figures for capital expenditure in subsequent years will follow a similar timetable.

Mr. Öpik: To ask the Secretary of State for Education and Employment what assessment he has made of the additional administrative responsibilities placed on current facilities and infrastructure in colleges in further education by recent schemes announced by Her Majesty's Government; what provision he has made for additional administrative responsibilities; and if he will make a statement. [22108]

Dr. Howells: It will be for Further Education colleges to assess the additional administrative responsibilities and costs when bidding for funds made available through these schemes.

Mr. Charles Clarke: To ask the Secretary of State for Education and Employment what studies he has commissioned on the relative costs of providing further education in urban and rural areas. [22667]

Dr. Howells: None. The Further Education Funding Council has recently consulted on a funding methodology for colleges in 1998–99 in order to reflect the need to widen participation in further education in all areas, whether rural or urban.

Student Finance

Mr. Dawson: To ask the Secretary of State for Education and Employment when he proposes to publish draft regulations governing the detailed application of the new rules for finance of students in further and higher education. [21915]

Dr. Howells *[holding answer issued 22 December 1997]:* The rules applying to maintenance grants and tuition fees in 1998–99 will be set out in the Education (Mandatory Awards) Regulations 1998, which we plan to lay before the House as soon as possible.

Provisions relating to income contingent student loans are contained in the Teaching and Higher Education Bill. The associated regulations will be laid before the House once the Bill receives Royal Assent in line with normal practice. We are taking steps to ensure that hon. Members

are fully informed about how the proposed arrangements will operate in detail in advance of the publication of the regulations.

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment what will be the effect of the Chancellor of the Exchequer's proposal to move to a new system of public expenditure planning by 2001–02 on the implementation of the recommendations contained in the Dearing Report relating to resource accounting. [22373]

Dr. Howells: The Government's proposal to move to a system of full resource accounting and budgeting in 2001–02 will result in a different treatment of student loans from grants. This will be consistent with the recommendation by the National Committee of Inquiry into Higher Education.

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Education and Employment how many secure cycle spaces there are in his Department. [22674]

Dr. Howells: There are 162 secure cycle spaces on DfEE HO sites.

School Inspections

Mr. Austin: To ask the Secretary of State for Education and Employment what proposals he has for the inspection of independent schools; what will be the role of Ofsted in such inspection; what representations he has received about the inspection of independent schools; and if he will make a statement. [22532]

Mr. Byers *[holding answer 12 Janaury 1998]:* Independent schools in England are currently inspected by Her Majesty's Inspectors (HMI) from Ofsted on a broadly 5-year cycle, and periodically by local fire brigades and—in the case of boarding schools—by local social services departments. Newly registered schools, or those causing concern, are inspected mor frequently and at least annually. Save in exceptional cases, these inspections do not normally lead to published reports.

Discussions are under way with the independent school organisations on proposals to develop their own inspection arrangements so as to yield regular published reports consistent with the inspection framework and standards operated by Ofsted. This would allow Ofsted to concentrate more on strengthened inspection with published reports on schools which are not covered by those arrangements and which include pupils assisted from public funds. We will announce the new arrangements when they are finalised.

Additionally our Green Paper "Excellence for all children: Meeting Special Educational Needs" proposes that all independent schools that provide specifically for children with Special Education Needs, but are not approved for this purpose under section 347(1) of the Eduction Act 1996, should be inspected at least every five years by HMI. Independent schools approved under that section are already inspected by Ofsted in the same way as maintained schools.

New Deal (South Devon)

Mr. Sanders: To ask the Secretary of State for Education and Employment what budget he has agreed for the estates element of the South Devon District New Deal Delivery plan. [22541]

Mr. Andrew Smith: The New Deal for 18 to 24-year-olds does not commence in the South Devon District until 1 April 1998. At this stage no budget has been agreed for estates work in that District. The needs of the South Devon offices will be assessed in the near future and an appropriate budget agreed for any changes required.

Republic of Ireland (Educational and Cultural Co-operation)

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment what response he plans to make to Irish Government proposals for a Programme and Joint Management Structure for youth exchanges between the United Kingdom and the Republic of Ireland. [22506]

Dr. Howells: A joint working party is being established to define the range and content of the youth exchange programme and to decide how it will operate. The Department will appoint representatives.

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment what response he plans to make to the proposal from the Irish Government for a joint forum to facilitate discussion and co-operation in educational matters. [22501]

Dr. Howells: Following the joint statement issued by the Prime Minister and the Taoiseach on 12 December, my right hon. Friend the Secretary of State for Education and Employment met the Irish Minister of Education and Science, Mr. Michael Martin TD, on 17 December. They agreed that there should be regular contact between officials of their Departments to discuss ways of enhancing teaching and learning through new technologies.

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment how many meetings of the Anglo-Irish Inter-Governmental Council Working Group on Education and Culture have taken place in each of the last three years; and if he will make a statement. [22565]

Dr. Howells: The Working Group on Education and Culture has met five times during the last three years, on 3 February 1995, 26 April 1996, 7 February 1997, 8 May 1997 and 14 November 1997. The Working Group provides a valuable forum for the discussion of Anglo-Irish co-operation in the fields of education and culture.

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment how many projects his Department funds under the Leonardo vocational training programme which involve Irish organisations. [22505]

Dr. Howells: During the first three years of the Leonardo da Vinci vocational training programme, UK organisations have led 757 transnational projects of which 149 involve partners from the Republic of Ireland. The Leonardo da Vinci programme is funded by the European Community, not the DfEE, and runs from 1995–99.

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment how many meetings his Department has had with the Irish Department of Education in relation to the National Grid for Learning and the University for Industry. [22500]

Dr. Howells: There has been one formal meeting of officials in relation to the National Grid for learning and none in relation to the University for Industry.

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment how many students from the Republic of Ireland are studying at British universities; and how many are in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland. [22503]

Dr. Howells: Data from the Higher Education Statistics Agency for the academic year 1996–97 showed that there were 14,550 students from the Republic of Ireland studying in higher education institutions in the UK, of whom 7,552 were studying in England, 1,570 in Scotland, 1,546 in Wales and 3,882 in Northern Ireland.

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment how many students from the Republic of Ireland are participating in further education in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland. [22504]

Dr. Howells: In 1995–96, the latest year for which data were available, there were 1,700 students from the Republic of Ireland studying in further education institutions in England.

The numbers of such students studying in other parts of the United Kingdom are a matter for my right hon. Friends the Secretaries of State for Wales, for Scotland and for Northern Ireland respectively.

Mr. John D. Taylor: To ask the Secretary of State for Education and Employment what measures he intends to take to encourage participation by English and Welsh schools in the European Studies Project. [22502]

Dr. Howells: The Government welcome the fact that a growing number of UK schools are forming partnerships with Irish schools through their participation in initiatives such as the European Studies Project and the EC SOCRATES programme. Following a meeting between my right hon. Friend the Secretary of State for Education and Employment and the Irish Minister of Education and Science on 17 December 1997, the Government are considering whether there is a need for additional measures to encourage co-operation between educational institutions in the UK and in Ireland.

AGRICULTURE, FISHERIES AND FOOD

Cycle Spaces

Mr. Brake: To ask the Minister of Agriculture, Fisheries and Food how many secure cycling spaces there are in his Department. [22676]

Mr. Morley: Many of the Department's 240 sites now provide secure accommodation for cycles. In our London HQ buildings there are about 100 spaces (some shared with other Departments) while the Department's HQ offices at York, Tolworth and Guildford have approximately 140 spaces between them. It is the Department's policy to provide secure cycle spaces where there is a demand for them and where this is physically possible.

Dairy Industry

Mr. Streeter: To ask the Minister of Agriculture, Fisheries and Food how much milk was *(a)* produced and *(b)* consumed in the United Kingdom in the last year for which figures are available. [22528]

Mr. Rooker: 1996 is the last year for which United Kingdom milk production and consumption figures are available. The figures are as follows:

United Kingdom milk production, supply and utilisation: 1996

	Million litres
Gross production of milk from the dairy and beef herds[1]	14,224
Imports of raw milk[2]	111
Exports of raw milk[3]	173
Total supply	14,162
Utilisation by dairies for drinking milk[3]	6,806
Utilisation by dairies for manufacturing dairy products[4]	6,979
Dairy wastage and stock change	76
Other uses[5]	301
Total domestic use	14,162

[1] Includes 7 million litres of milk from the beef herd. Excludes suckled milk.
[2] Milk imported or exported as packaged drinking milk is excluded.
[3] Represents consumption of drinking milk in the UK, as little is imported or exported. In 1996 imports of packaged drinking milk were 41 million litres, exports were 53 million litres.
[4] A proportion of dairy products manufactured will be exported and not consumed in the UK.
[5] Includes farmhouse consumption, milk fed to stock and on farm waste. Excludes suckled milk.

Mr. Streeter: To ask the Minister of Agriculture, Fisheries and Food how much *(a)* fresh and *(b)* UHT milk was imported into the United Kingdom in the last 12 months for which figures are available. [22529]

Mr. Rooker: A total of 153,300 tonnes of milk were imported into the United Kingdom in the 12 months to the end of September 1997. Trade statistics do not distinguish between fresh and UHT milk.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food if he will commission research into the operation of vertically integrated co-operatives for the dairy industry. [22447]

Mr. Rooker: I have no such plans.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy relating to Milk Marque. [22448]

Mr. Rooker: Issues concerning Milk Marque's commercial operations and those of other companies in the dairy sector are a matter for the competition authorities.

Beef

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what proportion of the total United Kingdom consumption of beef and beef products was derived from home production in *(a)* 1972 and *(b)* 1997. [22489]

Mr. Rooker: Home fed production of beef and veal as a proportion of new supplies was 78 per cent. in 1972 and 77 per cent. in the 12 months to September 1997.

New supplies of beef and veal are defined as home fed production plus imports of carcase meat plus the meat equivalent of fat animals imported for direct slaughter minus exports of carcase meat minus the meat equivalent of live exports.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what was the per capita consumption of beef and beef products in *(a)* 1972 and *(b)* 1997. [22488]

Mr. Rooker: Per capita consumption of beef, beef sausages and corned beef in Great Britain measured by purchases for consumption at home in the National Food Survey is given in the following table:

grams per person per week

Purchases of	*1972*	*1996–97*[1]
Beef	195	109
Beef sausages	42	15
Corned beef	13	13

[1] October 1996 to September 1997. Beef here includes a very small element of veal.

Data on the consumption of beef outside of the home and in the form of other processed products are not available. To help complete the picture, the table provides the total amount of beef available for domestic usage in 1996–97 and the nearest equivalent measure (total new supplies) for 1972–73. Domestic usage is derived as total UK production plus imports less exports and adjusted for stock changes. Total new supplies excludes the adjustment for stock changes.

United Kingdom	*1972–73*	*1996–97*[1]
Total domestic usage of beef ('000 Tonnes)	[2]1,173	840

[1] October 1996 to September 1997.
[2] Total new supplies in the period April 1972 to March 1973.

Total domestic usage and new supply figures are in carcase weight equivalent, whereas the per capita consumption estimates above relate to the actual weight purchased.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what was the average liveweight price of steers in *(a)* 1972 and *(b)* 1997. [22490]

Mr. Rooker: The average liveweight price of steers in Great Britain in 1997 was 97.5 p/kg. An equivalent price for 1972 is not available.

However, comparable figures for the United Kingdom for 1972 and 1997 are available for all clean cattle. In 1997, the average all clean cattle price was 95.4p/kg liveweight and in 1972 the average fat cattle market price was 30.3p/kg liveweight. The 1972 price relates to animals certified under the Fatstock Guarantee Scheme.

FOREIGN AND COMMONWEALTH AFFAIRS

Export Forum

15. **Mrs. Anne Campbell:** To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to the recommendations of the Export Forum, if he will make a statement on his Department's export promotion work. [20427]

Mr. Fatchett: This Department welcomes the report of the Export Forum, and supports the thrust of their proposals, which will form an important basis for a new export initiative. Supporting British business abroad helps create prosperity at home, and is one of this Department's key roles.

Small and Medium Enterprises

16. **Gillian Merron:** To ask the Secretary of State for Foreign and Commonwealth Affairs what further measures he will take to assist small and medium enterprises in their export efforts. [20428]

Mr. Fatchett: Our new Export Initiative, based on the recommendations of the Export Forum, will have a particular focus on the needs of small and medium enterprises which are exporters, or have the potential to export.

Job Creation

19. **Mr. Brady:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Foreign and Commonwealth Office has taken to promote job creation in the EU. [20431]

Mr. Robin Cook: My Department has worked with other government departments to encourage EU policies which promote job creation. We supported the inclusion of an Employment Title in the Treaty of Amsterdam and at the Employment Summit in Luxembourg. We secured a text that reflected HMG's priority of bringing jobs and opportunities for the long-term unemployed. At the forthcoming Cardiff Summit we will be reviewing the Action Plans by member states drawn up under the guidelines approved at Luxembourg.

India

20. **Mr. Luff:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British relations with India. [20432]

Mr. Fatchett: We enjoy good and close relations with India and, as I made clear in a written reply to my hon. Friend the Member for Reading, East (Jane Griffiths) on 8 July 1997, *Official Report*, column *415*, we look forward to strengthening this important relationship still further.

Middle East

21. **Mr. Gerrard:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current situation in the middle east. [20433]

Mr. Robin Cook: We are concerned by the current stalemate. We attach the highest importance to full implementation of existing commitments under the Interim and Hebron Agreements, and will give that issue high priority during our conduct of the EU Presidency.

23. **Mr. Rooney:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the European Union's role in the middle east peace process during the United Kingdom's presidency. [20435]

Mr. Robin Cook: Working to re-inject momentum into the peace process will be one of the most important foreign policy priorities of our Presidency. We will endeavour to keep up the pressure for progress in implementing existing agreements and ensure that EU and US efforts are complementary in moving the peace process forward.

28. **Mr. Burden:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the middle east peace process. [20440]

Mr. Fatchett: Working to re-inject momentum into the peace process will be one of the most important foreign policy priorities of our Presidency. We will endeavour to keep up the pressure for progress in implementing existing agreements and ensure that EU and US efforts are complementary in moving the peace process forward.

As part of our Presidency involvement I will be visiting Israel, Gaza and the West Bank on 14 to 16 January. I will be holding meetings with, among others, the Prime Minister of Israel and the Minister of The Palestine National Authority.

33. **Mr. Clifton-Brown:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to visit the middle east to discuss measures to increase United Kingdom exports to that area. [20445]

Mr. Fatchett: My right hon. Friend the Foreign Secretary hopes to visit the Middle East during the Spring. I am sure that trade issues will be discussed during his visit. I am delighted by the continuing high level of British exports to the region. Over the first ten months of 1997 there was a year on year increase of 19 per cent.

Arms Control

22. **Mr. Canavan:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had about arms control and if he will make a statement. [20434]

Mr. Tony Lloyd: My right hon. Friend the Foreign Secretary remains firmly committed to the promises made in the Labour manifesto. He is pursuing these issues in discussions with a range of interested parties.

Turkey

24. **Mr. Bill O'Brien:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's relations with Turkey. [20436]

Mr. Robin Cook: We attach great importance to our relations with Turkey, and value our dialogue on a wide range of issues.

Gibraltar

25. **Mr. Gibb:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to meet the Chief Minister of Gibraltar to discuss Spain. [20437]

Mr. Robin Cook: I look forward to seeing the Chief Minister of Gibraltar on 28 January in London.

Cyprus

26. **Mr. Simon Hughes:** To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives over Cyprus he proposes for 1998. [20438]

Mr. Robin Cook: We will continue to use our influence to help ensure that the two communities resume the settlement negotiations under the aegis of the UN Secretary-General. As EU Presidency, we will open accession negotiations with Cyprus. We hope this will involve a joint Greek Cypriot/Turkish Cypriot delegation.

EU Institutions (Reform)

27. **Mr. David Davis:** To ask the Secretary of State for Foreign and Commonwealth Affairs what are the Government's plans for Britain's presidency of the European Union in respect of reform of EU institutions. [20439]

Mr. Robin Cook: During the course of the UK Presidency, we are determined to make as much progress as possible towards the next enlargement of the European Union. One element of this will be discussing with other Member States how and when to proceed with Protocol No. 11 to the Treaty of Amsterdam concerning institutional reform in the context of enlargement. We fully support the principle of a smaller Commission and the reweighing of votes in the Council that this Protocol provides for.

Preparation for other measures envisaged by the Treaty of Amsterdam—for example, improving the quality of European legislation and ensuring greater openness in the Union—will continue during the UK Presidency. So will a series of continuing reforms to improve the operational efficiency of the institutions, such as SEM 2000 to improve financial management in the Commission and MAP 2000 to modernise the European civil service.

EU Countries (Territorial Claims)

29. **Rev. Martin Smyth:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries in the European Union which have a claim in their constitutions over the territory of another member of the Union. [20441]

Mr. Robin Cook: The only such case I know of concerns the Irish Constitution, Article 2 of which asserts that the national territory consists of the whole island of Ireland. The Irish Government have undertaken to introduce and support proposals to change the constitution, so as fully to reflect the principle of consent as part of an overall settlement in Northern Ireland.

EU Enlargement

30. **Mr. Pike:** To ask the Secretary of State for Foreign and Commonwealth Affairs which east and central European countries he proposes to visit during 1998 to discuss the enlargement of the European Union. [20442]

Mr. Robin Cook: I visited Poland, Hungary and the Czech Republic last November. My hon. Friend the Minister of State has recently visited the other seven

Central European applicant countries. We therefore have no immediate plans to visit the region. But we will have extensive contacts with our Central European colleagues at the many events involving them during the UK Presidency of the EU in the first six months of 1998.

31. **Mr. Gordon Marsden:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to use the presidency of the European Union to strengthen economic and social agreements between the European Union and those states which were formerly members of the Warsaw Pact and Soviet Union that currently have European Union association agreements. [20443]

Mr. Doug Henderson: We will work to ensure that Accession Partnerships for the 10 Central European countries that have EU Association Agreements are concluded by 15 March, as requested by the Luxembourg European Council. The Partnerships will feature a targeted programme of enhanced aid designed to help the applicants prepare for EU membership. They will, of course, be in addition to the continuing contacts within the Association Agreements for all 10.

36. **Mr. Paterson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress on enlargement of the European Union. [20448]

Mr. Doug Henderson: The decisions taken at the Luxembourg European Council have taken the enlargement process into its next stage. The way is open for the EU, with the UK as Presidency, to open accession negotiations with the six applicants who are ready, this spring. Those who need more help to prepare will get it; and all will participate on an equal footing in the European Conference to be inaugurated in London on 12 March.

38. **Mr. Colvin:** To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government support the application of Lithuania for membership of the European Union in the next wave. [20450]

Mr. Doug Henderson: Yes. We support enlargement of the EU and look forward to all applicants joining as soon as they are ready. But we do not favour talk of "waves" of membership. Applicants will be treated on their own individual merits.

39. **Mr. Wilkinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the foreign ministers of Latvia and Lithuania about European Union enlargement following the Luxembourg European Union summit. [20451]

Mr. Doug Henderson: None.

Nigeria

32. **Mr. Savidge:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the progress towards democracy in Nigeria. [20444]

Mr. Tony Lloyd: We and our EU, Commonwealth and UN partners agree that there has been no real progress on restoration of democracy and respect of human rights in Nigeria.

Our concerns about the transition programme include the non-inclusive nature of the process; the introduction of a decree which has enabled the Head of State to remove duly elected local council representatives from their positions; and the fact that the new Constitution of Nigeria has yet to be published and distributed.

We also continue to have serious concerns about the application of the rule of law and adherence to acceptable standards of human rights, including the failure to release political prisoners and detainees, and the limitations of freedom of speech. Since early November several more journalists and human rights activists in Nigeria have been detained without charge, and only two have been released.

Algeria

34. **Ann Clwyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he last raised the human rights situation in Algeria with the Algerian authorities. [20446]

Mr. Fatchett: I last raised human rights with the Algerian Ambassador in London in June. My officials at the Foreign and Commonwealth Office discussed our response, and that of our EU partners, to massacres in Algeria with the Algerian Ambassador in London last week. Our Ambassador in Algiers discussed the same subject with the Algerian authorities earlier this week.

Australia

35. **Mr. Forth:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to visit Australia to discuss United Kingdom–Australian relations. [20447]

Mr. Fatchett: British and Australian Ministers are in regular contact but my right hon. Friend the Foreign Secretary has no plans to visit Australia at present.

Sri Lanka

37. **Mr. Llwyd:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of civil rights in Sri Lanka; and if he will make a statement. [20449]

Mr. Fatchett: As I informed the honourable Member in my written reply on 8 July 1997, *Official Report*, column *415*, basic civil rights are enshrined in the Sri Lankan constitution. We hope that the Sri Lankan Government will continue to respect them.

TRADE AND INDUSTRY

Bankruptcy

Mr. White: To ask the President of the Board of Trade what plans she has to review *(a)* the bankruptcy laws and *(b)* the way bankruptcy is administered. [21489]

Mr. Nigel Griffiths: A working party is reviewing the current state of regulation in the insolvency profession and recently issued a consultation paper 'Insolvency Practitioner Regulation—Ten Years On'. Responses to that will inform their final report to the Secretary of State and the insolvency recognised professional bodies. Additionally, a further working party, chaired by

Mr. Justice Ferris, is currently considering the remuneration of office holders and is expected to report in early 1998. The findings and conclusions of both groups will receive very careful attention when received.

European Fusion Project

Mr. Baker: To ask the President of the Board of Trade if she will make a statement on the management performance of the Joint European Torus undertaking in respect of the European Fusion Project at Culham, with particular regard to the use of public funds and the consequences for future energy policy. [21170]

Mr. Battle *[holding answer 16 December 1997]:* The Joint European Torus at Culham is the European fusion programme's most important facility, and is in fact the largest of its kind operating anywhere in the world. The management achieved record results last month for fusion power and fusion energy. However, the report of the European Court of Auditors on JET's 1996 accounts raised some issues of concern. It identified a number of weaknesses in JET management's application of JET's Financial Regulations concerning the awarding of contracts, most notably in the areas of contract personnel and invitation to tender. The JET Director, Dr. Keilhacker, has responded disagreeing with the conclusions drawn by the Court in some of the specific examples quoted. He accepted some of the recommendations and rejected others.

We are concerned about the apparent weaknesses in various areas of JET management's performance, and we shall ensure that the United Kingdom Atomic Energy Authority pursue this issue in the JET council and other committees on which it is represented. I expect the JET Council either to satisfy itself that the JET Director's response is adequate or to ensure that he implements the audit recommendations.

JET's expenditure is around £60 million a year, and it is important that this money is spent with proper regard to propriety and the need for value for money.

Electricity Companies (Coal Purchases)

Mr. Redwood: To ask the President of the Board of Trade what steps the Government took to persuade the electricity companies to buy more coal, with special reference to regulatory and other measures. [21776]

Mrs. Beckett: This was a commercial arrangement between the parties concerned. Government acted as a facilitator only, and no regulatory or other measures were involved.

Inntrepreneur

Kate Hoey: To ask the President of the Board of Trade what factors underlay her decision not to seek amendment to the decision by the Office of Fair Trading to release Inntrepreneur from its undertakings given on the recommendation of the Monopolies and Mergers Commission. [21093]

Mr. Nigel Griffiths: Ministers do not have the legal power to revoke the February 1997 decision of their predecessors to vary the Inntrepreneur (IPCL) undertakings. Under UK competition law, further undertakings based on the 1991 MMC report between Elders IXL Ltd. (which owned Courage Ltd.) and Grand Metropolitan could be sought from Inntrepreneur only on the basis of the adverse effects detailed in that report. The UK's competition authorities have not identified any such grounds for seeking further undertakings from IPCL.

Weapons Convention

Mr. Livingstone: To ask the President of the Board of Trade what work is being carried out by her Department to support the negotiations to strengthen the 1972 Biological and Toxin Weapons Convention. [22511]

Mrs. Roche: My Department is working closely with the Foreign and Commonwealth Office (FCO) and the Ministry of Defence to achieve early international agreement on a legally binding protocol to establish an effective verification and compliance regime for the Biological and Toxin Weapons Convention (BTWC). My officials are members of the UK delegation, led by the FCO, which is playing a major role in the negotiations in Geneva. Responsibility for implementing an agreed protocol in the UK will fall to my Department and my officials are working with the UK pharmaceutical and biotechnology industries to secure their support for a strengthened BTWC regime.

Arms Control

Mr. Livingstone: To ask the President of the Board of Trade what work her Department is currently carrying out to support and implement arms control treaties in the fields of *(a)* chemical weapons and *(b)* nuclear weapons; and if she will make a statement. [22510]

Mrs. Roche: My Department is responsible for implementing the Chemical Weapons Convention (CWC) in the UK. The legislative basis for this work is the Chemical Weapons Act 1996 and the President of the Board of Trade will be submitting shortly to Parliament her annual report on the operation of the Act. My Department co-ordinates the preparation of annual UK declarations to the Organisation for the Prohibition of Chemical Weapons (OPCW), receives teams of international inspectors from the OPCW to verify the UK declarations and licenses the possession, use, production, import and export of certain chemicals listed in the Convention. An official in my Department has been appointed as the UK Representative on the Executive Council of the OPCW and my officials also participate in bilateral meetings and training courses aimed at helping other countries with their national implementation of the CWC.

The FCO has lead responsibility in the UK for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). However, my Department is responsible for ensuring that the UK meets is commitments under the 1978 safeguards agreement concluded with the International Atomic Energy Agency (IAEA) and Euratom in connection with the NPT under which the UK undertook to accept IAEA safeguards on all civil nuclear materials in facilities within the UK.

An official in my Department represents the UK on the Board of Governors of the IAEA and in that capacity is involved in all formal decisions of the IAEA including in the field of safeguards.

The IAEA safeguards system is now being strengthened following the agreement by the Board of Governors of the IAEA in May 1997 of a model protocol additional to existing safeguards agreements. The DTI took the lead for the UK in negotiating this model protocol. My Department is currently engaged in the negotiation of an additional protocol to the UK's existing safeguards agreement based on the model protocol and specific commitments given by the UK Governor to the IAEA when the model was adopted.

Consumer Credit

Ms Kelly: To ask the President of the Board of Trade if she will make a statement on consumer credit monetary limits and fees. [23093]

Mr. Nigel Griffiths: I am pleased to report that I have laid before Parliament today the Consumer Credit (Increase of Monetary Limits) (Amendment) Order 1998. This order is subject to the affirmative procedure and will be debated by both Houses of Parliament.

I will then lay two other associated Orders, the Consumer Credit (Further Increase of Monetary Amounts) Order 1998, and the Consumer Credit (Realisation of Pawn) (Amendment) Regulations 1998.

The main thrust of these amendments will be to increase protection for consumers and unincorporated businesses by raising the upper limit for regulated credit and hire agreements to £25,000, from the current level of £15,000, which has not been changed since 1983. This will bring under regulation most unsecured consumer loans and many loans for house purchase and other loans secured on property which are currently above the regulated level.

Because many people who borrow small amounts are among the more vulnerable consumers, I have decided not to raise the upper limit on small agreements or to change the exemption limits for connected lender liability.

The upper limit relating to the consumer's right to terminate a hire agreement after 18 months will be raised from £900 to £1,500.

The fees which consumers pay for copies of documents and other services and the exemption limit on the notice of intention to sell pawned goods will be raised to reflect inflation since the last rise.

The consumer's liability following misuse of a credit card will remain at the current level of £50.

To give the credit and hire industries time to make the necessary administrative amendments, the changes will come into force on 1 May 1998, after the Increase of Monetary Limits Order has been debated and received the approval of both Houses.

EU Acquired Rights Directive

Ms Shipley: To ask the President of the Board of Trade when she intends to carry out public consultation on the European Commission's proposal to amend the Acquired Rights Directive. [23092]

Mr. Ian McCartney: My Department has today published a public consultation document on this issue. A copy will be placed in the Library of the House.

Exports (South Korea)

Mr. Watts: To ask the President of the Board of Trade if she will make a statement on her Department's export promotion work with South Korea. [20417]

Mrs. Roche: Our aims are to ensure that: British companies are fully briefed on those areas which present good commercial opportunities for them in South Korea; and South Korea is aware of our capabilities in those same areas. In carrying this out we have a responsibility to advise our companies of the practicalities of doing business in South Korea. This is particularly relevant with the present economic situation.

As a tool to achieve this, in June 1997, I launched a set of publications called "Trading with Korea"; they provide factual information on specific issues that affect British companies doing business there. These publications are available free of charge from my Department. My Department is working closely with the Business Links: to promote these publications: and to offer companies targeted briefing on doing business in South Korea.

HEALTH

Insulin

Mr. Wills: To ask the Secretary of State for Health what steps his Department has taken, over the last 10 years, to monitor the effectiveness and the side effects of genetically engineered insulin in comparison with animal insulins; and what have been the results of such monitoring. [19251]

Ms Jowell: The Medicines Control Agency is responsible for the continuous monitoring of the safety of all licensed medicines and the safety of human (genetically engineered) insulin is therefore under continuous review. In addition, a considerable number of clinical studies have been performed and published comparing animal and human insulin.

The Committee on Safety of Medicines, which advises the Government on such matters, has fully reviewed the safety of human insulin on several occasions since its introduction. During the review process there has been repeated consultation with experts in the field of diabetes as well as with the British Diabetic Association. The Committee has concluded that, although some patients have experienced problems on transferring to human insulins and may be better suited to animal insulins, there is no evidence of a safety problem specific to human insulin. The Committee will continue to monitor closely the safety of insulins.

Private Health Insurance

Mr. Fraser: To ask the Secretary of State for Health what estimates he has made of the cost to the National Health Service in *(a)* 1997–98 and *(b)* 1998–99 of treating patients previously covered by private health insurance. [22464]

Mr. Milburn: No such estimates have been made. The numbers covered by private medical insurance have fallen since 1990. Any additional demand from an increase in numbers failing to renew policies will be covered by the additional resources both this year and next.

Chiropody and Podiatry

Angela Smith: To ask the Secretary of State for Health what percentage of NHS chiropody and podiatry services were provided to ethnic minority patients in each of the last three years. [22555]

Mr. Boateng: Information about the ethnic background of patients receiving National Health Service chiropody and podiatry services is not collected.

Angela Smith: To ask the Secretary of State for Health what measures he is taking to ensure ethnic minorities with non-insulin diabetes have full access to NHS chiropody and podiatry services. [22554]

Mr. Boateng: The Department of Health established a task force in 1993 to look at ways of securing better and more cost-effective chiropody services within the National Health Service. The recommendations were widely disseminated to the service with the emphasis being on the provision of services to "at risk" groups—for example diabetics and those with acute clinical need. Information about the ethnic background of patients receiving NHS chiropody and podiatry services is not collected.

It is currently the responsibility of health authorities and general practitioner fundholders to assess the health care needs of their population, and to secure a range of hospital and community health services, including chiropody services, to meet those needs. Most health authorities give priority to meeting the chiropody needs of older people, those with "at risk" conditions, and certain other groups such as children, pregnant women, and people with learning disabilities.

Under the Chronic Disease Management Programme for diabetes, participating GPs (currently 94 per cent.) are required to give patients a full review, including checks for potential complications, at least annually and to refer them promptly to other services where appropriate. Health Service Guidelines HSG(97)45 on "Key features of a good diabetes service", issued to the NHS in November 1997, gives guidance on developing a structured programme of care, including surveillance for, and management of, the risk factors and complications of diabetes. It also flags up the importance of a responsive service, sensitive to different needs and states:

"prevalence of diabetes is generally much higher in all non-Europid ethnic groups, particularly the South Asian and African-Caribbean groups. It is important that consideration is given to the language and cultural barriers that may exist between health professionals and people with diabetes".

The Department of Health has commissioned new national clinical guidelines for non-insulin dependent diabetes, and other clinical effectiveness publications, which we expect to be available by the end of 1999. Copies of Health Service Guidelines HSG(97)45 are available in the Library.

Angela Smith: To ask the Secretary of State for Health (1) what assessment his Department has made of limitations on the availability of chiropody services to particular age groups; what representations he has received on the subject; and if he will make a statement; [22551]

(2) pursuant to his answer of 13 November 1997, *Official Report*, column *662*, what assessment he has made of the extent to which health authorities' decisions to provide chiropody services are determined according to the need of the population served. [22557]

Mr. Boateng: The Department of Health established in 1993 a task force to look at ways of securing better and more cost-effective chiropody services within the National Health Service. The recommendations were widely disseminated to the service with the emphasis being on the provision of services to "at risk" groups and those with acute clinical need.

It is currently the responsibility of health authorities and general practitioner fundholders to assess the health care needs of their population, and to secure a range of hospital and community health services to meet those needs. Decisions about health care and the use of resources are best taken at local level because it is there that people's needs are best known and services can be tailored accordingly.

Ministers have received a number of representations and communications on the subject and have responded individually.

Angela Smith: To ask the Secretary of State for Health, pursuant to his Department's answer of 13 November 1997, *Official Report*, column *662*, how many health authorities have consulted with their local residents during the last 12 months over the proper priority for chiropody within purchasing priorities. [22559]

Mr. Boateng: The information requested is not routinely collected.

Angela Smith: To ask the Secretary of State for Health how many health authorities have notified his Department of *(a)* reductions and *(b)* increases in chiropody services in the last two years; and what other sources are utilised to collate trends in the level of services. [22558]

Mr. Boateng: The information requested is not routinely collected. Health authorities are not required to notify the Department of changes in activity in particular services. Although the Department wishes to see health authorities and general practitioner fundholders provide the full range of National Health Service services including chiropody, detailed planning decisions on levels of provision are taken locally according to the needs of the population served.

Information from health authorities about patient contacts with their chiropody services is collected on Department of Health annual return KT23. This information is published each year and copies of the summary information booklets are available in the Library.

Angela Smith: To ask the Secretary of State for Health what was the budget for each trust in England for NHS chiropody and podiatry services in *(a)* 1997–98, *(b)* 1996–97, *(c)* 1995–96 and *(d)* 1994–95. [22560]

Mr. Boateng: Figures on National Health Service trust budgets are not available centrally. Expenditure on community chiropody services by health authority directly managed units and NHS trusts in England for the years 1994–95 to 1996–97 have been placed in the Library.

Expenditure figures are compiled at the end of the financial year and therefore figures for 1997–98 have not yet been collected.

Angela Smith: To ask the Secretary of State for Health, pursuant to his answer of 13 November 1997, *Official Report*, column *662*, what methods his Department employs to communicate to health authorities the requirement for chiropody to be included within the full range of NHS services. [22556]

Mr. Boateng: It is currently the responsibility of health authorities and general practitioner fundholders to assess the health care needs of their population, and to secure a range of hospital and community health services, including chiropody services, to meet those needs. Health authorities were informed, in the 1997–98 NHS Priorities and Planning Guidance, of the need to ensure, in collaboration with other local authorities and organisations, that integrated services are in place to meet needs for continuing health care for older people, people with disabilities, vulnerable people and children.

Angela Smith: To ask the Secretary of State for Health what measures his Department takes to ensure that the foot health needs of the elderly population are met; and what indicators measure levels of access to chiropody and podiatry services by those aged over 65 years.[22553]

Mr. Boateng: It is currently the responsibility of health authorities and general practitioner fundholders to assess the health care needs of their population, and to secure a range of hospital and community health services, including chiropody services, to meet those needs. Most health authorities give priority to meeting the chiropody needs of older people, those with "at risk" conditions for example diabetes, and certain other groups such as children, pregnant women, and people with learning disabilities.

Information about contacts with community chiropody services by age group is collected annually on Department of Health return KT23 and is published each year. Copies are available in the Library. In 1996–97, 63 per cent. of initial contacts with the chiropody service were with patients aged 65 and over.

Angela Smith: To ask the Secretary of State for Health what is the age profile of NHS chiropody and podiatry patients for *(a)* 1996–97, *(b)* 1995–96 and *(c)* 1994–95; and what proportion of initial contacts made by NHS chiropody and podiatry patients were self-referred in these years. [22552]

Mr. Boateng: The age profile of National Health Service chiropody and podiatry patients as defined by initial contacts in the last three years is as follows:

Thousands

Years	*Total*	*Age*						
		0-4	*5-15*	*16-54*	*55-64*	*65-74*	*75-84*	*85 and over*
1994–95	975.4	17.4	75.4	137.0	109.2	268.1	256.4	111.9
1995–96	950.6	15.6	65.6	147.9	109.5	255.8	246.3	109.9
1996–97	975.4	16.5	68.9	158.2	115.7	253.7	250.0	112.4

Information about the source of referral of NHS chiropody and podiatry patients for chiropody and podiatry services has not been collected centrally since 1991–92. In 1991–92, approximately 50 per cent. of the patients seen by chiropody services were self referrals.

Falloden Private Hospital, Leeds

Mr. Hinchliffe: To ask the Secretary of State for Health how many abortions were carried out at the Falloden private hospital, Leeds, during *(a)* 1995 and *(b)* 1996. [21799]

Ms Jowell: A total of 693 abortions undertaken at the Fallodon Private Surgical Hospital were notified to the Chief Medical Officer between 1 January 1995 and 28 November 1995. On 29 November 1995, the hospital closed following withdrawal of registration under the Registered Homes Act and withdrawal of approval to carry out abortions by the then Secretary of State.

Mr. Hinchliffe: To ask the Secretary of State for Health what steps have been taken to establish the number of female patients who did not receive a full dosage of anti-D immunoglobulin during terminations undertaken at the Falloden private hospital, Leeds; what the implications of this are for the patients concerned; what steps have been taken to warn them of the potential risks they face and provide appropriate screening; and if he will make a statement. [21800]

Ms Jowell: When the Department became aware that some women had received less than the recommended dose of anti-D immunoglobulin, at the Fallodon Private Surgical Hospital, expert medical advice was sought on the medical consequences. That advice was that it would not be possible to identify any woman who may have been affected unless and until they became pregnant again.

Establishing the number of female patients who did not receive the full dose of anti-D would not therefore guide future care, nor offer benefit to the women concerned, and might cause needless anxiety. Any attempt to contact these women indirectly, for example via their general practitioner, would have run the risk of breaching patient confidentiality.

A woman's blood group is routinely tested as part of her ante-natal care. If she is found to be Rhesus negative she would be monitored to see whether she develops Anti-D antibodies. Action necessary to protect the baby would be determined by the results of this monitoring.

Tobacco

Dr. Marek: To ask the Secretary of State for Health what assessment he has made of the relationship between the level of *(a)* smoking among young people and *(b)* smuggled tobacco products from other member states of the European Union. [22793]

Ms Jowell: No assessment of such a relationship has been made.

SOCIAL SECURITY

Winter Fuel Payments

Dr. Lynne Jones: To ask the Secretary of State for Social Security for what reasons she has not made the new payments for assistance with winter fuel bills available to all groups receiving cold weather payments. [20624]

Mr. Denham: In our manifesto we made a commitment to review the central areas of insecurity for older people and examine ways to deliver more automatic help to the poorest pensioners. Work is underway in both areas, but we are not prepared to allow another winter to go by when pensioners are fearful of turning up their heating because they do not know whether they will get the help they need with their fuel bills. The additional help of £400 million over this winter and next, announced by the Chancellor on 25 November 1997, demonstrates the Government's commitment to help the elderly keep warm in their homes.

We have already taken action to cut fuel costs and make homes easier to heat. So far we have: reduced VAT on domestic fuel from eight to five per cent; reduced the gas levy to zero; extended energy efficiency grants and announced a reduction on VAT on energy saving installation schemes; announced the setting up of an Environmental Task Force which is expected to include a programme of energy efficiency improvements in the homes of the elderly; and, released almost £800 million to local authorities over the next two years to help meet pressing housing needs, which is expected to feature improved energy efficiency in many areas.

Disability Allowance

Mr. Burstow: To ask the Secretary of State for Social Security what estimate she has made of the number of claimants in *(a)* Sutton and *(b)* Greater London, who are currently claiming disability allowance for (i) mobility awards and (ii) care awards, for (1) arthritis, (2) muscle/bone/joint disease, (3) blindness, (4) stroke-related disability, (5) learning difficulties, (6) other mental health causes, (7) epilepsy, (8) deafness, (9) malignant disease, (10) chest disease, (11) back ailments, (12) heart disease, (13) Parkinson's Disease, (14) Diabetes Mellitus, (15) renal disorders, (16) AIDS, (17) skin diseases and (18) other reasons. [21670]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Paul Burstow, dated 12 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding what estimate she has made of the number of claimants in (a) Sutton and (b) Greater London, who are currently claiming Disability Living Allowance for (i) mobility awards and (ii) care awards, for (1) arthritis, (2) muscle/joint/bone disease, (3) blindness, (4) stroke related diseases, (5) learning difficulties, (6) other mental health causes, (7) epilepsy, (8) deafness, (9) malignant disease, (10) chest diseases, (11) back aliments, (12) heart diseases, (13) Parkinsons disease, (14) Diabetes melitus, (15) renal disorders, (16) AIDS, (17) skin diseases, (18) other reasons.

Due to the low numbers involved and high margin of error, it has not been possible to provide an accurate breakdown, by main disabling condition for Sutton. However the following figures provide the total of all the disabling conditions required, for the Sutton area.

	All disabling conditions
All awards	3,187
Awards of care	2,049
Awards of mobility	2,771

As the numbers for Greater London are higher a more accurate breakdown has been possible and this shown in the attached table.

I hope you find this reply helpful.

Disability living allowance for Greater London

Main disabling condition	*All awards*	*Awards of care*	*Awards of mobility*
1. Arthritis	27,900	17,900	25,500
2. Muscle/joint/bone disease	12,900	8,800	10,500
3. Blindness	6,100	5,300	5,900
4. Stroke related diseases	7,800	6,700	7,000
5. Learning difficulties	19,100	15,100	16,000
6. Other mental health causes	24,900	21,200	20,300
7. Epilepsy	4,800	4,400	4,100
8. Deafness	2,300	2,200	1,300
9. Malignant disease	4,700	4,300	3,900
10. Chest disease	5,200	2,800	4,700
11. Back ailments	11,500	6,900	10,600
12. Heart diseases	8,300	4,200	7,800
13. Parkinsons disease	1,100	1,000	1,000
14. Diabetes melitus	4,100	3,400	2,700
15. Renal disorders	1,200	900	1,000
16. AIDS	3,700	3,500	3,400
17. Skin diseases	1,400	1,300	400
18. Other reasons	26,900	20,900	21,800

Data is provisional and subject to change.

Respiratory Diseases

Mr. Bill O'Brien: To ask the Secretary of State for Social Security (1) what advice she has received from the Benefits Agency Medical Services in the Yorkshire Region concerning the delay in applicants receiving medical examinations for respiratory diseases; and if she will make a statement; [21624]

(2) what was the average length of time applicants in the Normanton constituency waited for medical examinations for respiratory diseases *(a)* for the six months from January to June, and *(b)* from July to December 1997; and if she will make a statement; [21625]

(3) what action she intends to take to promote efficiency in the Yorkshire office of the Benefits Agency Medical Services; and if she will make a statement; [21626]

(4) what proposals she plans to introduce to ensure a sufficient number of trained doctors to carry out medical examinations in the Yorkshire Regions for chronic bronchitis and emphysema; and if she will make a statement. [21627]

Mr. Keith Bradley: The administration of the Benefits Agency Medical Services is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Bill O'Brien, dated 12 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent parliamentary questions about the operation of Benefits Agency Medical Services (BAMS) in the Yorkshire area.

Performance in all areas of the Benefits Agency (BA), including the clearance of Industrial Injuries Disablement Benefit referrals in respiratory disease cases, is routinely monitored. There were temporary problems with examinations in the Yorkshire region earlier this year due to recruitment of new staff and a reorganisation of boundaries within BAMS. Appropriate action has been taken by local management to deal with those problems.

Information on performance targets is available for the Leeds Medical Services Centre (MSC), which includes Normanton. BAMS are set national performance targets when dealing with claims to Industrial Injuries Disablement Benefit (IIDB) from clients suffering from respiratory diseases. The performance of Leeds MSC against these national targets since January is set out on the attached table. I would like to reassure you that BAMS is fully committed to continuing this improvement.

Since July, there has been no shortage of suitably trained doctors to carry out medical examinations in the Yorkshire Regions for chronic bronchitis and emphysema.

Much of the delay in dealing with respiratory disease cases is not directly related to arrangements for the actual medical examination. Once a case is at the examination stage it normally takes only 2–3 weeks to arrange and carry out the relevant medical procedure. However, it may be necessary to obtain further medical evidence before any examination is carried out and it is here that delays can occur, many of which are outside the BA's control. There is a legal requirement, for example, to obtain original X-rays when the client has had an X-ray taken during the last 18 months. This is connected with radiation protection and avoids the necessity for further exposure. Hospital case notes, consultant's reports, etc may also be needed.

I hope this reply is helpful.

Clearance of industrial injuries disablement benefit referrals in respiratory disease cases

	Percentage cleared in 33 working days	*Percentage cleared in 70 working days*
Target	60	90
January to June	19.2	46.7
July to November	45.9	91.4

School Governors (Benefit Withdrawal)

Mr. Healey: To ask the Secretary of State for Social Security how many benefits claimants have had benefit withdrawn as a consequence of acting as a school governor since 1990; and of these, how many have had each benefit concerned withdrawn in each year. [21811]

Mr. Keith Bradley: The information requested is not available.

Council Tax

Mr. Webb: To ask the Secretary of State for Social Security what is the average weekly gross council tax of family credit recipients; how many have weekly gross council tax bills of (i) up to £3.99, (ii) £4–£7.99, (iii) £8–£11.99, (iv) £12–£15.99, (v) £16–£19.99 and (vi) £20 or above; and how many in each of these categories are also receiving council tax benefit. [21787]

Mr. Keith Bradley *[holding answer 19 December 1997]:* According to the 1995–96 Family Resources Survey the average weekly gross Council Tax of Family Credit recipients was £11 (rounded to the nearest £1).

Information about the gross level of the Council Tax liability of Family Credit recipients is shown in Table A. Counts of Family Credit receipt derived from the Family Resources Survey do not match administrative sources. Therefore the requested figures are shown as percentages rather than grossed up counts. Percentages are also used to show those within each band that are also in receipt of Council Tax Benefit.

Table B contains details of Council Tax Benefit recipients who are also in receipt of Family Credit.

Table A: Gross level of the Council Tax liability of Family Credit recipients

	Recipients of Family Credit	
Weekly gross Council Tax (£'s)	*Percentages within each Council Tax band*	*Percentage within band in receipt of Council Tax Benefit*
Up to 3.99	[1]—	[1]—
4 to 7.99	10	39
8 to 11.99	59	39
12 to 15.99	31	31
16 to 19.99	[1]—	[1]—
20 or above	[1]—	[1]—
Total	100	Not applicable

[1] Denotes nil or negligible.

1. The figures exclude non-householder benefit units in receipt of Family Credit.
2. The figures are based on information from the 1995–96 Family Resources Survey (FRS). The 1995–96 survey is the latest for which data are available.
3. The estimates are based on sample counts which have been adjusted for non-response using multi-purpose grossing factors which control for region, Council Tax Band and a number of demographic variables. Estimates are subject to sampling error and to variability in non response.
4. The figures refer to householder benefit units where the benefit unit to which the adult belongs is in receipt of Family Credit. A benefit unit is a single adult or couple living as married and any dependent children.
5. Gross Council Tax is the amount of weekly Council Tax eligible for Council Tax Benefit.

Table B: Council Tax Benefit recipients who receive Family Credit, by average weekly gross Council Tax, within Great Britain—May 1996

Average weekly gross Council Tax (£s)	*Council Tax Benefit recipients with Family Credit*
Up to 3.99	[1]—
4 to 7.99	67,000
8 to 11.99	116,000
12 to 15.99	18,000
16 to 19.99	3,000
20 or above	[1]—
Total all cases	205,000

[1] Denotes nil or negligible.

Source:

Housing Benefit Management Information System, annual 1 per cent. sample enquiries, with and without Income Support, taken at the end of May 1996.

Notes:

1. Information refers to Council Tax Benefit recipients who have Family Credit.
2. Gross Council Tax is the amount of weekly Council Tax eligible for Council Tax Benefit.
3. The number of recipients have been rounded to the nearest thousand.
4. Figures refer to the number of benefit units.

Rented Accommodation

Mr. Webb: To ask the Secretary of State for Social Security what is the average weekly gross rent of people in rented accommodation in receipt of family credit; how many have weekly gross rents of (i) up to £9.99, (ii) £10–£19.99, (iii) £20–£29.99, (iv) £30–£39.99, (v) £40–£49.99, (vi) £50–£59.99, (vii) £60–£69.99, (viii) £70–£79.99 and (ix) £80 or above; and how many in each of these categories are also receiving housing benefit. [21786]

Mr. Keith Bradley *[holding answer 19 December 1997]:* According to the 1995–96 Family Resources Survey the average weekly rent eligible for Housing Benefit of Family Credit recipients was £45 (rounded to nearest £1).

Information about weekly rents eligible for Housing Benefit is shown in table A. Counts of Family Credit receipt derived from the Family Resources Survey do not match administrative sources. Therefore, the requested figures are shown as percentages rather than grossed up counts. Percentages are also used to show those within each band that are also in receipt of Housing Benefit. In addition the requested rent bands resulted in counts too low to be presented with any statistical reliability. In order to provide more reliable figures it has been necessary to enlarge the rent bands used.

Table B contains details of the average weekly eligible rent for Housing Benefit recipients who also receive Family Credit.

Table A: Weekly rents eligible for Housing Benefit

	Recipients of Family Credit	
Weekly rent eligible for Housing Benefit (£s)	*Percentages within each rent band*	*Percentage within band in receipt of Housing Benefit*
Up to 29.99	21	42
30 to 39.99	30	59
40 to 49.99	22	73
50 to 69.99	15	79
70 or above	12	84
Total	100	

1. The figures above refer to rent eligible for Housing Benefit. This is the rent paid by a benefit unit for accommodation after taking off certain service charges but before the deduction of Housing Benefit, if applicable. It does not include any local authority "maximum rent" adjustment.
2. The figures are based on information from the 1995–96 Family Resources Survey (FRS). The 1995–96 survey is the latest for which data are available.
3. The estimates are based on sample counts which have been adjusted for non-response using multi-purpose grossing factors which control for region, Council Tax Band and a number of demographic variables. Estimates are subject to sampling error and to variability in non response.
4. The figures refer to benefit units where the benefit unit to which the adult belongs is in receipt of Family Credit. A benefit unit is a single adult or couple living as married and any dependent children.

Table B: Housing Benefit recipients who receive Family Credit, by average weekly eligible rent, within Great Britain—May 1996

Average weekly eligible rent (£s)	*Housing Benefit recipients with Family Credit*
Up to 9.99	[1]—
10.00 to 19.99	[1]—
20.00 to 29.99	16,000
30.00 to 39.99	58,000
40.00 to 49.99	55,000
50.00 to 59.99	28,000
60.00 to 69.99	21,000
70.00 to 79.99	15,000
80.00 and over	20,000
Total (all cases)	213,000

[1] Denotes nil or negligible.

Source:

Housing Benefit Management Information System, annual 1 per cent. sample inquiries, with and without Income Support, taken at the end of May 1996.

Notes:

1. Information refers to Housing Benefit recipients who have Family Credit.
2. Eligible rent is the amount of weekly rent eligible for Housing Benefit.
3. The number of recipients have been rounded to the nearest thousand.
4. Figures refer to the number of benefit units.

All-work Test

Mr. Cousins: To ask the Secretary of State for Social Security how many claimants have successfully claimed benefit by passing an all-work test in each year since that test was introduced; and what estimate she has made of the number of such claimants who have earnings from work. [22094]

Mr. Denham: The information is not available in the form requested. Such information as is available is set out in the table.

Cases allowed benefit following referral to the Benefits Agency medical services[1]

	Number
1995–96	561,502
1996–97	840,679
1997–98 (to 31 October 1997)	460,640

Incapacity Benefit is only payable as long as a person remains incapable of work through sickness or disability. Recipients are permitted to undertake up to 16 hours work per week without affecting their benefit entitlement provided this work is of a therapeutic nature. It is estimated that 1 per cent. of Incapacity Benefit recipients undertake paid work on the grounds that it is therapeutic[2].

Sources:

[1] 100 per cent. count of the Incapacity Benefit computer. This includes people claiming benefit for the first time and existing recipients re-referred for a further medical examination. Includes referrals under the all-work test and own occupation test, and includes Severe Disablement Allowance cases. Excludes a small number of cases not on the system.

[2] Londsdale, S., Lessof C. and Ferris, G. (1993) Invalidity Benefit: a survey of recipients, London: HMSO.

Annuities

Mr. Flight: To ask the Secretary of State for Social Security if she will estimate how many pensioners aged

between 65 and 75 years have postponed purchasing an annuity until after the age of 65 years. [22055]

Mr. Denham: The information is not available.

Therapeutic Work

Mr. Cousins: To ask the Secretary of State for Social Security when the recognition of therapeutic work was withdrawn from the benefits system; and how many claimants had established an entitlement to earnings from therapeutic work at that point. [22054]

Mr. Denham: Under current legislation Incapacity Benefit and Severe Disablement Allowance recipients are permitted to undertake work of a therapeutic nature. It is estimated that one per cent. of Incapacity Benefit recipients undertake paid work on the grounds that it is therapeutic.

Source: Lonsdale, S, Lessof C and Ferris, G (1993) "Invalidity Benefit: a survey of recipients", London: HMSO.

This survey found that two per cent. of Invalidity Benefit recipients had ever done therapeutic work and fewer still were doing it at the time of the interview. The 1995–96 Family Resources Survey shows that 1 per cent. of Incapacity Benefit recipients had done any paid work in the week before the interview. Information is not collected directly on use of the permitted work provisions.

Benefit Take-up

Mr. Swinney: To ask the Secretary of State for Social Security what is the take-up rate in *(a)* the United Kingdom and *(b)* Scotland of (i) jobseeker's allowance, (ii) income support, (iii) family credit, (iv) disability living allowance, (v) disability working allowance, (vi) housing benefit, (vii) council tax benefit and (viii) severe hardship allowance. [22473]

Mr. Bradley: We would encourage anyone who is entitled to a benefit to make a claim. We are addressing the particular problem of pensioners failing to claim their Income Support entitlement by commissioning research into why they do not claim, and by running a number of pilot schemes to help find out how best to get help to them.

Latest estimates show that in Great Britain in 1995–96: the take-up of Income Support was between 88 per cent. and 92 per cent. by expenditure and between 76 per cent. and 82 per cent. by caseload; take-up of Family credit was 83 per cent. by expenditure and 70 per cent. by caseload; take-up of Housing Benefit was between 93 per cent. and 96 per cent. by expenditure and between 89 per cent. and 94 per cent. by caseload; take-up of Council Tax Benefit was between 76 per cent. and 84 per cent. by expenditure and between 74 per cent. and 82 per cent. by caseload[1]. Figures for Scotland are not available in the form requested but are likely to be broadly similar to those for Great Britain as a whole.

Estimates of take-up for Jobseeker's Allowance, Disability Living Allowance, Disability Working Allowance and Severe Hardship Allowance are not available.

For estimates relating to Northern Ireland, I refer the hon. Member to my right hon. Friend the Secretary of State for Northern Ireland.

Source:

[1] DSS estimates from 1995–96 Family Resources Survey.

Note:

Estimates are not available for Jobseeker's Allowance because of its relatively recent introduction; for Disability Living Allowance because work on them is still in progress; and for Disability Working Allowance and Severe Hardship Allowance because of the small numbers entitled to these benefits and thus the small sample sizes involved in the surveys used to produce estimates of take-up.

Lone Parents

Dr. Lynne Jones: To ask the Secretary of State for Social Security what assessment she has made of the impact of the withdrawal of lone parent benefits on those fleeing domestic violence. [22374]

Mr. Keith Bradley: New lone parents, including those fleeing domestic violence, will continue to receive the same rate of Child Benefit as couples with children. Lone parents who make a new claim for Income Support, Jobseeker's Allowance, Housing Benefit of Council Tax Benefit will receive the same rate of family premium as couples with children.

A parent who has experienced domestic violence and decides to leave their partner can seek help from a variety of sources. These include the police, Women's Aid or a local refuge, Social Services and health professionals at a doctor's surgery or Hospital. The key is for agencies to work together locally to ensure that they provide effective support to those contacting them for help, and refer them on to other agencies, such a Housing or a local refuge, where necessary.

Mr. Öpik: To ask the Secretary of State for Social Security if she will make a statement regarding her policy on benefits for single parents in work on low wages.[22466]

Mr. Keith Bradley: The Government believe that work is the best form of welfare. Our priority is to provide all families, including lone parents, with the support they need to make the transition into work and to support themselves in work. We have already undertaken a number of important steps to help achieve this.

Childcare plays a crucial role in supporting lone parents in work as they need access to affordable, good quality childcare to help balance work and family life successfully. That is why our Manifesto gave a commitment to introduce a National Childcare Strategy. That commitment is already becoming a reality.

The massive boost in childcare provision which was announced by my right hon. Friend, the Chancellor of the Exchequer in his pre-Budget statement means every child will have access to out of school care in their community. We are investing an extra £300 million to provide an extra 30,000 out of school clubs—a tenfold increase on existing provision. We have guaranteed a nursery place for every four year old in Britain and provided specific help in the New Deal for Lone Parents towards the cost of childcare.

In addition, the improvements to the childcare disregard scheme in the in-work benefits from June 1998, means parents will be able to receive up to £95.50 a week towards the cost of their childcare. There will also be more help with the cost of childcare through the Working Families Tax Credit.

We are also reviewing all aspects of the Child Support Agency to ensure it provides a fair, efficient, and effective service. Maintenance is a portable income which lone mothers keep when they move into work and they need to know the Child Support Agency will take every action to ensure that it is paid.

The implementation of a National Minimum Wage will also benefit all low income families. It will provide a statutory level beneath which pay should not fall and will remove the worst excesses of low pay and exploitation of vulnerable workers.

Finally, we are also examining the interaction of the tax and benefit systems so that they can be streamlined and modernised, so as to fulfil objectives of promoting work incentives, reducing poverty and welfare dependency, and strengthening community and family life.

Mr. Webb: To ask the Secretary of State for Social Security what is the average *(a)* rent of tenants and *(b)* mortgage interest for homebuyers in respect of lone parents in the New Deal pilot areas. [22530]

Mr. Keith Bradley: The information requested is not available.

Mr. Webb: To ask the Secretary of State for Social Security what proportion of lone parents on income support are *(a)* tenants, *(b)* owner occupiers with mortgages, *(c)* owner occupiers who own outright and *(d)* non-householders; and what is their (i) mean and (ii) median gross weekly housing costs. [22531]

Mr. Keith Bradley: The information is set out in the table.

Household tenure	*Proportion (per cent.)*	*Gross weekly housing costs for household (£s)*	
		Mean	*Median*
Tenants	82	54	47
Owner occupiers with mortgage	12	56	45
Own outright	[1]—	[1]—	[1]—
Non-householders	6	not applicable	not applicable

[1] Denotes nil or negligible.

1. The figures are based on information from the 1995–96 Family Resources Survey (FRS). The 1995–96 survey is the latest for which data are available.

Mr. Webb: To ask the Secretary of State for Social Security what estimate she has made of the percentage of a random sample of lone parents whose youngest child was at school and who were receiving income support who would typically flow off benefit in a three month period in current economic circumstances. [14023]

Mr. Keith Bradley [*Pursuant to his reply 3 November 1997, column 86–7.*]

The information is not available in the format requested. there are a number of reasons why a lone parent may cease claiming Income Support. These include: re-partnering; receiving an increase in income other than earnings (for example following an award of maintenance); and either starting work or increasing their hours of work.

There were 506,000 Income Support claimants in receipt of a lone parent premium at the end of November 1996 whose youngest child was aged 5 or over. Three months later 46,000 had ceased to fit into this category: around 36,000 had ceased to claim by the end of February 1997 and a further 10,000 remained on benefit but experienced a change in their circumstances.

Notes:

1. All figures have been rounded to the nearest thousand.

2. Sample size 5 per cent.

3. Continuous claims include those who were no longer a lone parent with a youngest child aged 5 or over in February 1997.

Source:

Income Support Quarterly Statistical Enquiries, November 1996 and February 1997.

Disability Living Allowance

Mr. Healey: To ask the Secretary of State for Social Security if she has considered excluding sufferers from multiple sclerosis among the categories of disabled people already excluded from the current review programme of disability living allowance claims; and if she will make a statement. [22375]

Mr. Denham: The Benefit Integrity Project (BIP) is designed to gather up-to-date information about the care and mobility needs of people receiving the higher rate mobility component of Disability Living Allowance (DLA) with either the middle or highest rate of the care component, through a programme of postal inquiries and home visits. People with certain conditions are not being contacted directly. These are disabled people receiving payments under Special Rules, quadriplegics, paraplegics, people who are both deaf and blind, double amputees and those within our definition of severe mental impairment. There are no plans to extend this list of conditions.

The level of entitlement to DLA cannot generally be predicted by the fact that an individual has a certain disabling condition. Entitlement is based on the effect of that disabling condition on the individual concerned and their need for help with personal care and/or getting around. Disabling conditions rarely remain static and as conditions improve or worsen, or the disabled person becomes more or less able to cope, the need for help changes also. Any change in the level of help needed with either personal care or getting around could affect entitlement to DLA. Where a change is gradual and occurs over time, it can be difficult for the individual to recognise exactly the point at which they should be contacting the Benefits Agency.

Lone Parents (Spelthorne)

Mr. Wilshire: To ask the Secretary of State for Social Security how many and what proportion of lone parents are receiving regular payments of child maintenance in Spelthorne. [22201]

Mr. Keith Bradley: I refer the hon. Member to the reply given to the hon. Member for Coventry, South-East (Mr. Cunningham) on 22 December 1997, *Official Report*, column *465*.

Housing Benefit

Ms Buck: To ask the Secretary of State for Social Security for each local authority in England how many households are in receipt of housing benefit for *(a)* local authority homes, *(b)* private rented homes and *(c)* housing association homes; and what was the average weekly payment in each category. [22485]

Mr. Keith Bradley: The information requested is provided in the table which has been placed in the Library.

Council Tax Benefit

Mr. Öpik: To ask the Secretary of State for Social Security what is her policy concerning the role of investment income in the calculation of council tax benefit; and if she will make a statement. [22467]

Mr. Keith Bradley: Income derived from capital which has been invested is treated as capital but only from the date it is due to be credited to the claimant's account. This is because, to aid efficient administration, a notional (tariff) income is assumed where capital held by a claimant exceeds £3,000. To take into account both notional and actual income derived from same capital would be inequitable.

Written Answers to Questions

Wednesday 14 January 1998

WALES

Welsh Assembly

Mr. Evans: To ask the Secretary of State for Wales how many civil servants are currently working on the siting of the Welsh Assembly; and what has been the cost to public funds to date of work on the siting of the assembly. [20084]

Mr. Ron Davies: There are currently no civil servants working full time on the siting on the Assembly. Eight civil servants currently devote a proportion of their time to the siting of the Assembly. The cost to date of finding a site for the Assembly is included in the running cost expenditure of my department which is published in the Welsh Office Departmental Report 1997 (Cm 3615).

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Wales how many secure cycle spaces there are in his Department. [22682]

Mr. Ron Davies: Sixty eight.

DEFENCE

Minimum Wage

Mr. Redwood: To ask the Secretary of State for Defence what plans his Department has to seek exemptions for any of its *(a)* civilian and *(b)* military employees from the minimum wage. [22639]

Mr. George Robertson: I refer the right hon. Member to the reply I gave to the hon. Member for Moray (Mrs. Ewing) on 12 January 1998, *Official Report*, column 13.

Ulster Defence Regiment

Mr. Maginnis: To ask the Secretary of State for Defence what delays there have been in issuing those qualifying ex-members of the Ulster Defence Regiment with their Accumulated Service Medal; how many qualify for this medal; how many have been issued to date; and what has been the situation in respect of other UDR members who transferred to the Royal Irish Regiment. [22799]

Mr. Spellar: The delay in issuing the Accumulated Service Medal (ACSM) to former members of the Ulster Defence Regiment (UDR) has been caused by the large number of applications received from all sections of the Army since the medal's introduction, and the decision to afford priority of assessment and issue to serving members of the Armed Forces. In addition, the absence of detailed records of operational duties for part-time ex-UDR/Royal Irish Regiment members has presented some difficulties in establishing entitlement. There has, however, been little delay in issuing medals once an individual's entitlement has been confirmed.

A total of 12,500 successful applications for the ACSM have been processed by the Army Medals Office since the commencement of Issues in January 1995, of which 4,779 ACSM's have been made to former members of the UDR, serving and ex-members of the Royal Irish Regiment. The entitlement to the medal of some 600 former UDR and Royal Irish Regiment members has still to be established, but is being reviewed expeditiously.

TRADE AND INDUSTRY

Cycle Spaces

Mr. Brake: To ask the President of the Board of Trade how many secure cycle spaces there are in her Department. [22675]

Mr. Nigel Griffiths: There are 21 cycle racks with capacity for 158 cycles in the Department's four buildings in the Victoria area. There is room for more racks should demand increase.

Biotechnical Inventions

Mr. Alan Clark: To ask the President of the Board of Trade what action the Government intend to take on the EU Directive, Legal Protection of Biotechnological Inventions; and what amendments they propose in respect of its provisions on the patentability of the human body. [22728]

Mr. Ian McCartney: The Government recently joined other Member States in supporting a Common Position which was reached by the Internal Market Council on 27 November 1997. The Common Position includes a provision which excludes the human body, at the various stages of its formation and development, from patentability. This provision fully reflects the views of the European Parliament, and the Government did not seek to amend the text.

The Common Position will now be sent to the European Parliament for second reading.

New Statesman and Society

Mr. Redwood: To ask the President of the Board of Trade what action her Department is taking to ensure accounts for the *New Statesman and Society* are filed. [22344]

Mrs. Beckett *[holding answer 12 January 1998]:* The Registrar of Companies has responsibility under the Companies Acts 1985 and 1989 for ensuring that up-to-date information on limited companies is available for public inspection.

In line with normal procedures, a letter was sent on 16 December to New Statesman Limited at its registered office warning of the consequences of continued default and requesting that overdue accounts be delivered within one month. Should the company not comply, formal warnings of prosecution proceedings will be sent to the directors.

Company Accounts

Mr. Redwood: To ask the President of the Board of Trade in what circumstances her Department prosecutes directors of companies in respect of a failure to file accounts on time if the director for the trading period concerned has resigned. [22347]

Mrs. Beckett *[holding answer 12 January 1998]:* In line with the guidance issued by the Attorney-General in his "Code For Crown Prosecutors", Companies House institutes criminal proceedings against directors who fail to comply with the disclosure requirements of the Companies Acts 1985 and 1989.

The aim of these proceedings is to secure compliance and, as a general rule, prosecution would not normally take place against a former director who would no longer be able to influence the company's affairs and would, therefore, not be capable of remedying a default.

It is possible, however, to depart from these general rules where there is an indication that a director has resigned purely to avoid compliance or conviction.

Departmental Accounts

Mr. Redwood: To ask the President of the Board of Trade in what circumstances her Department grants an extension for the filing of accounts; and what actions her Department takes to ensure that accounts are filed on time. [22348]

Mrs. Beckett *[holding answer 12 January 1998]:* Short extensions to the time allowed for the delivery of accounts to the Registrar are granted by Companies House, on a discretionary basis, where the reasons for the delay can be demonstrated to be unforeseen and outside the control of the company and its auditors. Applications for such extensions are considered on their merits.

As far as compliance is concerned, the Registrar reminds all companies of the requirement to deliver accounts to him, prior to the date when accounts fall due to be delivered. This is followed up by a further series of reminders once the accounts are overdue. Continued failure to deliver accounts may render the directors liable for prosecution. In addition, where accounts are filed late, the company is subject to a civil late filing penalty. Specific guidance is also provided to assist first time directors to become more aware of their statutory obligations to deliver accounts and adhere to their statutory filing responsibilities.

Nuclear Materials

Mr. Chaytor: To ask the President of the Board of Trade, pursuant to her answer of 10 December 1997, *Official Report*, column *548*, if she will list the international experts consulted since 1988 in the review of measures to protect against terrorist activity directed at nuclear materials in transit; and if she will list the research her Department has evaluated on this subject. [22300]

Mr. Battle *[holding answer 12 January 1998]:* In accordance with the requirements of the Convention on the Physical Protection of Nuclear Material, government security experts co-operate, exchange information and consult directly with experts in other governments so as to ensure that nuclear material in international transportation is protected adequately and effectively. All relevant available information is reviewed on a case by case basis before movements of sensitive quantities of nuclear material.

Mr. Chaytor: To ask the President of the Board of Trade if the United Kingdom representatives on the informal group on guidelines for the management of plutonium proposed that details of plutonium isotopic quality be included in section 9 on nuclear material accountancy and control in the report on the guidelines recently placed in the Library. [22285]

Mr. Battle *[holding answer 12 January 1998]:* In many respects the guidelines represents a reaffirmation of existing obligations and commitments. Section 9 concerning nuclear material accountancy and control is a case in point and accords with the provisions in the participating countries' respective safeguards agreements with the IAEA and, in the case of the United Kingdom, France Germany and Belgium, Euratom. The inclusion in the guidelines of details of plutonium isotopic quality would not have been consistent with these agreements which, with one minor exception, do not distinguish between plutonium of different isotopic composition.

Renewable Energy

Mr. Yeo: To ask the President of the Board of Trade when she will announce the outcome of her review of Renewable Energy. [22290]

Mr. Battle *[holding answer 12 January 1998]:* I am expecting an interdepartmental review group to present me with a number of policy options shortly. I will then need to consult with colleagues, and perhaps with industry and other interested parties, before announcing the outcome of the review as soon as possible this year.

CULTURE, MEDIA AND SPORT

Museums and Galleries

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what is the current breakdown by *(a)* age, *(b)* sex and *(c)* socio-economic background of visitors to the (i) Victoria and Albert Museum, (ii) British Museum, (iii) National Museum of Science and Industry, (iv) Imperial War Museum, (v) National Gallery, (vi) National Maritime Museum, (vii) Natural History Museum and (viii) Tate Gallery. [19509]

Mr. Chris Smith: The best available survey information is in the following tables. Figures relate to periods from 1995 to date.

(a) Age of visitors

Age band	*Percentage*
(i) Victoria and Albert Museum	
Up to 24	21
25–34	20
35–44	20
45–54	21
55 and over	17
(ii) British Museum	
0–16	15
17–24	11
25–34	24
35–44	25

(a) Age of visitors

Age band	*Percentage*
45–54	12
55–64	7
65 and over	7
(iii) National Museum of Science and Industry	
15–34	36
35 and over	64
(iv) Imperial War Museum	
0–15	12
16–24	16
25–44	30
45–59	20
60 and over	22
(v) National Gallery	
15–34	44
35–54	35
55 and over	21
(vi) National Maritime Museum	
18–24	10
25–34	18
35–44	25
45–54	22
55–64	13
65 and over	12
(vii) Natural History Museum	
0–4	8
5–10	20
11–14	10
15–18	4
19–24	9
25–34	17
35–54	26
55 and over	6
(viii) Tate Gallery	
15–24	26
25–34	24
35–44	15
45–54	17
55 and over	19

(b) Male/female percentages

	Male Percentage	*Female Percentage*
Victoria and Albert Museum	43	57
British Museum	46.5	53.5
National Museum of Science and Industry	56	44
Imperial War Museum	65	35
National Gallery	49	51
National Maritime Museum	61	39
Natural History Museum	60	50
Tate Gallery	45	55

(c) Socio-economic background of visitors

	A or B percentage	*C1 percentage*	*C2, D or E percentage*
Victoria and Albert Museum[1]	89	—	11
British Museum	41.2	50	8.8
National Museum of Science and Industry	52	34	14
Imperial War Museum	47	33	17
National Gallery[2]	49	31	9

(c) Socio-economic background of visitors

	A or B percentage	*C1 percentage*	*C2, D or E percentage*
National Maritime Museum	34	45	21
Natural History Museum	41	38	21
Tate Gallery[1]	91	—	8

Figures from free institutions are more prone to error than from those which charge. Some institutions have no data available on the composition of educational groups and information on schoolchildren is frequently omitted. Figures for the National Museum of Science and Industry and the Imperial War Museum are for the principal site only. Some totals do not sum to 100 per cent. due to rounding.

[1] Figures for AB include C1.

[2] Not specified: 10 per cent.

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Culture, Media and Sport how many secure cycle spaces there are in his Department. [22679]

Mr. Tom Clarke: The Department for Culture, Media and Sport has secure storage for 12 bicycles, with scope for a further eight should the need arise.

DUCHY OF LANCASTER

Admiralty House

Dr. Julian Lewis: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 22 December 1997, *Official Report*, columns *394–95*, if any of the Admiralty House apartments available for Ministers have previously been allocated on the basis of security requirements. [22689]

Dr. David Clark: Yes.

Dr. Julian Lewis: To ask the Chancellor of the Duchy of Lancaster if he will list the Ministers for whom accommodation in Admiralty House has been made available since 1968. [22690]

Dr. David Clark: Accommodation in Admiralty House has been made available to various holders of the following Ministerial offices since 1968:

Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions

Attorney-General

Secretary of State for Commonwealth Affairs

Secretary of State for Defence

Chancellor of the Duchy of Lancaster

Secretary of State for the Environment

Secretary of State for the Home Department

Secretary of State for Northern Ireland

Parliamentary Secretary to the Treasury (Chief Whip)

Paymaster General

Minister without Portfolio

Lord President of the Council

President of the Board of Trade

Lord Privy Seal

Secretary of State for Trade and Industry.

In addition, Admiralty House was also occupied on a temporary basis by the Prime Minister and Chancellor of the Exchequer during the refurbishments of Numbers 10 and 11 Downing Street in 1992 and 1994 respectively.

TREASURY

Cash Planning

Mr. Robert Jackson: To ask the Chancellor of the Exchequer what has been the control total for cash planning for the year ahead in each year since 1987; and by what amount the outturn figure has differed from the figure previously announced. [22539]

Mr. Darling: The table gives the information requested. It shows the control aggregate for cash planning which was set before the beginning of the year and the difference between that planned figure and the final outturn. Planned figures have been amended for classification changes between the beginning of the year and the publication of outturn, but are otherwise as were published immediately preceding that financial year. Differences from outturn are calculated using data published in the following year.

Year ahead control aggregates and amount by which outturn differed (£ billion)

	Aggregate	*Planned expenditure*[1]	*Amount by which outturn differed*[2]
1987–88	Planning Total	148.7	–3.0
1988–89	Planning Total	156.9	–7.3
1989–90	Planning Total	167.1	2.1
1990–91	New Planning Total	179.0	1.0
1991–92	New Planning Total	204.2	–0.8
1992–93	New Planning Total	226.7	0.6
1993–94	Control Total	244.4	–2.5
1994–95	Control Total	250.9	–2.4
1995–96	Control Total	256.2	–1.0
1996–97	Control Total	259.5	0.4

[1] Adjusted for classification changes.
[2] For 1987–88 to 1991–92 outturns are as published in the following year's Autumn Statement or related Statistical Supplement, and for more recent years in Public Expenditure Statistical Analyses. The outturn figure used for 1996–97 is as published in the Pre-Budget Report.

Self Assessment

Mr. Sanders: To ask the Chancellor of the Exchequer (1) what representations he has received about the filing deadline for submission of self assessment tax returns; [22499]

(2) what plans he has to extend the filing deadline for submission of self assessment tax returns; [22498]

(3) if he will make a statement on the filing deadline for self assessment tax returns; [22540]

(4) how many self assessment tax returns have been rejected by Inland Revenue staff since self assessment was introduced; [22518]

(5) what estimates he has made of the number of self assessment tax returns *(a)* likely to be received before the deadline date and *(b)* expected not to meet the deadline. [22550]

Dawn Primarolo: Self assessment tax returns are due from individuals, partnerships and trusts for the tax year 1996–97. The statutory filing date for these returns is 31 Janaury 1998. There are no plans to extend this deadline. Although representations have been received from a number of tax practitioners seeking an extension to the filing date, others have argued against an extension. The timetable for filing returns is a realistic one, details of which have been known for the last four years.

During the pilot exercises carried out to test the new system, between 85 per cent. and 90 per cent. of returns were received by the deadline despite there being no national advertising campaign or any penalties charged for late filing. The Inland Revenue expect the vast majority of taxpayers to meet this year's deadline and will continue to give as much assistance and advice as they reasonably can to help taxpayers and their agents do this.

Of the returns filed by 30 September 1997, about 6 per cent. had to be sent back to taxpayers, mainly because of basic errors—such as missing signatures or pages—which the Inland Revenue were unable to correct. However, this error rate has fallen in respect of returns received more recently. The majority of returns that were sent back to taxpayers have now been corrected and re-submitted to the Inland Revenue.

Savings

Mr. Loughton: To ask the Chancellor of the Exchequer what is the limit recommended by the Government for the amount of savings exposed to risk-inherent equities by poorer savers. [21344]

Mr. Geoffrey Robinson *[holding answer 17 December 1997]:* There is no such Government recommended limit. Investors should make their own decisions drawing on regulated investment advice if they wish, and using information disclosed by product providers.

HOME DEPARTMENT

Prison Officers

Mr. Allan: To ask the Secretary of State for the Home Department what minimum educational qualifications are required of new recruits for training as prison officers in *(a)* the Prison Service and *(b)* each of the contractually managed prisons operated by the private sector; and if he will make a statement. [21572]

Ms Quin: Since 2 September 1997, the minimum educational requirement for prison officer entry to the Prison Service is a minimum of five subjects in GCSE, grades A*–C, including English, Mathematics, or their equivalent.

For each of the four companies running prisons under contracts let or extended prior to 2 September 1997, the requirement is as follows:

Group 4 (Altcourse, Buckley Hall and Wolds)

No pre-qualifications.

Premier Prison Service (Doncaster and Lowdham Grange)

Pre-qualifications of 5 GCSE passes, including English and Mathematics, at level A–E.

Securicor (Parc)

No pre-qualifications.

UKDS (Blakenhurst)

No pre-qualifications.

However, invitations to tender issued by the Prison Service after 2 September 1997 for prison contracts, or extensions of existing contracts (including Blakenhurst) after that date, require the same minimum educational qualifications for prisoner custody officers as have been introduced for prison officers.

Street Lighting

Dr. Marek: To ask the Secretary of State for the Home Department what evidence he has evaluated on the role of street lighting in deterring criminal activity. [22815]

Mr. Michael: The Home Office Crime Prevention Unit published two papers on street lighting in 1991. The first reported the results of an independent evaluation of a major street lighting programme in the London Borough of Wandsworth, which concluded there was little impact on crime. The second reviewed a number of evaluations of street lighting initiatives and concluded that there was little scope to reduce crime by improving street lighting generally. However, it did report that improved street lighting could help in local "blackspots" where lighting was particularly poor and when it was part of a package of measures. A recent report by Dr. Kate Painter, University of Cambridge, concludes that improved street lighting reduced crime on a high crime estate in Dudley, West Midlands. The Home Office is currently examining this report and will also review existing evidence and published research on the subject.

Immigration Service

Mr. Alasdair Morgan: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 December 1997, *Official Report*, column *433*, if he will list *(a)* the locations in which staff of the Immigration and Nationality Directorate are based in the United Kingdom other than Croydon and *(b)* the number of staff based in each such location. [22079]

Mr. Mike O'Brien: The information requested is as follows:

	Number
Aberdeen	7
Belfast	8
Birmingham	105
Bournemouth/Poole	8
Bristol	13
Cambridge	1
Cardiff	13
Cheriton	74
Dover/Ramsgate	282
East Midlands	20
Edinburgh	7
Felixstowe	5
Feltham Green	75
Gatwick	430
Glasgow	39
Gravesend/Rochester	19
Harwich	48
Heathrow	1,242
Hull	13
Humberside	2
Leeds/Bradford	25
Liverpool	215
London (excluding Croydon)	348
Luton	26
Manchester	118
Mildenhall	3
Newcastle	10
Newhaven	19
Norwich	6
North Shields	11
Oxfordshire	12
Portsmouth/Southampton	47
Preston	1
Plymouth	12
Southend	2
Stansted	83
Stockton on Tees	9
Swansea	2
Total	3,360

FOREIGN AND COMMONWEALTH AFFAIRS

Gibraltar

Ms Rosie Winterton: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made by the Government of Gibraltar to deal with illicit trafficking. [23453]

Mr. Doug Henderson: We and the Government of Gibraltar have taken decisive action to stop drugs and tobacco smuggling using Gibraltar-based boats. Effective regulatory mechanisms, including new bodies, have been established.

The Government of Gibraltar have also introduced tough legislation to UK and EC standards on an all crimes basis to deal with money laundering. This has transformed Gibraltar's international reputation in this context. EC Commissioner Gradin, for example, said in the European Parliament last year that there are no grounds for suspecting Gibraltar of tolerating money laundering.

Argentina

Mr. Dawson: To ask the Secretary of State for Foreign and Commonwealth Affairs how many exceptions to the arms embargo on Argentina have been granted since 2 May. [23144]

Mr. Tony Lloyd: We have recently granted two exceptions to the embargo, one in respect of the sale of a single sporting rifle to a private individual in Argentina, another in respect of the sale of eight deactivated weapons to an Argentine collector. These represent exceptions but not changes to the embargo.

Hong Kong

Mr. Dawson: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom will apply the EU arms embargo against China to the Hong Kong Special Administrative Region. [23019]

Mr. Fatchett: Following the transfer of sovereignty over Hong Kong to China on 1 July 1997, we have conducted a detailed review of the applicability to the Hong Kong Special Administrative Region (HKSAR) of the European Union arms embargo against China. In view of the HKSAR's autonomy from mainland China in customs, trade and economic matters and its well-established strategic trade control system, we have concluded that its access to a broad range of strategic commodities from the UK for civil end-use should be preserved. The DTI will therefore issue a new Open General Export Licence and Open General Transhipment Licence to allow the continued export and transhipment of dual-use goods to the HKSAR for civil end-use.

As for the export of strategic goods for military end-use, we have concluded that, in order to fulfil our obligations under the EU embargo, goods which we would not approve for export to the Chinese armed forces in mainland China should not be permitted for export for military end-use in the HKSAR. Goods for military end-use will therefore be subject to individual licensing requirements.

These changes will take effect on 23 January.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Environment Act 1995

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions when his Department's review of the operation of the Environment Act 1995 will be completed. [22752]

Angela Eagle: My Department is not carrying out a review of the operation of the Environment Act 1995 as a whole. However, I refer the hon. Member to the replies given by my right hon. Friend the Minister for the Environment on 17 December 1997 to my hon. Friend the Member for Normanton (Mr. O'Brien), *Official Report*, columns *193–94*, and on 22 December 1997 to my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman), *Official Report*, column *439*. The former announced the objectives and timing of a review of the Producer Responsibility (Packaging Waste) Regulations 1997, which were made under sections 93-95 of the Environment Act 1995. The latter announced the outcome of the Government's review of the proposed statutory regime for contaminated land under Part IIA of the Environmental Protection Act 1990, which was inserted by section 57 of the Environment Act 1995. The Government also announced in July last year that they intended to review by the end of 1998 the National Air Quality Strategy set in place under section 80 of the Environment Act 1995.

Energy Saving Trust

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of the meeting held on Monday 22 December to review the decision to reduce the funding of the Energy Saving Trust from £19 million to £14 million next year. [22594]

Mr. Meacher: The meeting to which the hon. Member refers was internal to my Department. I shall be making a statement shortly about the Energy Saving Trust's grant support for 1998–99. The previous Government's planned public expenditure total provided for grant support of £13.5 million for the Trust in 1998, compared to £25 million in 1996–97 and £19 million in 1997–98.

National Cycle Network

Mr. Charles Clarke: To ask the Secretary of State for the Environment, Transport and the Regions if all trunk road crossings required by the National Cycle Network will be completed by 2000. [22671]

Ms Glenda Jackson: I will write to my hon. Friend and will place a copy of my letter in the Library.

Contaminated Land

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his Department's letter (reference EE/PSO/17203/97), what analytical results he has received from the Environment Agency about the use of earthworms on contaminated sites; and if he will make a statement. [22732]

Angela Eagle: The Environment Agency has completed the field work part of this study and the process of identifying and quantifying the results has begun. A report on the findings will be published in due course and will be available to the public.

Air Traffic (Heathrow)

Mr. MacShane: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* time of arrival, *(b)* aircraft type and *(c)* owning company of aeroplanes that landed at Heathrow Airport before 7 am on (i) 25 December 1997 and (ii) 1 January 1998. [22729]

Ms Glenda Jackson: The information from Heathrow Airport Ltd. is as follows:

Arrivals—25 December 1997

Time of arrival	*Aircraft type*	*Airline*
01.32 hrs	Citation	Gama Aviation
04.07 hrs	A340	Virgin Atlantic
04.15 hrs	B747	British Airways
04.18 hrs	B747	British Airways
04.28 hrs	B777	British Airways
05.00 hrs	B777	British Airways
05.03 hrs	B747	Cathay Pacific
05.05 hrs	B747	British Airways
05.15 hrs	B747	British Airways
05.18 hrs	B747	British Airways
05.24 hrs	B747	British Airways
05.28 hrs	B747	Qantas
05.32 hrs	B747	Singapore Airlines
05.51 hrs	B747	Saudia
06.00 hrs	B777	British Airways
06.02 hrs	A300	American Airlines
06.03 hrs	B747	British Airways
06.05 hrs	A340	Virgin Atlantic
06.07 hrs	B747	Malaysian Airlines
06.08 hrs	B757	EL AL
06.10 hrs	B777	British Airways
06.18 hrs	B747	Thai Airways
06.20 hrs	DC10	Canadian Airlines
06.22 hrs	B747	British Airways

Arrivals—25 December 1997

Time of arrival	*Aircraft type*	*Airline*
06.24 hrs	B747	Cathay Pacific
06.25 hrs	B747	Air Canada
06.27 hrs	B747	British Airways
06.28 hrs	B747	Air Canada
06.30 hrs	B747	Qantas
06.32 hrs	B747	British Airways
06.34 hrs	B777	United Airlines
06.36 hrs	B747	Virgin Atlantic
06.38 hrs	A340	Gulf Air
06.39 hrs	B777	United Airlines
06.41 hrs	B767	American Airlines
06.42 hrs	B777	British Airways
06.44 hrs	B737	British Airways
06.46 hrs	B747	British Airways
06.47 hrs	B767	United Airlines
06.50 hrs	B777	British Airways
06.52 hrs	B747	Virgin Atlantic
06.57 hrs	B747	South African

Arrivals—1 January 1998

Time of arrival	*Aircraft type*	*Airline*
04.17 hrs	A340	Virgin Atlantic
04.21 hrs	B747	British Airways
04.27 hrs	B777	British Airways
04.31 hrs	B777	British Airways
04.33 hrs	B747	British Airways
04.44 hrs	B747	Cathay Pacific
04.49 hrs	B747	British Airways
04.52 hrs	B747	British Airways
05.04 hrs	B747	British Airways
05.06 hrs	B747	British Airways
05.10 hrs	B747	Singapore Airlines
05.19 hrs	B777	British Airways
05.29 hrs	B747	British Airways
05.33 hrs	B747	British Airways
05.40 hrs	B747	Malaysian Airlines
05.44 hrs	B747	Qantas
06.02 hrs	B777	United Airlines
06.04 hrs	MD11	American Airlines
06.06 hrs	B747	British Airways
06.08 hrs	B747	EL AL
06.09 hrs	B747	Air Canada
06.10 hrs	DC10	Ghana Airways
06.12 hrs	A300	American Airlines
06.14 hrs	B747	Cathay Pacific
06.16 hrs	B767	Gulf Air
06.18 hrs	B747	British Airways
06.19 hrs	B777	British Airways
06.21 hrs	B747	Virgin Atlantic
06.22 hrs	B747	British Airways
06.23 hrs	B777	United Airlines
06.25 hrs	B747	British Airways
06.27 hrs	B747	British Airways
06.28 hrs	B747	British Airways
06.30 hrs	DC10	Canadian Airlines
06.32 hrs	B747	Virgin Atlantic
06.33 hrs	B747	Thai Airways
06.35 hrs	B747	Qantas
06.36 hrs	A340	Virgin Atlantic
06.37 hrs	B777	British Airways
06.39 hrs	B777	United Airlines
06.40 hrs	B747	South African
06.42 hrs	B777	British Airways
06.43 hrs	B747	Air Canada
06.44 hrs	B767	United Airlines
06.46 hrs	B747	British Airways
06.47 hrs	B747	Air Nambia
06.49 hrs	B777	British Airways
06.50 hrs	A310	Cyprus Airways
06.52 hrs	B747	British Airways

Arrivals—1 January 1998

Time of arrival	*Aircraft type*	*Airline*
06.53 hrs	A300	American Airlines
06.55 hrs	B767	American Airlines
06.57 hrs	B777	United Airlines
06.59 hrs	B767	British Airways
07.00 hrs	A340	Virgin Atlantic

Of these landings, between midnight and 0600 all of the flights except for the Citation (a small business jet) counted against the movements limit and against the noise quota, in accordance with the night flying restrictions.

Sewerage

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made towards the adoption of a European standard for the manufacture and installation of plastic sewerage pipes. [22763]

Angela Eagle: Progress toward the adoption of a European standard for different types of plastic sewerage pipes is being made as follows:

Proposals for a European standard for PVC-U) Poly-Vinyl Chloride—Unplasticised) piping systems for non pressure underground drainage and sewerage (Part 1. Pipes and Fittings) have passed the formal vote stage in Europe and are awaiting publication as European standard EN 1401-1.

Proposals for a European Standard for PP (Polypropylene) piping systems for non pressure underground drainage and sewerage (Part 1. Pipes and Fittings) have passed the formal vote stage in Europe and are awaiting publication as European standard EN 1852-1.

Proposals for a European standard for PE (Polyethylene) piping systems for non pressure underground drainage and sewerage (Part 1. Pipes and Fittings) have recently been through the CEN enquiry process as prEN 12666-1. Comments are now being considered by the appropriate CEN Working Group.

Proposals for a European standard for plastics piping systems for structured wall non pressure underground drainage and sewerage (Part 1. Pipes and Fittings), PVC-U, PP and PE are about to be submitted for CEN enquiry.

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what standards for the unblocking of sewage pipes by high pressure water jet are presently in force. [22762]

Angela Eagle: A Code of Practice for removing blockages, which limits the pressure of the cleaning jet when blockages occur in plastic pipes, is currently in force. This can be used as a condition of contract for jetting contractors. I understand a new design of jet has been developed from which it is claimed that thin walled pipes cannot sustain damage.

Street Lighting

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to ensure that street lights *(a)* are properly maintained and *(b)* do not present a safety risk to the public. [22816]

Ms Glenda Jackson: It is the responsibility of the relevant highway authority to ensure that street lights are properly maintained and safe.

On the Department's roads, where the Highways Agency is the responsible authority, the inspection and maintenance requirements are set out within the Design Manual for Roads and Bridges. Additional advice was issued by the Highways Agency in 1995 on the routine and detailed inspection of lighting columns and is available for other authorities to use.

Raptors

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made to assess the impact of increasing raptor numbers on game bird and racing pigeon interests; and what future projects his Department plans. [23101]

Angela Eagle: In 1995 my Department set up a Raptor Working Group to investigate the effects of the recovery in populations of birds of prey and their impact on game bird management and racing pigeons. The Working Group is chaired jointly by DETR and the Joint Nature Conservation Committee (JNCC). Membership comprises scientific, conservation, game bird, landowning and racing pigeon interests. This Working Group has made significant progress in analysing the factors causing conflict and recently detailed its planned work for 1998 in a report to a forum of interested parties.

In 1998 the Group will concentrate on identifying integrated and practical solutions to deal with conflict situations. This will apply particularly to conflicts between the hen harrier and red grouse, where the Group will clarify the detail and legal implications of scaring techniques, supplementary feeding of raptors and possible translocation of harriers. Also the Group will consider how to raise awareness of moorland management issues and to discourage illegal persecution of raptors. The Working Group indicated its support for a national survey of hen harrier populations which is planned to take place in 1998.

Conclusions on the impact of birds of prey on racing pigeons should become clearer when the Department's sponsored research in this area reports in the late Spring of 1998. The Working Group will also assess the need for further research on the predation of pheasants at release pens.

Social Housing

Mr. Ennis: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the technical report on the feasibility study into a new economic model to help estimate the demand and need for social housing in England. [23455]

Ms Armstrong: I have today placed in the Library of the House a technical report on a feasibility study to develop an economic model to help predict likely demand and need for social housing in England. The study was commissioned by the Department of the Environment in November 1995 and has been carried out by the Department of Applied Economics at Cambridge University. The study was encouraged by the work of the Select Committee on Housing Need, which also supported the potential value of economic analysis of housing need.

Previous estimates of social housing need produced by the Department were based on the extrapolation of past trends and did not take explicit account of economic variables. The economic model developed during this study projects the need for social housing in England over the period 1996 to 2006, and takes account of key economic factors such as unemployment, income growth and interest rates. Feeding these variables in to reflect a range of economic scenarios, it projects their likely impact on household formation, house prices, housing supply and housing choice. The model also analyses the cost effectiveness of different forms of support for households who might need help with their housing costs.

The model developed during the feasibility study has produced a range of projections of need for social housing but, as the report notes, these are not alternative forecasts of need. The projections are based on a range of assumptions. For example, assuming macroeconomic growth is high, unemployment low and social housing construction relatively expensive, the model projects a "low" annual average need for 22,000 lettings. Assuming low macroeconomic growth and unemployment at 9 per cent., the model predicts a "high" annual average need for 72,000 lettings.

This economic model is a significant step forward in the analysis of likely demand and need for social housing. The Department of Applied Economics have now begun further necessary research to develop and improve this national model, and to explore whether regional variants are feasible.

PRIME MINISTER

Royal Family (Gifts)

Mr. Baker: To ask the Prime Minister if he will list those gifts received by *(a)* the Queen and *(b)* other members of the Royal Family from heads of state during 1997 which have been given to the nation, indicating their estimated value. [20812]

The Prime Minister *[holding answer 15 December 1997]:* Official gifts received by The Queen from Heads of State in 1997 were:

Two shell baskets and wall hanging
Silver salver
Bronze sculpture of giraffes
Wooden carving of a seated man
Set of silver tray, box and bowls
Silver model of boat
Carved wooden statue
Book of antiquarian maps
A pair of carpets
Silver tea-set, marble inlay table and a carved wooden elephant
Two water colours of orchids.

It is not the normal practice to estimate the value of such gifts.

No other member of the Royal Family received gifts for the nation from Heads of State.

Ministerial Advisers

Mr. Baker: To ask the Prime Minister if he will list those Ministers who have advisers paid for in whole or in part by *(a)* commercial and *(b)* charitable concerns; and if he will make a statement. [22608]

The Prime Minister *[holding answer 12 January 1998]:* Ministers receive advice from a variety of sources including the Civil Service, consultants, consultative committees, advisory task forces and special and unpaid advisers. Details of the names of unpaid advisers and the appointing Minister in each case were given in my answer to the hon. Member for Surrey Heath (Mr. Hawkins) on 13 November 1997, *Official Report*, columns *615–17*. Information on appointments of other external advisers and the funding of individual salaries is not held centrally.

Disabled People

Mr. Peter Bottomley: To ask the Prime Minister if the request made in November by the consortium of organisations representing people with disabilities for a meeting with Ministers has been granted. [22583]

The Prime Minister: My right hon. Friend the Secretary of State for Social Security will be meeting representatives from the Disability Benefits Consortium.

Mr. Peter Bottomley: To ask the Prime Minister what instructions were given to officials involved in reviewing disability allowances, benefits and income support; when the instructions were issued; who issued them; and if he will place a copy in the Library. [22584]

The Prime Minister: Benefits paid to disabled people, their carers and people who have long-term health problems are included in the Department of Social Security's Comprehensive Spending Review. This review was announced on 11 June last year, and its terms of reference were published. A copy was placed in the Library on 24 July.

Mr. Peter Bottomley: To ask the Prime Minister when he decided to take charge of the policy and review of disability allowances, benefits and income support. [22580]

The Prime Minister: Responsibility for the Comprehensive Spending Review of Social Security, which includes benefits paid to disabled people and people with long-term health problems, rests with my right hon. Friend the Secretary of State for Social Security. Shortly before Christmas I established a separate group to look at the wider issues of welfare reform.

Cabinet Meetings

Mr. Peter Bottomley: To ask the Prime Minister how long each main Cabinet meeting lasted since 1 May.[22597]

The Prime Minister: No record is routinely kept of how long Cabinet meetings last.

Prisons (Education and Training)

Mr. Peter Bottomley: To ask the Prime Minister if he will transfer financial provision for education and training in prisons to the Department for Education and Employment. [22585]

The Prime Minister: My right hon. Friend the Home Secretary has no immediate plans for such a transfer, but all policy priorities and spending plans are subject to the outcome of the Comprehensive Spending Review. The Prison Service will continue to review how it can most effectively develop its core educational curriculum to meet the needs of all prisoners, particularly juveniles.

Civil Service

Mr. Peter Bottomley: To ask the Prime Minister if he will list the *(a)* agreed pay and *(b)* numbers employed by each Department in London of staff aged (i) 16, (ii) 17, (iii) 18 and (iv) 19 years. [22587]

The Prime Minister: The information centrally available, which covers about 98 per cent. of the Civil Service, shows that at 1 April 1997 the number and average gross salary of staff of each age in the London Government Office region were as follows:

Age	*Number*	*Average salary (£)*
(i) 16	3	9,552
(ii) 17	24	9,790
(iii) 18	73	9,717
(iv) 19	168	9,930

Departments employing five or more staff in the 16–19 age group were as follows:

	Number aged 16–19
Ministry of Agriculture, Fisheries and Food	18
Cabinet Office, including OPS	7
HM Customs and Excise	36
Ministry of Defence	17
Department for Education and Employment	42
Home Office, including Prison Service	34
Inland Revenue, including Valuation Office	32
Lord Chancellor's Department	17
Department of Social Security	43
Crown Prosecution Service	7
Other Departments	15

Summer Holiday (Costs)

Mr. Gale: To ask the Prime Minister what was the cost to public funds of arrangements made in respect of his civil servants and security staff, for his summer holiday in Tuscany. [22655]

The Prime Minister: The arrangements for Civil Servants accompanying me on my holiday in Tuscany were the same as for previous Prime Ministers staying abroad. Separate costs for these staff are not readily available.

The Metropolitan Police Special Branch provides protection for the Prime Minister throughout the year, whether he is in the UK or abroad, on official business or holiday. The security arrangements for my holiday in Tuscany were the same as for previous Prime Ministers staying abroad. The disaggregated costs of security during this trip are not available.

Ministerial Statements

Mr. Lilley: To ask the Prime Minister if it is his policy to require that Ministers who have misled the House make a statement correcting the record. [22279]

The Prime Minister *[holding answer 12 January 1998]:* I refer the right hon. Member to the answer I gave to the hon. Member for Worthing, West (Mr. Bottomley) on 26 June 1997, *Official Report*, column *609*.

Fur Farming

Mr. Livingstone: To ask the Prime Minister how many letters he has received in the last three months urging him to ban fur farming in the United Kingdom. [22522]

The Prime Minister *[holding answer 12 January 1998]:* I have received a number of representations.

Maze Prison (Escape)

Mr. Maginnis: To ask the Prime Minister if he will list those *(a)* Ministers and *(b)* participants in the current Northern Ireland talks process with whom he has discussed the escape of Liam Averill from HM Prison, Maze. [22792]

The Prime Minister: I have discussed with colleagues and others as appropriate.

Honours (Surcharged Councillors)

Mr. Winnick: To ask the Prime Minister if he will make it his policy to recommend that titles be removed in cases where local councillors have been surcharged. [22569]

The Prime Minister *[holding answer 12 January 1998]:* Holders of honours and awards who are subsequently found to have conducted themselves in a way that would be perceived to bring the honours system into disrepute may be considered for forfeiture of their award. Each case is treated on its merits once all the relevant legal proceedings have been completed. The necessary action differs according to the honour or award. I do not propose to adopt a different system.

Strategic Communications Unit

Mr. Corbett: To ask the Prime Minister when he will establish the Strategic Communications Unit, as recommended by the report of the Working Group on the Government Information Service published in November. [23559]

The Prime Minister: I am today launching the new Strategic Communications Unit which will be based in No. 10 and answerable to me (working through the Chief Press Secretary).

The Mountfield Report, a copy of which was placed in the Library, said that more needed to be done to improve strategic communications so that the key Government messages are better communicated across Government. Departmental initiatives and events need to be presented in such a way as to show their coherence with the main themes of the Government's strategy.

To achieve this, Departments must be properly informed of Government activity, Ministers must be properly briefed on key Government issues at all times, and initiatives must be properly prepared and co-ordinated.

The Strategic Communications Unit will work to achieve that. It will be responsible for the implementation and operation of the new electronic information system which will provide a future diary of Government events (Mountfield recommendation 2.3). It will be responsible for managing strategic communications across all departments and will produce the Government's Annual Report on their performance and achievement of their objectives, as announced in August 1997.

The Strategic Communications Unit will comprise six people, two Special Advisers and four civil servants. They are:

Alun Evans (Head)

Philip Bassett (Special Adviser)

David Bradshaw (Special Adviser)

James Humphreys

Siobhan Kenny

Andrew Silverman.

The aim of the unit is to make sure events are scheduled, launched and followed through to maintain impact and to convey the central story and themes of the Government in all their communications.

AGRICULTURE, FISHERIES AND FOOD

Meat Hygiene Service

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what review he has carried out of the effectiveness of the National Meat Hygiene Service; and if he will make a statement. [21033]

Mr. Rooker: Since the Meat Hygiene Service (MHS) was established in April 1995 as an Executive Agency of the Department, its effectiveness has been the subject of constant review. It took over responsibility from over 300 local authorities for the enforcement of hygiene controls and subsequently those for the removal of Specified Risk Material (SRM) in licensed slaughterhouses and cutting plants in Great Britain. As an Agency, it has been set demanding annual targets by Ministers in respect of its financial performance, efficiency and quality and delivery of service. These targets have all been achieved to date. Full details are set out in the MHS Annual Report and Accounts for 1995–96 and 1996–97, copies of which are available in the Library of the House.

In addition, the performance of the MHS is subject to continuous audit to establish whether its operations, practices and activities comply with the instructions issued to the Service by the Ministry in the MHS Operations Manual. This audit is carried out by Veterinary Meat Hygiene Advisers from the Joint Food Safety and Standards Group in England, and by the State Veterinary Service in Scotland and Wales. The results are published. Details of MHS enforcement activity are included in the monthly Meat Hygiene Enforcement Report and BSE Enforcement Bulletin. Copies of both are available in the Library of the House.

These all demonstrate the continuing effectiveness of the MHS in driving up hygiene standards and enforcing SRM controls in licensed premises.

Livestock Industry

Sir George Young: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of the current crisis facing the livestock industry on its medium-term future. [21375]

Mr. Rooker: The beef sector is in long-term structural surplus and this has been exacerbated by consumers' concern over BSE. The majority of UK producers have had negative returns on beef in 1997 and clearly cannot endure these for many years together. There is thus an urgent need for reform of the sector to bring supply more nearly into line with demand and for some restructuring of the sector in the UK and Europe more generally to improve competitiveness. The Government will be pressing for fundamental reform of the Beef Regime in forthcoming negotiations. Although sheep prices have fallen recently, they were firm for much of 1997. We will be seeking to ensure that the sheep sector is taken into consideration in negotiations on reform in related areas.

Specified Risk Material

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to harmonise the situation between Northern Ireland and the rest of the United Kingdom, relating to the costs incurred by farmers disposing of SRM; and if he will make a statement. [22442]

Mr. Rooker: The cost of disposal of Specified Risk Material (SRM), other than that arising under the Over Thirty Months Scheme, which is the responsibility of the Intervention Board Executive Agency, whether in Northern Ireland or the rest of the United Kingdom, is a commercial matter between the abattoir and those who collect this material. Similarly, any recovery of those costs from its farmer suppliers is a commercial matter for abattoirs in the light of their own individual circumstances. I have no plans to intervene.

SCOTLAND

Police Officers

Mr. Jenkin: To ask the Secretary of State for Scotland if he will make a statement on the number of police officers in Scotland for each year since 1978–79. [22420]

Mr. McLeish *[holding answer 12 January 1998]:* The information is set out in the table and has been taken from strength returns supplied by forces since 1978–79.

	Number of police officers
1978–79	12,675
1979–80	13,294
1980–81	13,252
1981–82	13,221
1982–83	13,206
1983–84	13,175
1984–85	13,189
1985–86	13,317
1986–87	13,417
1987–88	13,475
1988–89	13,619
1989–90	13,847
1990–91	13,811
1991–92	13,984
1992–93	14,095
1993–94	14,174
1994–95	14,323
1995–96	14,512
1996–97	14,789

Crime Clear-up Rates

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the clear-up rates for crime in Scotland relative to levels of recorded crime. [22397]

Mr. McLeish *[holding answer 12 January 1998]:* Information on the number of crimes recorded and the clear-up rate in each calendar year since 1978 is provided in the table.

Year	*Total crimes recorded*	*Clear-up rate (per cent.)*
1978	334,957	30
1979	346,680	30
1980	364,587	33
1981	408,204	31
1982	435,081	30
1983	445,495	30
1984	471,643	30
1985	457,899	33
1986	458,605	33
1987	472,947	34
1988	457,921	32
1989	478,208	31
1990	518,523	30
1991	572,921	29
1992	564,890	29
1993	517,247	31
1994	500,110	34
1995	475,697	35
1996	451,956	37

Sheltered Housing

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of sheltered houses provided by public agencies in Scotland. [22398]

Mr. Macdonald *[holding answer 12 January 1998]:* The available information, as supplied by local authorities, is as follows:

Sheltered housing stock of public agencies in Scotland 1979 to 1997

	Number
1979	5,768
1980	6,567
1981	7,338
1982	8,651
1983	9,877
1984	10,951
1985	12,318
1986	14,220
1987	14,968
1988	16,318
1989	17,000
1990	18,463
1991	19,533
1992	19,983
1993	19,873
1994	20,053

Sheltered housing stock of public agencies in Scotland 1979 to 1997

	Number
1995	19,856
1996	19,579
1997	20,089

Information is as at end March each year. The figures refer to the housing stock owned by local authorities or Scottish Homes in 1997, and in previous years also include dwellings owned by the former New Town Development Corporations and the Scottish Special Housing Association.

Business Rates

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the amount of business rates levied in Scotland in *(a)* cash terms and *(b)* current prices. [22402]

Mr. Macdonald *[holding answer 12 January 1998]:* The available data are:

Net income from business rates

£ million

Year	Cash terms	Current (1996–97) prices[1]
1978–79	386	1,187
1979–80	458	1,207
1980–81	621	1,383
1981–82	835	1,696
1982–83	929	1,761
1983–84	933	1,690
1984–85	970	1,673
1985–86	1,018	1,665
1986–87	1,104	1,753
1987–88	1,237	1,865
1988–89[2]	1,309	1,849
1989–90	1,191	1,573
1990–91	1,204	1,472

Net income from business rates

£ million

Year	Cash terms	Current (1996–97) prices[1]
1991–92	1,226	1,409
1992–93	1,214	1,339
1993–94	1,165	1,249
1994–95	1,125	1,188
1995–96	1,258	1,293
1996–97	1,279	1,279

[1] Calculated using the Adjusted GDP deflator at market prices—Source HM Treasury. Base Year is 1996–97.
[2] Non-domestic (Business) rates were not separately identifiable until the introduction of the Community Charge in 1989–90—prior to this domestic and non-domestic rates were collected together. Data for 1978–79 to 1988–89 have been estimated and are therefore not directly comparable with later years.
The figures from 1995–96 onwards are subject to revision. The 1996–97 figure is provisional.

EDUCATION AND EMPLOYMENT

Mailshots (Schools)

Mr. Peter Bottomley: To ask the Secretary of State for Education and Employment if he will list the *(a)* dates and *(b)* numbers of pages of letters, information and booklets sent in his name to schools and chairmen of schools since 2 May; if he will place copies in the Library; and if he will estimate the costs of sending the materials to schools by (i) first and (ii) second class post. [22575]

Mr. Byers: The table gives the details of the material sent to schools from 2 May to end December. Copies of consultation papers, booklets and circulars are in the Library.

Information on the estimated costs of sending material to schools by first and second class post respectively is not available in the form requested.

Letters, Information and Booklets sent to Schools[1] since 2 May 1997

Date	Title	Pages	Publication type	Purpose
May	Letter of Introduction from Secretary of State	1	Letter	Information
May	Data Collection on Pupil Absence	5	Leaflet and forms	Data collection
June	Careers Education and Guidance in Further Education Colleges	24	Circular	Guidance
June	Education Act 1997	1	Poster	Guidance
June	Progress on taking forward Dearing Proposals	3	Letter	Information
July	School Governors: A Guide to the Law for County and Controlled Schools	159	Book	Guidance
July	Excellence in Schools + summary + Education: What it Means to You	99 10 10	White Paper	Consultation
July	Publication of Information about Secondary Schools Performance Tables in 1997	9	Circular	Information
July	General Teaching Council: Teaching High Status, High Standards	16	Booklet	Consultation
July	New Deal for Schools 1997–98: Phase 1	6	Letter	Information
July	School Teachers Pay and Conditions Document	31	Circular	Guidance
July	Teachers Superannuation Scheme: Certificate of Notice of Intention to Re-elect to Contract out of SERPS	3	Letter	Information
July	Part 1 GNVQ Arrangements for 1998	1	Letter	Information
July	Data Collection Timetable 1997–98	1	Letter	Information

Letters, Information and Booklets sent to Schools[1] since 2 May 1997

Date	*Title*	*Pages*	*Publication type*	*Purpose*
August	Initial Teacher Training	46	Circular	Guidance
August	Partial Selection and Twice Excluded Pupils Following the Education Act 1997	3	Letter	Information
August	September Pupil Count	2	Letter and forms	Data collection
August	Arrangements for Annual Maintenance Grant for GM Schools in 1998–99	16	Letter	Consultation
September	Teenage Smoking Attitudes Survey 1997	—	Letter	Information
September	The SENCO Guide	54	Booklet	Guidance
September	School Teachers' Pay from 1 September 1997: A Leaflet for School Governors and Teachers	5	Leaflet	Information
September	1997 Secondary School Performance Tables—Forms for Checking Information	15	Letter and form	Data collection
September	1997 National Pupil Absence Tables—Forms for Checking Information	10	Letter and form	Data collection
September	Investing in the Future: Supporting Students in Higher Education—A Summary	7	Leaflet	Information
September	Excellence in Schools	—	Video	Information
September	New Constructional Standards for School Buildings	6	Letter	Information
September	School Leaving Date for 16 Year Olds	7	Circular	Information
October	Excellence for All: Meeting Special Educational Needs	99	Green Paper	Consultation
October	Connecting the Learning Society: National Grid for Learning + summary	28 15	Booklet	Consultation
October	Implementing the National Literacy Strategy	8	Leaflet	Information
October	Annual Schools' Census	16	Letter and Forms	Data Collection
October	Qualifying for Success	30	Booklet	Consultation
October	Inspection Reports on Further Education Colleges and VIth Form Colleges	5	Letter and List	Information
October	Summary Results of the 1997 NC Assessments of:		Leaflets	Information
	7 Year Olds in England	9		
	11 Year Olds in England	11		
	14 Year Olds in England	7		
October	Local Publication and Distribution of Information About the Achievements of Students in Further Education Sector Colleges	5	Letter	Information
October	Local Publication of the 1997 Key Stage 2 National Curriculum Results in Primary School Performance Tables	7	Circular	Information
November	School Governors: A Guide to the Law for Special Schools (1997)	141	Book	Guidance
November	Early Retirement Arrangements for Teachers	12	Circular	Guidance
November	From Targets to Action: Guidance to Support Effective Target-Setting in Schools	31	Booklet	Guidance
November	New Deal for Schools (NDS) 1998–2001: Phase 2	4	Letter	Information
November	1997 National Pupil Absence Tables	4	Booklet	Information
November	Outline Capability Procedure for Removing Unsatisfactory Teachers	3	Letter	Information
November	Supporting Students in Higher Education from 1998–99	2	Letter	Information
November	1997 School and College Performance Tables	9	Booklet	Information
November	1997 National Pupil Absence Tables	9	Booklet	Information
November	1997 National Curriculum Key Stage 3 Non-Core Teacher Assessment	6		Information
December	Independent/State School Partnerships	2	Letter	Information
December	Changes to Pupil Registration Requirements: The Education (Pupil Registration) (Amendment) Regulations 1997 SI No 2624	2	Letter and SI	Guidanace
December	School Governors: A Guide to the Law for Voluntary Aided and Special Agreement Schools 1997	140	Book	Guidance
December	Arrangements for Annual Maintenance Grant for GM Schools in 1998–99	11	Letter	Information
December	Proposed Arrangements for Collecting Statistical Information from Schools (Summary)	2		Consultation
December	Raising Standards for All: The Governments Legislative Plans	3	Leaflet	Information
December	School Security: Dealing With Troublemakers	71	Folder	Guidance

[1](a) Almost all mailings are sent to both heads and chairs of governors separately, unless clearly of interest to only one party and mainly sent by second class post.

(b) Not all schools will have received all mailings, only those relevant to a school of a given type e.g. all secondary schools, or all voluntary aided schools.

Student Fees

Mr. Willis: To ask the Secretary of state for Education and Employment if he will make a statement on his policy concerning universities charging students for *(a)* laboratory fees, *(b)* library fees, *(c)* photocopying fees and *(d)* IT and internet fees. [22368]

Dr. Howells: Under the present funding arrangements, it is for universities to decide what fees to charge students. We have, however, made it clear that top-up fees play no part in our plans for the future funding of higher education. In deciding whether or not to exercise the power to control fees charged by universities under the provisions of the Teaching and Higher Education Bill, my right hon. Friend would consider the circumstances relating to particular types of fee. In particular, he would have regard first to the amount charged and secondly to whether such fees related to an optional service for which students could choose to pay or to essential elements of their courses for which they would be obliged to pay in order to undertake and complete those courses. Small charges for services such as photocopying are entirely a matter for universities.

Departmental Budget

Mr. Öpik: To ask the Secretary of State for Education and Employment what will be the total level of his Department's budget, in 1995–96 prices, in *(a)* 1997–98 and *(b)* 1998–99; if he will estimate what such figures for (i) 1997–98 and (ii) 1998–99 would be on the basis of the estimates of the GDP deflator contained in the November 1996 Budget; and if he will make a statement. [21954]

Dr. Howells: I refer the hon. Member to the reply from my right hon. Friend the Chief Secretary to the Treasury to my hon. Friend the Member for East Ham (Mr. Timms) on 10 December 1997, *Official Report*, columns *568-72*.

In 1995–96 prices the figures quoted in that reply for the DfEE are £13.3 billion for 1997–98 and £12.3 billion for 1998–99. On the basis of the November 1996 GDP deflators, the figures in 1995–96 prices would be £13.5 billion for 1997–98 and £12.5 billion for 1998–99. As my right hon. Friend noted, the apparent reduction for the DfEE between 1997–98 and 1998–99 principally consists of transfers to other Departments, notably the return to local government finance, following the abolition of the nursery vouchers scheme, of resources for under 5-year-olds to support local education authorities' early years development plans. As my right hon. Friend also noted, the figures for the DfEE do not include the £1 billion provided for schools in 1998–99 in the Budget. These funds have been added to support local authorities and appear in the table shown in column *569*, under "DETR–local government". Nor do the figures include the expenditure supported by the windfall tax on the New Deals for the young and for the long term unemployed, and the New Deal for Schools, all of which is outside the control total shown in the table at column *569*.

NORTHERN IRELAND

Peace Process

7. **Mr. John Smith:** To ask the Secretary of State for Northern Ireland when she last met Irish Government Ministers to discuss the peace process in Northern Ireland. [20857]

Marjorie Mowlam: I meet Irish Government Ministers regularly in the talks process and on other occasions—including Monday night. As my hon. Friend may have seen, the Irish Foreign Minister and I also met earlier this week and were able to make an announcement of some significance to the negotiations.

12. **Mr. Coaker:** To ask the Secretary of State for Northern Ireland what progress is being made towards a political settlement in Northern Ireland. [20862]

15. **Mr. Dobbin:** To ask the Secretary of State for Northern Ireland if she will make a statement on progress in the peace process talks. [20865]

16. **Mr. Hunter:** To ask the Secretary of State for Northern Ireland if she will make a statement on the progress of the Stormont talks. [20827]

17. **Mr. Laurence Robertson:** To ask the Secretary of State for Northern Ireland if she will make a statement on the progress made in the peace process talks in Northern Ireland. [20828]

28. **Dr. George Turner:** To ask the Secretary of State for Northern Ireland what progress is being made towards a political settlement in Northern Ireland. [20874]

Marjorie Mowlam: I refer the hon. Members to the oral answer I gave to my hon. Friend the Member for Walsall, North (Mr. Winnick) today.

Schools (Under-achievement)

8. **Dr. Iddon:** To ask the Secretary of State for Northern Ireland what action is being taken to address under-achievement in Northern Ireland schools. [20858]

Mr. Worthington: The Raising Schools Standards Initiative is one of a number of measures currently in place. I will be announcing my School Improvement Programme next month, which will set out new measures to address the quality of school leadership, literacy and numeracy, school discipline and targeted support for the weakest schools.

Employment

9. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland how many new jobs have been created in Northern Ireland with *(a)* IDB, *(b)* Local Enterprise Development Unit and *(c)* International Fund for Ireland support since 1 May. [20859]

Mr. Ingram: Since 1 May the Industrial Development Board has promoted 4,338 new jobs and the Local Enterprise Development Unit over 6,000. These jobs are expected to be created over a two to three year time period.

With regard to the International Fund for Ireland, this is administered by an independent Board appointed by the two Governments. I have asked the chairman of the fund, William McCarter, to respond to the hon. Gentleman's request for details of jobs created since 1 May.

Paramilitary Organisations (Weapons)

10. **Mr. Ian Bruce:** To ask the Secretary of State for Northern Ireland how many weapons were handed in by paramilitary organisations in 1997. [20860]

Mr. Ingram: While no paramilitary organisation voluntarily decommissioned weapons during 1997 the Government's position remains that we would like to see the decommissioning of some paramilitary arms during negotiations as progress is made in the political talks. This would be a major contribution to confidence building.

Parades

11. **Mr. Watts:** To ask the Secretary of State for Northern Ireland what steps are being taken to encourage agreements over disputed parades in Northern Ireland. [20861]

Mr. Ingram: As my hon. Friend will know, the Public Processions (Northern Ireland) Bill received its Second Reading in the House on 18 December and will shortly be going into Committee. The Bill is designed to tackle the difficulties that have surrounded the parades issue in recent years by encouraging local agreement, and by giving the Parades Commission the power to make determinations where local accommodation has not proved possible. Under Clause two of the Bill, the Parades Commission will also be able both to mediate directly on disputed parades and to promote mediation on parades.

Economic Development

13. **Dr. Naysmith:** To ask the Secretary of State for Northern Ireland what progress is being made towards creating an economic development strategy in Northern Ireland. [20863]

23. **Mr. Jim Cunningham:** To ask the Secretary of State for Northern Ireland what progress is being made towards creating an economic development strategy in Northern Ireland. [20869]

Mr. Ingram: We are already pursuing a clear economic development strategy in Northern Ireland. As in the rest of the United Kingdom, we aim to encourage investment and raise employability. We have a range of measures in place to improve skills, tackle unemployment and boost the international competitiveness of Northern Ireland firms. But what the economy needs most is lasting peace and stability.

Retail Developments (Planning Decisions)

14. **Mr Donaldson:** To ask the Secretary of State for Northern Ireland what is the average time taken for planning decisions for major retail developments in Northern Ireland to be made. [20864]

Mr. Paul Murphy: For major retail applications decided since 1995, the average length of time taken to reach a decision was 485 days.

National Health Service

18. **Mr. Simon Hughes:** To ask the Secretary of State for Northern Ireland if she will make a statement on the future of the NHS in Northern Ireland. [20829]

Mr. Worthington: My Department recently published "Well in 2000—A Positive Agenda for Health and Well-being", which sets out the Government's vision and strategy for health and social services in the next millennium. A major consultation paper on new arrangements to replace the internal market for health and social services in Northern Ireland will be published shortly. The paper will set out broad policy aims and objectives which parallel those in the White Paper "The New NHS, Modern, Dependable" and will seek views on how the policy should be taken forward in Northern Ireland.

Nursery Education

19. **Mr. McNulty:** To ask the Secretary of State for Northern Ireland what steps are being taken to expand nursery education in Northern Ireland. [20830]

29. **Mrs. Brinton:** To ask the Secretary of State for Northern Ireland what steps are being taken to expand nursery education in Northern Ireland. [20875]

Mr. Worthington: As the first stage of an expansion programme, £1.9 million is being provided in 1998–99 to create 1,700 full-year pre-school education places—an increase of 15 per cent. on existing grant-aided pre-school provision. The additional places will be secured in the statutory, voluntary and private sectors, and will be targeted initially on children from socially disadvantaged circumstances and the oldest four-year-olds. The expansion will be planned at local level by Pre-School Education Advisory Groups, established by the five Education and Library Boards which are responsible for securing the implementation of the initiative. A paper setting out proposals for the expansion programme was issued for consultation purposes on 17 December, and a copy has been placed in the Library.

Policing

20. **Ms Moran:** To ask the Secretary of State for Northern Ireland what steps are being taken to increase confidence in policing in Northern Ireland. [20866]

Mr. Ingram: I refer my hon. Friend to the oral answer I gave my hon. Friend the Member for Aberdeen, North (Mr. Savidge) today.

Inward Investment

21. **Mr. Ilsley:** To ask the Secretary of State for Northern Ireland what provision is made by the Industrial Development Board to monitor inward investment projects in Northern Ireland to ensure that the aims of grant aid are met. [20867]

Mr. Ingram: The implementation of all inward investment projects is monitored against key business plan targets including sales forecasts, production plan implementation, financial performance and adequacy funding. The main objectives of this monitoring process are to ensure public funds are utilised for proper purposes,

that companies comply with conditions of financial assistance and that any problems are identified as early as possible so that corrective action can be taken.

IRA Activity

22. **Mr. Fabricant:** To ask the Secretary of State for Northern Ireland what assessment she has made of intelligence reports relating to the current military preparedness of the IRA to resume violence. [20868]

Mr. Ingram: I refer the hon. Member to the oral answer I gave to the hon. Member for Blaby (Mr. Robathan) today.

Standing Advisory Commission on Human Rights

24. **Maria Eagle:** To ask the Secretary of State for Northern Ireland what response the Government are making to the Employment Equality Review by the Standing Advisory Commission on Human Rights. [20870]

Mr. Worthington: The Standing Advisory Commission on Human Rights has provided a major report on employment equality which includes over 160 recommendations. The Government's consideration of the recommendations is well advanced and my right hon. Friend the Secretary of State has already indicated certain recommendations on which the Government propose to take action—clarification of the law on direct recruitment of the long-term unemployed and firmer powers against persistent discriminators. The Government will give a response to the full range of SACHR's proposals in a paper to be published in the early part of this year, and those recommendations which are accepted by the Government will be implemented as appropriate.

Roads

25. **Mr. William Ross:** To ask the Secretary of State for Northern Ireland what sums she intends to spend on major new roads in each of the next three years. [20871]

Mr. Paul Murphy: Our intention is to spend approximately £9 million, £7 million and £7 million in 1998–99, 1999–2000 and 2000–01 respectively on major new road projects.

Fishing Industry (Portavogie)

26. **Mr. John D. Taylor:** To ask the Secretary of State for Northern Ireland what proposals she has to develop the fishing industry at Portavogie. [20872]

Mr. Paul Murphy: The Government are committed to assisting continued investment in the fishing industry at Portavogie. Over the next two years the Northern Ireland Fishing Harbour Authority in its draft Development Plan proposes to spend £835,000 covering such projects as a new automatic ice plant and ice-making machinery and slipway repairs. Further investment in the modernisation of the fishing fleet is anticipated in the order of £215,000 under the EU Vessel Modernisation Scheme.

Private Finance Initiative

27. **Mr. Colman:** To ask the Secretary of State for Northern Ireland if she will make a statement on the use of the Private Finance Initiative in Northern Ireland. [20873]

Mr. Paul Murphy: The Private Finance Initiative (PFI) is gathering momentum in Northern Ireland. NI Departments and the Northern Ireland Office are committed to maximising Private Finance, and projects with a total capital value in excess of £350 million are currently being considered for PFI solutions.

Women in Public Life

30. **Ms Osborne:** To ask the Secretary of State for Northern Ireland what efforts she is making to encourage the involvement of women in public life in Northern Ireland. [20876]

Mr. Paul Murphy: I would like to assure my hon. Friend that my right hon. Friend the Secretary of State and her Ministers take every appropriate opportunity presented to them to promote and encourage the involvement of women in public life in Northern Ireland. We do so both publicly, including in this House and at Political Forums in Northern Ireland, and privately at suitable occasions during Northern Ireland engagements.

Electoral Registration Figures

Mr. Barnes: To ask the Secretary of State for Northern Ireland if he will list the latest estimates by the Registrars General of Populations of those aged 17 years and over, plus 63 per cent. of those aged 16 years, for each district council area and parliamentary constituency in Northern Ireland, together with the equivalent electoral registration figures also expressed as a percentage of these population figures and in ascending order. [22294]

Mr. Paul Murphy: Mid-year estimates of the population of Northern Ireland broken down by age are available for Health Board areas only. Consequently the population counts for district council areas and parliamentary constituencies are taken from the 1991 Census of Population. For district council areas, the most comparable figures for electoral registration relate to September 1991.

District councils

District council area (boundaries as at the time of the 1991 Census of Population)	*A Population aged 17 and over plus 63 per cent. of population aged 16 years*	*B Electors registered for elections to the UK Parliament*	*C B as a percentage of A*
Antrim	32,679	30,226	92.5
Limavady	20,608	19,284	93.6
Lisburn	72,538	69,478	95.8
Omagh	31,889	30,982	97.2
Down	41,656	40,658	97.6
Coleraine	38,000	37,144	97.7
Armagh	37,019	36,225	97.9
Derry	64,643	63,313	97.9
Castlereagh	48,405	47,517	98.2
Moyle	10,700	10,511	98.2
Newtownabbey	56,057	55,162	98.4
Belfast	212,332	209,165	98.5
North Down	55,272	54,483	98.6
Ballymena	42,671	42,095	98.7
Larne	22,536	22,320	99.0
Ballymoney	17,725	17,611	99.4
Carrickfergus	24,683	24,530	99.4
Craigavon	54,855	54,525	99.4
Ards	49,086	49,095	100.0
Strabane	25,271	25,318	100.2
Cookstown	21,581	21,639	100.3
Newry and Mourne	57,870	58,208	100.6
Banbridge	24,704	24,893	100.8

District councils

District council area (boundaries as at the time of the 1991 Census of Population)	*A Population aged 17 and over plus 63 per cent. of population aged 16 years*	*B Electors registered for elections to the UK Parliament*	*C B as a percentage of A*
Magherafelt	25,391	25,612	100.9
Fermanagh	38,636	39,115	101.2
Dungannon	31,854	32,357	101.6
Northern Ireland	1,158,660	1,141,466	98.5

Northern Ireland parliamentary constituency boundaries were redrawn in 1996. The table details the population aged 17 and over plus 63 per cent. of the 16-year-old population at the time of the 1991 Census of Population in each of the current parliamentary constituencies, together with the most up-to-date information on their respective electorates. Information on the number of registered voters in each constituency prior to 1996 is not available. Because the two sets of data relate to different time points, it is not appropriate to determine the ratio of the number of registered voters to the population count.

Post-1996 Parliamentary constituencies, ordered by number of electors

Parliamentary constituency (post-1996)	*1991 Census population aged 17 and over plus 63 per cent. of population aged 16 years*
West Tyrone	57,160
East Antrim	56,103
East Londonderry	58,609
Mid Ulster	55,895
Belfast East	64,638
Belfast West	61,647
North Down	61,846
Belfast South	69,110
Belfast North	68,542
Fermanagh and South Tyrone	61,566
Foyle	64,643
South Antrim	68,570
Strangford	64,641
South Down	68,368
Upper Bann	68,424
Newry and Armagh	68,014
Lagan Valley	69,787
North Antrim	71,097
Northern Ireland	1,158,660

Post-1996 Parliamentary constituencies, ordered by number of electors

Parliamentary constituency (post-1996)	*1997 Registered electors*
West Tyrone	59,088
East Antrim	59,634
East Londonderry	59,690
Mid Ulster	59,825
Belfast East	62,342
Belfast West	62,541
North Down	63,796
Belfast South	64,083
Belfast North	65,229
Fermanagh and South Tyrone	65,572
Foyle	68,608
South Antrim	70,342
Strangford	70,791
South Down	71,008
Upper Bann	71,334

Post-1996 Parliamentary constituencies, ordered by number of electors

Parliamentary constituency (post-1996)	*1997 Registered electors*
Newry and Armagh	71,725
Lagan Valley	72,096
North Antrim	73,381
Northern Ireland	1,191,085

SOCIAL SECURITY

Heating Cost Payments

Dr. Lynne Jones: To ask the Secretary of State for Social Security which groups currently receive cold weather payments; which groups will receive the additional payments towards heating costs; what is the level of these payments for each group; and if she will make a statement. [20623]

Mr. Denham: People awarded Income Support or income-based Jobseeker's Allowance who have a pensioner or disability premium or have a child under five are eligible for Cold Weather Payments. A payment of £8.50 is made when the average temperature at a specified weather station has been recorded as, or is forecast to be, zero degrees Celsius or below over 7 consecutive days.

The Government made a commitment to review the central areas of insecurity for older people and examine ways to deliver more automatic help to the poorest pensioners. Work is underway in both areas, but we are not prepared to allow another winter to go by when pensioners are fearful of turning up their heating because they do not know whether they will get the help they need with their fuel bills. We are also committed to tackling the wider problems associated with vulnerable people, especially the elderly, keeping warm during cold weather. We have already taken action to cut fuel costs and make homes easier to heat. So far we have: reduced VAT on domestic fuel from eight to five per cent.; reduced the gas levy to zero; extended energy efficiency grants and announced a reduction on VAT on energy saving installation schemes; announced the setting up of an Environmental Task Force which is expected to include a programme of energy efficiency improvements in the homes of the elderly; and, released almost £800 million to local authorities over the next two years to help meet pressing housing needs, which is expected to feature improved energy efficiency in many areas.

The additional help of £400 million over this winter and next, announced by my right hon. Friend the Chancellor of the Exchequer on 25 November 1997, *Official Report*, columns 773–98, demonstrates the Government's commitment to help the elderly keep warm in their homes. Further details were announced on 5 January.

People receiving Income Support or income-based Jobseeker's Allowance, during the week commencing 5 January, where their benefit includes one of the pensioner premiums, will receive a Winter Fuel payment of £50. These payments should be made by the end of January.

People over State pension age (65 for men/60 for women) receiving one of the qualifying benefits during the week commencing 5 January will also receive a payment. The qualifying benefits are as follows: Attendance Allowance: Constant Attendance Allowance; Disability Living Allowance; Graduated Retirement Benefit; Incapacity Benefit; Industrial Death Benefit; Invalid Care Allowance; Retirement Pension; Severe Disablement Allowance; Unemployability Supplement; War Disablement Pension; Widow's Benefit or War Widow's Pension. These people will receive a payment of £20 or £10. Where there is only one eligible person in a household, or the eligible person is of no fixed abode, they will receive £20, otherwise each person will receive £10. It is estimated that over 3 million payments will be issued for £20 and almost 5 million for £10.

Overall, almost 10 million payments will be made to over 7 million pensioner households.

Regulations were laid on 8 January and will come into force on 16 January. Payments will be made automatically without the need to claim. They are in addition to any Cold Weather Payments which may also be due to those receiving Income Support or income-based Jobseeker's Allowance if there is a spell of very cold weather.

A publicity campaign is also being launched involving media advertising, posters and leaflets in conjunction with Help The Aged, Age Concern and the National Association of Citizens Advice Bureaux so that pensioners are aware of what payments they will be receiving, how and when. This information will enable pensioners to heat their homes in confident in the knowledge that they will get extra help with their heaviest fuel bill.

Incapacity Benefit

Mr. Webb: To ask the Secretary of State for Social Security how many individuals received less in benefit under incapacity benefit than they would have done under invalidity benefit in each year since 1995–96. [21575]

Mr. Denham: It is not possible to estimate with any accuracy how many individuals received less in benefit under Incapacity Benefit than they would have done under Invalidity Benefit.

Mr. Cummings: To ask the Secretary of State for Social Security how many recipients of invalidity benefit there are in the Seaham and Peterlee Benefits Agency area. [21589]

Mr. Denham: The administration of Incapacity Benefits is a matter for Peter Mathison, the Chief executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. John Cummings, dated 13 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many recipients of Invalidity Benefit (IVB) there are in the Seaham and Peterlee Benefits Agency area.

The information is not available in the format requested. IVB was replaced by Incapacity Benefit (IB) on 13 April 1995.

The figures shown in the table below are for IB short term higher and IB long term, that is, cases from the 29th week of incapacity.

Peterlee Benefit Agency Office: 7,400

Seaham Benefit Agency Office: 2,760

Figures are provisional and subject to change.

The figures quoted are as at 31 May 1997, and are taken from a 5% sample of the IB computer system and exclude a small number of clerically processed cases.

I hope you find this reply helpful.

Disability Benefits

Mr. Denzil Davies: To ask the Secretary of State for Social Security what is her estimate of the total amounts received by persons resident in Wales for the latest available year in respect of *(a)* disability living allowance, *(b)* incapacity benefit and *(c)* industrial injuries disablement benefit; and what these are as a percentage of the total UK amounts in each case. [21615]

Mr. Denham: The information is not available in the format requested. Such information as is available is in the table.

£ million

	Wales[1]	*Great Britain*[2]	*United Kingdom*[1]
Disability Living Allowance[4]	371	4,361	4,649
as a percentage of Great Britain	8.5	—	—
as a percentage of United Kingdom	8.0	—	—
Incapacity Benefit[4]	746	7,767	8,084
as a percentage of Great Britain	9.6	—	—
as a percentage of United Kingdom	9.2	—	—
Industrial Injuries Disablement Benefit[5]	58	670	—
as a percentage of Great Britain	8.7	—	—

[1] Figures are estimates based on the ratio of average weekly amounts in payment for Wales and Great Britain.

[2] Figures are estimated out-turn published in the Social Security Departmental Report 1997–98 to 1999–2000.

[3] Figures for Northern Ireland are from Social Security's Annual Report and Accounts 1996–97.

[4] Figures relate to 1996–97.

[5] Figures relate to 1995–96.

Dr. Starkey: To ask the Secretary of State for Social Security how many benefit claims have been reviewed under the remit of the Benefits Integrity Unit since its formation; and how many claims have been *(a)* reduced, *(b)* left unaltered and *(c)* up-rated. [21509]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. We need to focus on those who are properly entitled to benefit. This is why we have set up the Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Dr. Phyllis Starkey, dated 13 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding the number of benefit claims that have been reviewed under the remit of the Benefits Integrity Unit since its formation, and the number of claims that have been reduced, left unaltered and uprated.

As at 30 November 1997, the Benefit Integrity Project has looked at 27,511 DLA awards. Of the awards that were looked at again 2339 were reduced, 1152 were disallowed entirely, 23,363 left unaltered and 657 increased. In addition staff working on the Benefit Integrity Project have dealt with 5979 renewal claims of which 1080 have been disallowed, 1541 renewed at a lower rate, 3174 renewed at the same rate and 184 renewed at a higher rate.

I hope you find this reply helpful.

Mr. Cousins: To ask the Secretary of State for Social Security how many claims have so far been assessed under the Disability Benefits Integrity Review; and how many claims have been *(a)* set aside, *(b)* reduced and *(c)* increased (i) in total and (ii) by region. [22053]

Mr. Denham: The administration of Social Security benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Jim Cousins, dated 13 January 1998:

The Secretary of State for Social Security has asked me to respond to your recent Parliamentary Question asking how many claims has so far been assessed under the Disability Benefits Integrity Review; and how many claims have been (a) set aside, (b) reduced and (c) increased (i) in total and (ii) by region.

As at 30 November 1997, the Benefit Integrity Project (BIP) has looked at 27,511 DLA awards. Of these awards 2339 were reduced and 1152 were disallowed entirely, a total of 3491. 657 awards have been increased. The balance, 23,363 remained unchanged. In addition, staff working on the BIP have dealt with 5979 renewal claims of which 1080 have been disallowed, 1541 renewed at a lower rate, 3174 renewed at the same rate and 184 renewed at a higher rate. Information about the regional distribution of awards is not available.

I hope you find this reply helpful.

Mrs. Browning: To ask the Secretary of State for Social Security how many cases have been reviewed to date as part of the Disability Living Allowance Integrity Project by *(a)* personal interview and *(b)* written assessment. [21101]

Mr. Denham: The administration of the Benefit Integrity Project is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mrs. Angela Browning, dated 13 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question concerning how many cases have been reviewed to date as part of Disability Living Allowance Integrity Project by personal interview and written assessment.

As at 30 November 1997, the number of cases on which action taken by the Benefit Integrity Project had been completed following a personal interview was 5348 and following a postal enquiry was 22,163, a total of 27,511. Of these, the number of awards changed following a visit was 571 and the number changed following a postal enquiry was 3577, a total of 4148. In addition staff working on the Benefit Integrity Project have dealt with 5979 renewal claims of which 1080 have been disallowed, 1541 renewed at a lower rate, 3174 renewed at the same rate and 184 renewed at a higher rate.

I hope you find this reply helpful.

Industrial Disablement Benefit

Mr. Dismore: To ask the Secretary of State for Social Security how much was recouped from accident victims' compensation in respect of industrial disablement benefit in each of the last three years. [16396]

Mr. Denham *[pursuant to his reply, 26 November 1997, c. 665–66]:* I am writing to advise that Peter Mathison, the Chief Executive of the Benefits Agency, is writing again to clarify his reply of 26 November 1997.

Letter from Peter Mathison to Mr. Andrew Dismore, dated 13 January 1998:

You recently asked the Secretary of State for Social Security how much was recouped from accident victims' compensation in respect of Industrial Disablement benefit in each of the last three years. I am writing to clarify the information provided in my letter of 26 November 1997.

I regret that the figure I quoted for 1996/97 was incorrect. The figure should have been £19.1m. This figure is provisional and subject to change.

I apologise for any inconvenience this may have caused you.

Benefit Claimants (Spelthorne)

Mr. Wilshire: To ask the Secretary of State for Social Security how many people are claiming *(a)* disability benefit and *(b)* lone parent benefit in Spelthorne. [22202]

Mr. Denham: The administration of Disability Benefits and Lone Parents Benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. David Wilshire, dated 13 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many people are claiming (a) disability benefit and (b) lone parent benefit in Spelthorne.

Information is not available for all relevant benefits in the format requested.

The number of people in receipt of Attendance Allowance (AA), Disability Living Allowance (DLA), Incapacity Benefit (IB) and Severe Disablement Benefit (SDA) is set out below—

AA: 1,300

DLA: 1,900

IB: 1,900

SDA: 600

The figures are based on a 5% extract of the caseload at the end of August 1997 rounded to the nearest hundred.

The information for Industrial Injuries Disablement Benefit (IIDB) is not available in the format requested. The nearest breakdown is for the South East. The number in receipt of IIDB for that area is 3,000. This figure is based on a 10 per cent. extract of the caseload at the end of March 1996 rounded to the nearest hundred.

The information for lone parent benefits could be obtained only at disproportionate cost.

I hope you find this reply helpful.

Written Answers to Questions

Thursday 15 January 1998

WALES

Referendum

Mr. Ancram: To ask the Secretary of State for Wales what checks were made to ensure that all counting areas involved in the Welsh referendum were following the same procedure in relation to new guidance provided following representations from Denbighshire on the night of 18 September; and if he will make a statement. [23133]

Mr. Ron Davies: Decisions as to what regard should be had to the advice given by the Chief Counting Officer on the night of 18 September were for individual Counting Officers to take at their discretion; it would not have been appropriate for my officials to make inquiries on that matter during the course of the various counts.

Mr. Ancram: To ask the Secretary of State for Wales what advice he sought, and from whom, following representations received relating to the conduct of the count of the Welsh referendum. [23157]

Mr. Ron Davies: I became aware of concerns in my constituency capacity in respect of the count in Caerphilly County Borough. I asked the Counting Officer to consider these and advise me of the outcome. He replied on 29 September. A copy of his letter has been placed in the Library of the House. I have received no other representations on this matter.

Mr. Ancram: To ask the Secretary of State for Wales what discussions he has had with Labour Party officials in his official capacity concerning the Welsh devolution referendum count in Caerphilly; on what dates these discussions took place; and if he will make a statement on the content of these discussions. [23166]

Mr. Ron Davies: None.

Mr. Ancram: To ask the Secretary of State for Wales who gave the instructions for guidance to counting officers to be changed during the counting of the Welsh referendum votes; when this instruction was given; and what action was taken to ensure that the new guidance was followed. [23159]

Mr. Ron Davies: The Chief Counting Officer decided to issue supplementary advice in response to the representations received from Denbighshire Counting Officer; this decision was made at approximately 11 pm on the night of 18 September. The advice was telephoned to Counting Officers. It was for them to decide what regard should be had to it, and it would not have been appropriate for officials to make further inquiries during the course of the counts as to how Counting Officers were exercising their discretion.

Mr. Ancram: To ask the Secretary of State for Wales when he was first notified of allegations of irregularities in the count of the Welsh devolution referendum count at Caerphilly. [23171]

Mr. Ron Davies: I received verbal representations in my constituency capacity shortly after the referendum on 18 September.

Mr. Ancram: To ask the Secretary of State for Wales what input into guidance to counting officers in the Welsh referendum *(a)* he and *(b)* his officials provided. [23267]

Mr. Ron Davies: I made no input. My officials prepared draft guidance for the Chief Counting Officer to issue, drawing on guidance issued by the Home Office for the 1997 General Election.

Mr. Ancram: To ask the Secretary of State for Wales what *(a)* correspondence an *(b)* discussions his special adviser has had relating to the Welsh devolution referendum count at Caerphilly. [23135]

Mr. Evans: To ask the Secretary of State for Wales what *(a)* correspondence and *(b)* discussions his special adviser has had relating to the Welsh devolution referendum count at Caerphilly. [23169]

Mr. Ron Davies: Neither of my advisers either corresponded about, or discussed, the count before Tuesday 6 January.

Mr. Ancram: To ask the Secretary of State for Wales at what hour the chief counting officer gave new guidance to counting officers in relation to the counting of votes during the Welsh referendum count. [23151]

Mr. Ron Davies: At approximately 11pm.

Mr. Ancram: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Clwyd, West (Mr. Thomas) of 12 January 1997, *Official Report*, columns *39–41*, by what means he became aware of complaints made by Caerphilly County Borough Council relating to aspects of the Welsh referendum count; and which representatives of his Department attended meetings at which such irregularities were discussed. [23168]

Mr. Ron Davies: I am not aware of any complaints made by Caerphilly County Borough Council.

Mr. Ancram: To ask the Secretary of State for Wales if he will make a statement on his discussions with the chief counting officer during the counting of the referendum votes in Wales. [23156]

Mr. Ron Davies: I had no discussions with the Chief Counting Officer during the counting of the referendum votes in Wales.

Mr. Ancram: To ask the Secretary of State for Wales what guidance his Department gave to returning officers relating to the Welsh devolution referendum counts in Wales; and if he will publish this guidance. [23163]

Mr. Ron Davies: I refer the right hon. Member to the reply I gave to the hon. Member for Clwyd, West (Mr. Thomas) on 12 January 1997, *Official Report*, columns *39–41*, and to the supplementary letter I sent the hon. Member on the same day. Copies of that letter, and of the guidance issued to Counting Officers, are in the Libraries.

Mr. Evans: To ask the Secretary of State for Wales what discussions he has had with his Department's officials since the result of the referendum was made known relating to the Welsh devolution referendum count at Caerphilly; and what was the date of such discussions. [23155]

Mr. Ron Davies: I had no discussions with officials on this matter before 6 January, the date of publication of articles in *The Scotsman* newspaper referring to the count at Caerphilly. In light of that publication, I sought information from officials as to whether they had received any complaints or correspondence relating to that count, and I informed them of action I had taken in my constituency capacity on the matter.

Mr. Evans: To ask the Secretary of State for Wales what discussions he has had with his officials relating to irregularities during referendum counts in Wales. [23161]

Mr. Ron Davies: Following publication of press articles in *The Scotsman* and the *Western Mail*, I have discussed with my officials the various allegations made, and the terms of my answer to the hon. Member for Clwyd, West (Mr. Thomas), on 12 January 1997, *Official Report*, columns *39–41*.

Mr. Evans: To ask the Secretary of State for Wales what representations he made relating to the count of the votes at Caerphilly to the Chief Counting Officer for Wales *(a)* prior to and *(b)* after 1 January. [23152]

Mr. Ron Davies: *(a)* None. *(b)* None.

Mr. Evans: To ask the Secretary of State for Wales what discussions *(a)* he and *(b)* his officials have had with the Chief Executive of Caerphilly County Council since 1 January; and if he will make a statement. [23158]

Mr. Ron Davies: *(a)* In my constituency capacity, I telephoned the Chief Executive on 6 January, following publication in *The Scotsman* of articles about the Caerphilly count. The purpose of my inquiry was to seek information about any outstanding complaints or concerns relating to the count. I was informed that there were no such complaints or concerns outstanding, all matters having been answered to the complainants' satisfaction in a letter from the Chief Executive dated 28 October 1997.

(b) None.

Mr. Evans: To ask the Secretary of State for Wales what assessment he has made of the adequacy of the training and guidance advice given to counting officers conducting counts during the Welsh referendum. [23162]

Mr. Ron Davies: I have made no such assessment, but I consider the counting procedures to have complied fully with the Parliamentary Election Rules which Parliament stipulated should apply to the referendum.

Mr. Evans: To ask the Secretary of State for Wales if he will make a statement on the representations he has received relating to errors that were made during the Welsh referendum count. [23153]

Mr. Ron Davies: As at 12 January, I had received no representations and I am unaware of any errors that may have been made.

Mr. Evans: To ask the Secretary of State for Wales if he will list the correspondence between the Welsh Office and other bodies relating to the Welsh devolution referendum count at Caerphilly; and if he will make public this correspondence. [23160]

Mr. Ron Davies: There has been no such correspondence.

Mr. Jenkin: To ask the Secretary of State for Wales (1) what representations he has received in relation to the count of the votes in the Welsh referendum in Caerphilly; [23129]

(2) what reports he has received in relation to the counting of votes in the Welsh referendum in Caerphilly. [23173]

Mr. Ron Davies: I received verbal representations in my constituency capacity shortly after the referendum on 18 September. I requested the Chief Executive to consider them, and he wrote to me again in my constituency capacity, on 29 September. That letter is the only report I have received. A copy of it, and of my reply of 20 October, are in the Libraries.

Mr. Jenkin: To ask the Secretary of State for Wales for how long his Department proposes to retain the ballot papers relating to the Welsh referendum; and for what purpose. [23154]

Mr. Ron Davies: The papers will be retained for one year from 18 September 1997. It is considered appropriate to follow the practice adopted in respect of ballot papers at parliamentary elections.

Mr. Jenkin: To ask the Secretary of State for Wales what discussions he has had in his official capacity with outside bodies relating to the Welsh referendum count at Caerphilly; and if he will make a statement. [23165]

Mr. Ron Davies: None.

Mr. Jenkin: To ask the Secretary of State for Wales what advice his officials issued relating to the counting of spoilt ballot papers during the Welsh devolution referendum count. [23270]

Mr. Ron Davies: Following the Chief Counting Officer's decision, in response to a request from the Denbighshire Counting Officer, to issue further advice on the treatment of ballot papers with the word "No" written opposite the "I do not agree" box, officials telephoned other Counting Officers to inform them that this advice had been given. The officials were acting in support of the Chief Counting Officer, and not on my behalf or with my knowledge.

Mr. Jenkin: To ask the Secretary of State for Wales what verbal advice was given during the Welsh devolution referendum count to returning officers seeking clarification on the counting of spoilt ballot papers. [23150]

Mr. Ron Davies: I refer the hon. Member to the reply I gave to the hon. Member for Clwyd, West (Mr. Thomas) on 12 January 1997, *Official Report*, columns *39–41*.

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for Wales on what date he last used a train in the course of his official duties. [22932]

Mr. Ron Davies: Today.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Wales if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has

been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her *(b)* the cost to public funds of each such visit. [23248]

Mr. Ron Davies: No overseas visits have been made since 1 May 1997 by myself or either Minister in my Department on which I or they have been accompanied under Rule 83 of the Ministerial Code.

National Health Service

Mr. Caton: To ask the Secretary of State for Wales when he expects to publish the White Paper on the future of the NHS in Wales; and if he will make a statement. [23782]

Mr. Ron Davies: Our White Paper on the future of the NHS in Wales, "Putting Patients First", is published today. The White Paper has been laid before Parliament and copies are also available in the Library of the House and in the Vote Office.

"Putting Patients First" fulfils the undertakings we made before coming into office. It abolishes the divisive internal market in the NHS and charts a course for NHS Wales which will restore it as a truly national service of quality, responsive to the needs of its patients.

Our objectives are clear. An NHS which is people centred; an NHS which is delivering quality services in a seamless and collaborative way; an NHS which makes full use of new technologies and makes best practice common practice. "Putting Patients First" provides the framework within which these objectives will be pursued. Fragmentation, inequality and bureaucracy will be replaced by integrated services, collaboration and improved efficiency, saving £50 million over the lifetime of this Parliament for reinvesting in patient care.

Health Authorities and NHS trusts will be retained with new duties and responsibilities for improving health and for working co-operatively with others. We will honour our commitment to reinforce the place of primary care through the creation of Local Health Groups. These will allow professionals to take the lead, in co-operation with others, in planning and providing services locally for the benefit of their patients. They will have budgets and new freedoms to use the available resources in the best interests of their patients. Through these Groups, all primary care professionals, social services departments and others will be able to address the needs of their patients, without the divisions and inequalities of the GP fundholding scheme.

"Putting Patients First" sets out our vision for the NHS in Wales with measures suited to Welsh needs. It lays the foundations for the work of the National Assembly and gives NHS Wales a clear framework within which to address the health of our people and improve the health services they are due.

Government Residential Property

Mr. Caton: To ask the Secretary of State for Wales how his Department has performed against last year's targets for reducing empty government residential property; and what new targets have been set for 1997–98. [23783]

Mr. Win Griffiths: I am pleased to announce that my Department was successful in meeting the target set for disposal of empty government homes in 1996–97.

We are continuing to set challenging targets for disposal or bringing back into use those properties which become empty and hope to be able to maintain our success over the coming year.

Details of achievements against targets for 1996–97 and new targets for 1997–98 are set out as follows:

Empty Government residential property
Welsh Office achievements 1996–97

Total stock 1 April 1996	*Empty stock 1 April 1996*	*1996–97 target for disposal or bringing back into use*	*Achievement against target*
[1]243	50	39	39

[1] Includes NHS.

Welsh Office targets 1997–98

Total stock 1 April 1997	*Empty stock 1 April 1997*	*Target for disposal or bringing back into use*
[1]114	33	33

[1] Excludes NHS.

CHURCH COMMISSIONERS

Investment Decisions

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners what account he takes of scripture in making investment decisions. [22940]

Mr. Stuart Bell: The Commissioners' ethical investment policy is exercised in the context of their duty to manage their inherited assets to provide financial support for the clergy of the Church of England, especially in areas of need and opportunity.

Reconciling their legal duty to achieve the best return for their beneficiaries with their Christian heritage and with the views of Church people is central to the Commissioners' mission.

The Ethical Investment Working Group set up in October 1994 as a joint venture between the Commissioners and the other central Church investing bodies keeps their ethical investment policy under constant review.

PRIME MINISTER

Paymaster General (Letter)

Mr. Peter Bottomley: To ask the Prime Minister when he and the law officers approved the threat of legal action in a letter on behalf of the Paymaster General to newspapers. [22586]

The Prime Minister: The main purpose of the letters sent to the *Sunday Times* and *The Observer* on 8 December on behalf of the Paymaster General was to set the facts straight following the publication the previous day of inaccurate and misleading reports. Neither I nor the Law Officers approved these letters before they

were sent. However, the Law Officers were consulted subsequently on the issues relating to possible future legal proceedings.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Trans-European Transport Network

Sir Richard Body: To ask the Secretary of State for the Environment, Transport and the Regions which United Kingdom ports on the East Coast have been excluded from the list for the Trans-European Transport Network proposed by the EU Commission; and if he will obtain from the Commission its reasons for excluding any of the United Kingdom ports on the East Coast. [22733]

Ms Glenda Jackson: I understand that the EU Commission's proposal includes all ports with a total annual freight turnover of 1 million tonnes or 200,000 international passengers or which provide connections between land links of the Trans-European Network (TEN).

The following English east coast ports are included under the new criteria:

Folkestone
Dover
Ramsgate
Medway
London
Harwich
Ipswich
Felixstowe
Great Yarmouth
King's Lynn
Boston
Grimsby/Immingham
Goole
Hull
Tees and Hartlepool
Sunderland
Tyne.

My officials will be discussing the proposal further with the Commission. If the hon. Member has any particular concerns, we would be pleased to know of them.

Road Accidents (Diabetic Drivers)

Mr. Maginnis: To ask the Secretary of State for the Environment, Transport and the Regions in respect of how many fatal vehicular accidents in England and Wales during each of the past 10 years there was evidence that the major contributory factor lay with drivers who were insulin-dependent diabetes sufferers. [22802]

Ms Glenda Jackson: We do not have comprehensive figures as information on the medical circumstances of drivers involved in accidents cannot be readily collected. Studies have shown, however, that a significant proportion of collapses at the wheel have been the result of hypoglycaemia, and there have been a number of accidents involving collapses over the years.

Roadside Drainage Pipes

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what video material relating to damage to plastic roadside drainage pipes has been collated by the Department of Transport; and if it is available for public examination. [22759]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Dr. Alan Whitehead, dated 15 January 1998:

I have been asked by the Parliamentary Under Secretary of State to reply to your recent question about what video material relating to damage to plastic roadside drainage pipes has been collated by the Department of Transport, and if it is available for public examination.

Video surveys of roadside drainage pipes have been undertaken for the Highways Agency by it's Maintaining Agents on certain sections of the trunk road network to assist with the maintenance of the network drainage. A sample of the surveys has been analysed by the Transport Research Laboratory for the Agency as part of an ongoing research project to investigate the performance of all types of drainage pipes. Statistical information identifying defects for all types of pipes, including plastic pipes, have been produced from these data.

This research information is as yet unpublished but it can be made available on request. To view this information please contact Santi Santhalingam on 0171 921 2215.

Rail Passengers and Freight

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will revise passenger and freight access charges to stimulate greater use of the rail network. [22840]

Ms Glenda Jackson: The setting of access charges is the responsibility of the Rail Regulator. He has recently published a consultation document about the key issues and proposed framework for future access arrangements to assist in determining revised charges which will come into effect on 1 April 2001.

Channel Tunnel

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will seek to negotiate an amendment to the Channel Tunnel Treaty allowing for the annual publication of a comprehensive safety report. [22825]

Ms Glenda Jackson: No. The Channel Tunnel Safety Authority already publishes an Annual Report on its activities, which covers all aspects of Channel Tunnel safety.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the report into the evacuation exercise carried out recently in the channel tunnel. [23207]

Ms Glenda Jackson: A report on the binational emergency exercise which took place on 10–11 January in the Channel Tunnel will be incorporated in the Annual Report of the Channel Tunnel Safety Authority for 1997–98. A copy of this Report will be placed in the Library of the House on its publication.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions whether he intends to seek the renegotiation of Clause 33.3 of the channel tunnel treaty which prevents the publication of safety information relating to the tunnel. [23206]

Ms Glenda Jackson: No. Clause 33.3 of the Channel Tunnel Concession Agreement requires the parties to the Agreement, and the Intergovernmental Commission and Safety Authority, to hold in confidence material provided to them. However, Eurotunnel is free to publish the safety information which it produces, and the Channel Tunnel Safety Authority publishes an annual report on its activities, covering all aspects of Channel Tunnel safety. Copies of this report are placed in the Library.

Railtrack

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of Railtrack's performance in fulfilling its statutory obligations with respect to *(a)* maintenance of the rail infrastructure and *(b)* upgrading the system; and if he will list the figures for expenditure on both items. [22823]

Ms Glenda Jackson: Railtrack's statutory obligations are reflected in its network licence, which is monitored by the Rail Regulator. Modifications to that licence now require the company to publish detailed information on the level of expenditure for both the maintenance and enhancement of the rail network. Railtrack's next Network Management Statement is to be published in March 1998.

Railtrack's core investment in the first half of 1997–98 had increased by 38 per cent.—to £520 million—compared to the first half of 1996–97. We have made it clear that we expect to see further improvements in investments levels.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will discuss with Railtrack the present and future access charges to the Railtrack system. [22824]

Ms Glenda Jackson: Access charges are a matter for the Rail Regulator. The Regulator has recently invited comments from consultees, including Railtrack, on the issues which might inform his decisions on revised charges, which will come into effect on 1 April 2001.

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions on what date *(a)* he and *(b)* The Minister for Transport last used a train in the course of their officials duties. [22927]

Mr. Prescott: I last used the train on Monday 12 January and my right hon. Friend the Minister for Transport on Tuesday 6 January.

Heavy Goods Vehicles

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of heavy goods vehicles that have evaded excise duty in the last 12 months. [21081]

Ms Glenda Jackson: It is estimated that, at any one time, some 13,000 heavy goods vehicles are evading vehicle excise duty. This represents around 3 per cent. of these vehicles.

Road Traffic Reduction Act

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions when he intends issuing guidance to local authorities on the implementation of the Road Traffic Reduction Act 1997. [23367]

Ms Glenda Jackson: Draft Guidance to local authorities on implementing the provisions of the Road Traffic Reduction Act is being issued for public consultation today. Comments on the draft guidance are being sought by 20 April 1998. I am arranging for copies of the consultation documents to be placed in the library.

Town and Country Planning

Helen Jones: To ask the Secretary for the Environment, Transport and the Regions if he will announce his policy for the future of town and country planning in England; and if he will make a statement. [23787]

Mr. Caborn: I have today placed copies of my Policy Statement in the Library of the House. This Statement confirms that we shall retain the principles of the town and country planning system established by the post-war Labour Government. For 50 years, these have demonstrated their flexibility and served us well. There are, however, a number of missing dimensions that this Government will put in place to cope with the challenges they now face.

These are:

- the European context for planning in this country;
- clearer statements of national policy for the small number of projects where decentralisation of decision-making is not possible;
- effective arrangements for regional planning so that more issues can be resolved at this level;
- a continuous search for improvements in local efficiency; and
- a willingness to consider economic instruments and other modern tools to help meet the objectives of positive planning.

My Policy Statement on Modernising Planning describes how we will fill these gaps. As part of this package, I am also today placing in the Library and publishing a consultation paper on the future of Regional Planning Guidance in England.

Roads and Rail (East Sussex)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* representations have been received from and *(b)* meetings have taken place with representatives of East Sussex County Council since 2 May in respect of (i) the proposal to reinstate the Lewes–Uckfield railway line, (ii) the A27 Lewes–Polegate trunk road and (iii) the proposed A27 Polegate bypass. [22944]

Ms Glenda Jackson: Since 2 May 1997, there have been no representations made by East Sussex County Council to the Department, nor meetings held, regarding proposals to reinstate the Lewes–Uckfield railway line.

Representations on the A27 Lewes–Polegate schemes, and the A27 Polegate Bypass scheme, has been received from East Sussex County Council in the form of a documented response to the Roads Review. We are currently considering the comments made by the County Council alongside the many other we have received. East Sussex County Council participated in a Regional Roads Review Seminar, held last October, which covered these schemes. In addition, as part of our consideration of the Accelerated Roads Review, Ministers met local MPs to discuss the proposed Weald and Downland DBFO project. Representatives of East Sussex County Council were part of the delegations accompanying Members at these meetings.

Car-free Cities Project

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will encourage more major authorities in the United Kingdom to participate in the European Union Car-Free Cities project as part of his policy to reduce urban congestion, pollution and environmentally damaging emissions. [23125]

Ms Glenda Jackson: The Government are always interested in effective and innovative approaches to tackling congestion and pollution. Local authorities may well benefit from participating in the Car Free Cities project, or other similar schemes. A number already do, and the Government would certainly encourage others to consider following suit. But such decisions are best taken at the local level, as authorities consider how best to meet their statutory duties under the National Air Quality Strategy and the Road Traffic Reduction Act 1997.

Genetically Modified Organisms

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions information has been withheld on the grounds of commercial confidentiality from reports placed on the public register on the effects of the release of genetically modified organisms. [22877]

Mr. Meacher: To date, no information contained in reports on the release of genetically modified organisms has been withheld from the public register on grounds of commercial confidentiality.

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions which advisory bodies are consulted in advance of a decision to withhold information from the public register of applications for consents to release genetically modified organisms on the grounds of national security. [22882]

Mr. Meacher: We cannot envisage any circumstances where it would be necessary to withhold information from the public register on the grounds of national security.

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions following consent to release new information has been made available under section 111 of the Environmental Protection Act 1990 regarding risks of damage to the environment by the release of genetically modified organisms. [22879]

Mr. Meacher: The relevant section of the Environmental Protection Act 1990 for the provision of new information regarding risks of releases is section 112. To date, no new information has been notified by a consent holder.

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions information has been withheld from the public register for reasons of prevention to damage to the environment in respect of *(a)* commercial and *(b)* other applications for consent to release genetically modified organisms. [22880]

Mr. Meacher: On no occasion has information been withheld from the public register for reasons of prevention of damage to the environment in respect of *(a)* commercial and *(b)* other applications to release genetically modified organisms.

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions how many reports on the effects of release have been received in respect of consents to release genetically modified organisms. [22876]

Mr. Meacher: To date, there have been 133 consents granted for the release of genetically modified organisms in Great Britain. Under section 112 of the Environmental Protection Act 1990, consent holders are required to notify the Secretary of State of the effects of any release on the environment. For every consent, a report must be submitted at the end of the release and for many consents a period of post-release monitoring is required for which a report must also be submitted. These reports are placed on my Department's public register and in the regional offices of the Environment Agency, and are freely available to the general public on request.

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions information has been withheld from the public register for reasons of national security in respect of *(a)* commercial and *(b)* other applications for consent to release genetically modified organisms. [22883]

Mr. Meacher: On no occasion has information been withheld from the public register for reasons of national security in respect of *(a)* commercial and, *(b)* other applications to release genetically modified organisms.

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions reports on the release of genetically modified organisms have revealed new risks of damage to the environment. [22878]

Mr. Meacher: To date, reports on the release of genetically modified organisms (GMOs) have not revealed any new information regarding risks to human health or the environment.

In addition to these reports, my Department funds a research programme to identify possible new risks of the release of genetically modified organisms to human health and the environment.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her and *(b)* the cost to public funds of each such visit. [23257]

Mr. Prescott: My wife accompanied me to The Hague on 26 May 1997 when I represented the Government at the Marshall Plan Commemoration. The travel costs to public funds were £649.04 and we stayed at the Ambassador's Residence.

CULTURE, MEDIA AND SPORT

Sport

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the advantages of the award of sports lottery funds to state primary schools in those areas of social and economic deprivation identified by the Sports Council in its priority areas initiative scheme. [21392]

Mr. Banks: We have not made a formal assessment but we are aware that there is potential for good schemes of this kind.

The English Sports Council is, of course, the distributor in England of Lottery funds for good causes on, or connected with, sport. While it has no specific policies pertaining solely to primary schools, I understand that all educational establishments are eligible to apply for support from the Lottery Sports Fund (LSF). Under the School Community Sports Initiative (SCSI), the LSF may provide up to 80 per cent. support where applicants can meet the Community Use criteria. Schemes within the Council's Priority Areas Initiative can apply for up to 90 per cent. award.

Primary Schools will also be eligible to apply for funding from the New Opportunities Fund for out of school hours projects. The target is for at least a quarter of all primary schools to be undertaking such projects by 2001.

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what proportion of National Lottery funding for sport has been distributed to *(a)* areas of social and economic deprivation as defined by the Sports Council in its priority areas initiative and *(b)* severely deprived areas as defined by the Sports Council in its document Eighty Five Priority Area-designated Wards since November 1994. [21394]

Mr. Banks: I am advised by the English Sports Council that there have been 344 awards (14 per cent.), totalling £253,529,941 (39 per cent.) in the Priority Areas. Information on successful applications by Wards is not available and could be obtained only at disproportionate cost.

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport what proportion of National Lottery funding for sport has been distributed to priority areas as designated by the Rural Development Commission; and how much has been distributed to *(a)* local public sports clubs with open membership, *(b)* state secondary schools and colleges, *(c)* state primary schools, *(d)* private secondary schools and colleges, *(e)* private primary schools, *(f)* Oxford and Cambridge colleges, *(g)* other universities and colleges, *(g)* other universities and colleges, *(h)* local sports clubs with limited public access, *(i)* other projects and *(j)* individuals since November 1994. [21395]

Mr. Banks: Information on awards specifically to Rural Development Areas (RDAs) is not available and could be obtained only at a disproportionate cost. However, the English Sports Council have made a total of 823 awards (33 per cent.) to District Councils containing RDAs totalling £126,679,596 (19 per cent.). The other information requested is as follows:

(a) It is a requirement for every successful Lottery award to have public access. Separate information on sports clubs is not available and could be obtained only at disproportionate cost.

(b) State secondary schools and colleges: 143 awards totalling £48,260,814.

(c) State primary schools: 8 awards totalling £8,478,080.

(d) Private secondary schools and colleges: 6 awards totalling £2,869,572.

(e) None.

(f) None.

(g) Other universities and colleges: Higher Education: 16 awards totalling £28,981,052. Further Education: 14 awards totalling £9,990,236.

(h) See (a) above.

(i) Other projects:

Capital projects: 2,282 awards totalling £566,882,972.

World Class Events revenue awards: 9 events totalling £4,361,984.

(j) World Class Performance revenue awards: £23,000,000 has been distributed among 1,640 individuals.

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport on what date he last used a train in the course of his official duties. [22938]

Mr. Chris Smith: I last used a train in the course of official duties on Sunday 30 November to travel to Birmingham for the Competition Climbing World Cup Final at the National Indoor Arena.

Lottery Applications (Basildon)

Angela Smith: To ask the Secretary of State for Culture, Media and Sport how many applications have been made to the National Lottery distributing bodies from organisations in the Basildon constituency; how many have been *(a)* successful and *(b)* unsuccessful in their applications; and what has been the total value of successful applications in each year. [22626]

Mr. Banks: To date, 15 awards totalling £1,018,513 have been made to organisations in the Basildon constituency. Eighty-four applications have been unsuccessful. A breakdown of successful applications by calendar year is set out in the table.

Information on successful Lottery applicants can be found on the Department's website www.lottery.culture.gov.uk.

Year	*Total award amount* £	*Total number of awards*
1995	170,000	4
1996	555,477	5
1997	293,036	6
Grand totals	1,018,513	15

Historic Royal Palaces

Mr. Caplin: To ask the Secretary of State for Culture, Media and Sport what his plans are for the future management of the historic royal palaces; and if he will make a statement. [23684]

Mr. Chris Smith: The historic royal palaces are currently managed by an Executive Agency of my Department, which has progressively reduced its call on Exchequer support since its establishment in 1989. I have given careful consideration to ways of building on that performance and bringing an end to Exchequer support, while safeguarding the fabric of the Palaces and maintaining the quality of visitors' experience. I have concluded that these benefits will best be realised through establishing the historic royal Palaces as a Non-Departmental Public Body.

I therefore propose to apply for the grant by Her Majesty the Queen of a Charter establishing the new body and to seek Parliamentary approval of an Order under the Deregulation and Contracting Out Act 1994 to enter into a contract for it to carry out my day to day responsibilities for the management of the historic royal palaces. An application for charitable status will be made to the Charity Commission.

The new body would be established under a Board of Trustees to bring a wider range of expertise to the running of the historic royal palaces. I propose that the Board comprise three members appointed by Her Majesty the Queen and five appointed by me. The Chairman would be appointed by The Queen on my advice.

I can reassure the current staff of the Agency, who have done so much to secure its success, that their terms and conditions of service will be protected on their transfer to the new body. New pension arrangements, broadly comparable to those under the Principal Civil Service Pension Scheme, will be put in place. The Chief Executive of the Agency will now take forward discussions with staff representatives on the detailed implications of the proposed arrangements.

Exchequer funding is set to reduce to some £4 million in 1998–99, but I expect the new body to continue the Agency's success in increasing income and that its new status will give greater financial flexibility and open up fresh sources of income, so that the need for Exchequer funds can be brought rapidly to an end.

I should emphasise that the new arrangements would apply only to the historic royal palaces, which are currently managed by the Agency, and do not affect the palaces which remain in use and are managed on my behalf by the Royal Household. The changes would not alter the ownership of the historic royal palaces or my responsibility for their management. I shall remain answerable to Parliament for their care and presentation.

The new body would operate on the basis of an annual plan and agreed performance targets. The National Audit Office would continue to have full rights of access, both to carry out the annual audit of the accounts and to undertake value for money studies. Annual Reports and Accounts will be presented to Parliament and the Chief Executive will be liable to be summoned to appear before the Committee of Public Accounts and other Select Committees of this House.

Subject to the approvals to which I have referred, the new body would be established to take over the management of the historic royal palaces from 1 April this year.

The Historic Royal Palaces agency has been a highly successful Executive Agency. It has achieved major improvements in the conservation and presentation of the palaces, while reducing the call on taxpayers' support. I want to build on that success, bringing in new skills and resources to enhance the palaces and their attractions still further for millions of future visitors.

INTERNATIONAL DEVELOPMENT

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for International Development on what date she last used a train in the course of her official duties. [22937]

Clare Short: I last used a train in the course of my official duties on 17 December 1997.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for International Development if she will list all overseas visits made since 1 May 1997 on which she or any other Minister in her Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her and *(b)* the cost to public funds of each such visit. [23255]

Clare Short: Neither I nor the Under-Secretary have been accompanied on overseas visits under Rule 83 of the Ministerial Code.

ATTORNEY-GENERAL

Overseas Visits

Mr. Wilshire: To ask the Attorney-General if he will list all overseas visits made since 1 May 1997 on which he has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him *(b)* the cost to public funds of each such visit. [23262]

The Attorney-General: I was accompanied on my visit to Dublin on 17–18 September 1997 by my wife and an official. The total cost to public funds was £1,212.50.

Ministerial Travel (Trains)

Mr. Baker: To ask the Attorney-General on what date he last used a train in the course of his official duties. [22930]

The Attorney-General: I travelled to Cardiff by train on 12 December 1997 to visit the Crown Prosecution Service office there.

TRADE AND INDUSTRY

Low Pay Commission

Mr. Baldry: To ask the President of the Board of Trade what evidence the Government have submitted to the Low Pay Commission; and if it will make such evidence public. [23045]

Mr. Ian McCartney: The Government will be submitting written evidence to the Low Pay Commission shortly. The evidence will be placed in the Library of the House.

Launch Aid

Mr. Cousins: To ask the President of the Board of Trade if she will list the projects on which launch aid had been granted before, and on which payment was outstanding on, 1 May 1997, the total sum granted in each case and the payments (i) received in *(a)* 1995–96 and *(b)* 1996–97 and (ii) projected for 1997–98. [22980]

Mr. Battle: The following table details all the projects on which launch aid was outstanding at 1 May 1997 (all figures in £ million), together with amounts received by the Government in the form of levy payments for years 1995–96 and 1996–97. Forecast receipts are not disclosed in advance of the end of the financial year for reasons of commercial confidentiality; such information may be market sensitive in cases where the Companies concerned have not published their financial results for the relevant period.

£ million

Project	*Total sum granted*	*Payments received*	
		1995–96	*1996–97*
A320 Family of Aircraft	249.3	29.3	42.7
A330/340 Aircraft	447.1	Nil	Nil
RB211-535 Aeroengine	261.8	13.5	15.2
RB211-524 Aeroengine	177.6	1.5	2.4
V2500 Aeroengine	60.0	2.0	3.7
EH101 Helicopter	60.0	Nil	Nil
Lear 45 Executive Jet	17.7	Nil	Nil

Mr. Cousins: To ask the President of the Board of Trade if she will list the projects which have been granted launch aid since 1 May 1997, the sum granted and the number of jobs secured. [22981]

Mr. Battle: On the 12 November 1997, the Government announced a long term investment of up to £200 million in Rolls-Royce plc's large engine programme. The investment is expected to secure 16,000 jobs in the Company and its UK suppliers.

No other projects have been granted Launch Aid since 1 May 1997.

Enemy Property

Mr. McNulty: To ask the President of the Board of Trade when she expects to publish the report on British policy towards enemy property during and after the Second World War; and what action she will take.[23908]

Mrs. Beckett: My hon. Friend the Minister for Competition and Consumer Affairs announced on 31 July 1997, *Official Report*, column 641 that the Government had commissioned a research project, to examine papers relevant to the Trading with the Enemy legislation under which the property of residents of enemy countries was confiscated during the Second World War. The project which has been co-ordinated by the FCO in close partnership with the DTI is nearing completion. The Government are considering the project's findings and will publish their response together with the report soon.

The Government, however, recognise that some of the information currently held at the Public Record Office will be of particular interest to Holocaust survivors or their families who may wish to check their family history. The Government therefore intend to publish a list of the names and other details of those who had their property seized under the Trading with the Enemy legislation. This cannot be a complete list as many individual case records have not been retained. However officials are examining the remaining records to see what information can be provided and it is estimated that the list will cover some 25,000 names. It is intended to publish the list on the Internet as soon as possible but the size and complexity of the task makes it difficult to be specific on the timing at this stage. The Government are committed to openness on this issue and believe that the publication of the report and of the list of names should make a large contribution to the public's understanding of this complex subject and help the relatives of holocaust victims to research their family history.

Biotechnology

Mr. Baker: To ask the President of the Board of Trade, pursuant to her answer to the hon. Member for Stoke-on-Trent, North (Ms Walley) of 18 December 1997, *Official Report*, column *308*, concerning public consultation on the proposed European Biotechnology Patent Directive, if she will ensure that representatives from *(a)* other political parties and *(b)* groups ethically opposed to biotechnology, will be invited to the events he plans to host. [22914]

Mr. Battle: The purpose of the discussion meeting I shall be hosting next month is to determine how best to develop a public consultation activity with a view to develop a consensus. The focus will therefore be on the process associated with this type of activity, rather than a discussion of the issues raised by biotechnology as this would pre-judge the public attitudes, which we are seeking to understand.

I shall be inviting people based upon their relevant experience and ability to contribute to the stated purpose of the meeting rather than on the basis of their views of the biological sciences.

The public activity to be held in the summer will of course have no value unless there is access to a wide range of informed opinion to draw on as providers of evidence to the exercise.

Nuclear Fusion Research

Dr. Tonge: To ask the President of the Board of Trade what plans she has to commission further research into nuclear fusion; and if she will make a statement on progress. [23463]

Mr. Battle: The United Kingdom Atomic Energy Authority (UKAEA) carry out an on-going programme of research into nuclear fusion. This is supported by my Department, and it forms part of the European Union's fusion programme. Later this year, the UKAEA will complete and commission an important new experimental device—the mega-amp spherical tokamak (MAST).

Both the European and UK programmes have made progress in the last year. The Joint European Torus achieved world-record values for fusion power and fusion energy. On a smaller scale, the UKAEA's small tight aspect ratio tokamak (START) achieved world record values for the efficiency of plasma confinement. Although the research is meeting and exceeding its targets, it is still thought to be at least 50 years before we could build commercial fusion power stations.

Science Budget

Mr. Roy: To ask the President of the Board of Trade if she will make a statement on the allocation of the science budget. [23909]

Mr. Battle: I have discussed the allocations with the Director General of Research Councils and have decided that, subject to Parliamentary approval of the Supply Estimates in due course, the Science Budget of £1,338.326 million should be allocated as follows:

Science Budget allocations

£ million

	Allocation 1997–98	*Allocation 1998–99*
BBSRC	183.300	185.739
ESRC	64.896	65.990
EPSRC	386.373	382.982
MRC	289.070	290.208
NERC	165.116	171.771
PPARC	191.850	191.268
International Subscription Reserve	8.800	3.028
CCLRC	1.450	1.462
Pensions	11.530	12.298
Royal Society	22.271	22.621
Royal Academy	3.370	3.436
OST Initiatives	2.302	2.376
Joint Research Equipment Initiative	—	4.147
LINK/Foresight	—	1.000
Total	1,330.327	1,338.326

An additional £4.2 million has been made available for the Joint Research Equipment Initiative to increase the £5.4 million already set aside by the Research Councils for the third round of the initiative.

FOREIGN AND COMMONWEALTH AFFAIRS

British Embassies (Fraud)

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he will be taking in response to the recent National Audit Office report relating to fraud at British embassies. [22751]

Mr. Fatchett: We continuously reappraise the adequacy of our financial management systems and staff resources at British Embassies to minimise the risk of fraud. The lessons learnt from the recent National Audit Office report forms part of this process. We have a dedicated Financial Compliance Unit to do this, as well as the full normal Internal Audit arrangements.

European Committee of the Regions

Mr. McWalter: To ask the Secretary of State for Foreign and Commonwealth Affairs whom the United Kingdom has nominated for the second term of the European Committee of the Regions; and if he will make a statement. [23785]

Mr. Doug Henderson: The following nominations have been forwarded to the Council of Ministers:

Full Members

(from English Local Government)

George Gill CBE: Gateshead Metropolitan Borough Council

John Battye: Oldham Metropolitan Borough Council

Pam Warhurst: Calderdale Metropolitan Borough Council

Dennis Pettitt: Nottinghamshire County Council

Ken Bodfish: Brighton and Hove Unitary Authority

Albert Bore: Birmingham City Council

Sally Powell: Hammersmith and Fulham London Borough Council

Jane Hore: Suffolk County Council

Sir Ronald Watson CBE: Sefton Metropolitan Borough Council

Lord Bowness CBE DL: Croydon London Borough Council

Paul White: Essex County Council

Sir Simon Day: Devon County Council

Lord Tope CBE: Sutton London Borough Council

Dr. James Walsh RD: West Sussex County Council and Arun District Council

Ruth Coleman: North Wiltshire District Council

Milner Whiteman: Bridgnorth District Council

(from Scottish Local Government)

Hugh Henry: Renfrewshire Council

Ian Stewart Hudghton: Angus Council

Christine May: Fife Council

Peter James Peacock: Highland Council

(from Welsh Local Government)

Brian Smith: Torfaen Borough Council

Linda Mathews: Merthyr County Borough Council

Reg Empey: Belfast City Council

Denis Haughey: Cookstown District Council

Alternate Members

(from English Local Government)

Ian Swithenbank: Northumberland County Council

Ruth Henig: Lancashire County Council

Keith Billington: Rotheram Borough Council

Peter Soulsby: Leicester Unitary Authority

Toby Harris: Harringey London Borough Council

Sarah McCarthy-Fry: Portsmouth Unitary Authority

Diane Bunyan: Bristol Unitary Authority

Sue Davies: The Wrekin Unitary Authority

David Martin: Sefton Metropolitan Borough Council

Margaret Eaton: Bradford City Council

Gordon Keymer: Tanbridge District Council

Suzie Kemp: Newbury Unitary Authority

Keith Whitmore: Manchester City Council

Liz Tucker: Hereford and Worcester County Council

Ros Scott: Suffolk County Council

Peter Moore: Sheffield City Council

(from Scottish Local Government)

Irene Oldfather: North Ayrshire Council

Marcus Humphrey: Aberdeenshire Council

Joan Mitchell: Dumfries and Galloway Council

Cormick Keenan McChord: Stirling Council

(from Welsh Local Government)

Doctor John Evans: Caerphilly County Borough Council

Eurig Wyn: Gwynedd County Council

(from Northern Ireland Local Government)

George Savage: Craigavon Borough Council

John Fee: Newry and Mourne District Council.

In making these nominations, we have sought, in consultation with local government, to provide a delegation which is appropriately representative of all of the United Kingdom, which provides appropriate expertise, and which takes account of the current political balance within United Kingdom local government.

EU Council

Mr. McWalter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Council of the European Union for January; and if he will list the major European Union events for the next six months. [23786]

Mr. Doug Henderson: The following Councils are scheduled:

Monthly forecast of business for January 1998

	Venue	*Event*
19 January	Brussels	Ecofin Council
19–20 January	Brussels	Agriculture Council
26–27 January	Brussels	General Affairs Council
29–30 January	Birmingham	Justice and Home Affairs Council (Informal)

The following subjects are likely to be discussed:

19 January: ECOFIN Council

Presidency work programme—Commission work programme: Presentation and debate.

Preparation of Stages III of EMU.

Reduced VAT on labour-intensive services.

Council Regulation on allocation of Financial Intermediation Services indirectly measured.

19–20 January: Agriculture Council

Statement of Presidency aims.

Agri-environment Regulation (2078/92) and Forestry Regulation (2080/92): Commission reports.

Amendments to Regulation 404/93 (possible item).

Reform of tobacco regime (possible item).

Promotion of quality beef and veal.

Potato starch quotas.

World Trade Organisation dispute on hormones.

Veterinary equivalence agreements.

Vehicle standards for carriage of livestock.

Transmissible Spongiform Encephalopathies (possible item).

26–27 January: General Affairs Council

Presidency Programme: Public debate.

Enlargement: EU negotiating position for the Central and Eastern European Countries and Cyprus: Outline of European Conference: Pre-Accession Strategy—Presidency Progress report.

Switzerland.

Transatlantic Relations: Report in EU-US Ministerial.

EU-Japan Summit: Presidency Report.

Trade issues: China—Silk Agreement: Mongolia—Textile Agreement (possible A point): Russia—Textiles: Vietnam—Textiles Agreement (possible A point): Financial Services.

CFSP: Former Yugoslavia—Albania—Great Lakes—Turkey—Cyprus (developments post-Luxembourg)—Middle East Peace Process—Overseas Countries and Territories.

Third Country meetings in margins: Albania: Russia Co-operation Council.

29–30 January: Justice and Home Affairs Council (Informal)

No formal Agenda.

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

European Calender: January—June 1998

	Venue	*Event*
January 1998		
1	—	UK Presidency commences
8	London	Visit of College of Commissioners
12-16	Strasbourg	European Parliament Plenary
15	Brussels	Political Committee
19	Brussels	Ecofin Council
19-20	Brussels	Agriculture Council
26-27	Brussels	General Affairs Council
28-29	Brussels	European Parliament Plenary
29-30	Birmingham	Justice and Home Affairs Council (Informal)
February 1998		
3	Brussels	Political Committee
9-11	Costa Rica	EU/San José Group
11-12	Brussels	Select Committee on Trade and Industry Visit
12	Brussels	Research Council
12-13	Panama	EU/Rio Group
12-13	London	Political Committee
13-15	Cambridge	Internal market (Informal)
16	Brussels	Ecofin Council
16–17	Brussels	Agriculture Council
16–20	Strasbourg	European Parliament Plenary
23–24	Brussels	General Affairs Council
26	Brussels	Telecom Council

European Calender: January—June 1998

	Venue	*Event*
March 1998		
3	Brussels	Political Committee
9	Brussels	ECOFIN Council (t.b.c.)
9–10	Manchester	UK Presidency Conference
9–13	Strasbourg	European Parliamentary Plenary
12–13	London	Joint Social and Education (Informal)
14–15	Edinburgh	Foreign Ministers' Informal
15–17	Manchester	Seminar for Cultural Ministers
16–17	Brussels	Agriculture Council
17	Brussels	Transport Council
19	Brussels	Political Committee
19	Brussels	Justice and Home Affairs Council
20–22	York	ECOFIN Informal
23	Brussels	Environment Council
24	Brussels	Fisheries Council
30	Brussels	Internal Market Council
30–31	Brussels	General Affairs Council
30–31	Strasbourg	European Parliament Plenary
31–1 April	Moscow	G8 Energy Ministerial
April 1998		
1–3	Strasbourg	European Parliament Plenary
2–4	London	ASEM II
6	Luxembourg	Social Affairs Council
7	Brussels	Political Committee
16	Brussels	Political Committee
20–21	Luxembourg	Agriculture Council
21	Luxembourg	ECOFIN Council
23	Luxembourg	Consumer Affairs Council
24–26	Chester	Environment and Transport (Informal)
27–28	Luxembourg	General Affairs Council
29–30	Brussels	European Parliament
30	Luxembourg	Health Council
May 1998		
1–3	Brussels	Ecofin and Special EMU Council
5	Brussels	Political Committee (t.b.c.)
7	Brussels	Industry Council
10–12	Newcastle	Agriculture (Informal)
11	Brussels	Energy Council
11	Brussels	Euro-Med Energy Ministerial
12	Brussels	Political Committee
11–15	Strasbourg	European Parliament Plenary
18	Brussels	Development Council
18	Brussels	Internal Market
19	Brussels	Telecommunications Council
25–26	Brussels	General Affairs Council
25–26	Brussels	Agriculture Council
27–28	Brussels	European Parliament Plenary
28–29	Brussels	Justice and Home Affairs Council
June 1998		
2	Luxembourg	Political Committee
4	Luxembourg	Education and Social Affairs Council
8	Luxembourg	Fisheries Council
8–9	Luxembourg	General Affairs Council (t.b.c.)
15–16	Cardiff	European Council
15–19	Strasbourg	European Parliament Plenary
16–17	Luxembourg	Environment Council
17	Luxembourg	Joint Environment and Transport Council
18	Luxembourg	Transport Council
22	Luxembourg	Research Council
22–23	Luxembourg	Agriculture Council
29–30	Luxembourg	General Affairs Council (t.b.c.)

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date he last used a train in the course of his official duties. [22924]

Mr. Robin Cook: I travelled to Coventry by train on Friday 11 July 1997 to attend a half day seminar on the Strategic Defence Review.

India

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the authorities in India about the position of Peter Bleach, facing a charge subject to the death penalty; and if he will make a statement. [23211]

Mr. Fatchett: Foreign Office Ministers have discussed Mr. Bleach's position with the Indian authorities on four occasions in the past year. We are doing all we properly can for Mr. Bleach. His trial will begin on 27 January; the case remains sub judice.

Mrs. Regan

Mr. Viggers: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the cost to public funds of the proposed overseas visits to be undertaken by Mrs. Regan; [23132]

(2) if he will make a statement on the duties and the role of Mrs. Regan in the forthcoming visits of the Foreign Secretary to *(a)* the United States and *(b)* other overseas locations. [23131]

Mr. Robin Cook: Ms Regan does not currently propose to undertake any overseas visit.

DEFENCE

Arms Sales

Mr. Rowlands: To ask the Secretary of State for Defence what estimate he has made of the value to Britain of arms sales *(a)* to Indonesia and *(b)* to Turkey in each year since 1990. [22810]

Mr. Spellar: The estimated value of UK defence sales (including services) to Indonesia and Turkey in each year since 1990 is as follows:

£ million

	Indonesia	*Turkey*
1990	3	63
1991	34	32
1992	15	36
1993	457	6
1994	77	68
1995	95	19
1996	443	107
1997	18	2

It should be noted that the figures quoted are based on voluntary returns from industry and are expressed in current prices and relate to new contracts signed rather than financial receipts or actual deliveries.

RAF Menwith Hill

Mr. Baker: To ask the Secretary of State for Defence if the rolling programme of improvements relating to environmental remedial action in connection with Menwith Hill, referred to in the answer of 10 June 1996, *Official Report*, column *46*, has now been completed; and what recent environmental assessment of Menwith Hill Station has been carried out. [21416]

Mr. Spellar: The programme of improvements at RAF Menwith Hill reflecting the recommendations contained in previous environmental surveys is due to be completed in the first half of 1998. The most recent environmental assessment was carried out in 1996.

Mr. Baker: To ask the Secretary of State for Defence when the Health and Safety Executive last visited RAF Menwith Hill; and what was the outcome of that visit. [21418]

Mr. Spellar: The Health and Safety Executive last visited the site in June 1996 following allegations that equipment at the site caused cancer. It concurred with North Yorkshire Health Authority's findings that the incidence of cancer within the area was no higher than the national average.

Mr. Baker: To ask the Secretary of State for Defence if his Department has full access to US environmental compliance status surveys in respect of RAF Menwith Hill; and when the last such survey was carried out. [21419]

Mr. Spellar: MoD personnel are fully involved in the environmental audit processes at all USVF facilities in the United Kingdom and are routinely made aware of the contents of Environmental Compliance Status Surveys. The last such survey at RAF Menwith Hill was conducted in 1994.

Nuclear Bunkers

Ms Roseanna Cunningham: To ask the Secretary of State for Defence (1) if he will make a statement on expenditure on the maintenance and building of nuclear bunkers in *(a)* Scotland and *(b)* the United Kingdom for each of the last 10 year; [22919]

(2) what assessment his Department has made of the use of nuclear bunkers sold by the Government; [22920]

(3) how many nuclear bunkers in *(a)* Scotland and *(b)* the United Kingdom were maintained by Her Majesty's Government in each of the past 10 years; [22917]

(4) what use Her Majesty's Government currently make of nuclear bunkers; [22921]

(5) how many nuclear bunkers were located on *(a)* Government owned land and *(b)* his Department's land in each of the last 10 years. [22918]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Animal Centre

Mr. Ben Chapman: To ask the Secretary of State for Defence if he will make a statement on the agency review of the Defence Animal Centre. [23788]

Dr. Reid: A review of the agency status of the Defence Animal Centre (DAC) has begun. The performance of the DAC has been evaluated and its activities will shortly be subjected to the normal "prior options" tests.

Comments and contributions form those with an interest in the work of the Agency would be welcome and should be sent by 31 January 1998 to Major General W. R. Short, Director General Army Medical Services (DGAMS), Building 21, Keogh Barracks, Ash Vale, Aldershot, Hampshire GU12 5RR.

Prospective contributors to the Agency Review should note that the DAC is proceeding with a PFI project to rebuild its accommodation and provide associated support services.

Heavy Lift Transport Aircraft

Mr. Blunt: To ask the Secretary of State for Defence what is the future for the CI30J in the RAF's transport fleet; and if he will make a statement. [23127]

Mr. Spellar: I refer the hon. Member to the reply given by my hon. Friend the Minister for the Armed Forces to the hon. Member for Ruislip-Northwood (Mr. Wilkinson) on 1 December 1997, *Official Report*, column *11*.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Defence if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him and *(b)* the cost to public funds of each such visit. [23260]

Mr. George Robertson: There has been one such visit. Details are as follows:

Date	*Event*	*Minister accompanied by spouse*	*Total cost*
22–23 November 1997	80th Anniversary of the Battle of Cambrai	Minister for the Armed Forces	£3,839.74

LORD CHANCELLOR'S DEPARTMENT

Overseas Visits

Mr. Wilshire: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him *(b)* the cost to public funds of each such visit. [23252]

Mr. Hoon: My noble and learned Friend the Lord Chancellor was accompanied by Lady Irvine at the 14th Conference of Commonwealth Speakers and Presiding Officers, held in Trinidad and Tobago on

4–11 January 1998. The total cost of the trip from public funds for the Lord Chancellor, Lady Irvine and an official was £13,487.74.

Ministerial Travel (Trains)

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department on what date *(a)* he and *(b)* the Lord Chancellor last used a train in the course of their official duties. [22929]

Mr. Hoon: *(a)* I have not used a train for official duties since my appointment. *(b)* The Lord Chancellor last used a train in the course of his official duties on 11 December 1997.

Queen's Counsel (Applications)

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications there were for silk in *(a)* 1996 and *(b)* 1997; and how many were successful. [21855]

Mr. Hoon: In 1995, 488 practitioners applied for silk, of whom 66 were awarded silk in 1996. In 1996, 500 practitioners applied, of whom 68 were awarded silk in 1997.

Ministerial Visits

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department how many visits he has made to legal aid practices in England and Wales since his appointment. [21856]

Mr. Hoon: Between 1 May 1997 and 15 January 1998, I have visited nine legal aid practices.

Judges (Education and Training)

Mr. Vaz: To ask the Parliamentary Secretary, Lord Chancellor's Department which judges are responsible for education and training in each of the circuits. [21854]

Mr. Hoon: Training on circuits is organised by Presiding Judges and Family Division Liaison Judges with the assistance of the Judicial Studies Board (JSB). It is mainly delivered through supervising and tutor district judges in the case of deputy district judges and pupil master judges in the case of assistance recorders.

HOME DEPARTMENT

Young Remand Prisoners

Mr. Clappison: To ask the Secretary of State for the Home Department what estimate he has made of the number of 15 and 16-year-olds on remand who will be held in prison service accommodation over *(a)* the next five years and *(b)* the next 10 years. [22700]

Ms Quin: No projection is made of the numbers of 15 and 16-year-old remand prisoners in the years ahead. However, the Government would expect that their policies to reform the youth justice system will have a positive effect in reducing these numbers.

Coroners

Mr. Cohen: To ask the Secretary of State for the Home Department if he will seek to simplify responsibility for the Coroner Service and assess the advantages of establishing a Coroner Agency for this purpose; and if he will make a statement. [23181]

Mr. George Howarth: The coroner service is a locally provided service. We have no plans to reduce local authority responsibilities or to create a new agency.

Mr. Cohen: To ask the Secretary of State for the Home Department (1) how many *(a)* coroners, *(b)* deputy coroners and *(c)* assistant deputy coroners there are; and how many in each group are (i) full-time, (ii) part-time, (iii) women and (iv) from ethnic minority communities; [23103]

(2) how many coroners have *(a)* previous judicial experience and *(b)* medical experience. [23104]

Mr. George Howarth: According to the latest available information, there are some 146 coroners and a similar number of deputy coroners. Most coroners also have one assistant deputy coroner. Twenty-six coroners are full-time appointments; all the rest are part-time. Twenty-seven of all appointments are women. No information is held centrally on the number of appointments from within the ethnic minority communities.

Under the Coroners Act 1988, all coroners must have relevant legal or medical qualifications, but information on the extent of judicial or medical experience is not held centrally.

Mr. Cohen: To ask the Secretary of State for the Home Department what are his functions in relation to the Coroners Service; how many civil servants in his Department have specific responsibility for it; and what other functions those civil servants have responsibility for. [23002]

Mr. George Howarth: The Home Secretary's statutory functions include the approval of coroner appointments in London and the metropolitan areas, changes to coroner districts, the setting of certain fees and determination of applications to hold an inquest in the absence of a body. There is also power to collect statistics and to arbitrate on disputes between coroners regarding jurisdiction, or between coroners and their local authorities in respect of their remuneration and pensions. The Home Office is responsible for coroner legislation, deals with correspondence and inquiries from the public and supports study and training events.

The work is undertaken by seven officials who also have responsibilities for burial, cremation, exhumation and other matters.

Lunar House Staff

Mr. Alasdair Morgan: To ask the Secretary of State for the Home Department, pursuant to his answer of 4 December 1997, *Official Report*, column 296, what were the costs in the last year for which figures are available of running Lunar House, Croydon, specifying staff costs separately. [22080]

Mr. Mike O'Brien *[holding answer 14 January 1998]*: The non staff costs of running Lunar House in 1996–97 were £5.8 million. This included £3.4 million rent,

£1.1 million (Contribution in Lieu of Rates), £650,000 maintenance and building works, £250,000 cleaning and £330,000 fuel and utilities. In addition, the security guarding of Lunar House cost £600,000 and the staff responsible for running the building cost £380,000, although they were also responsible for a wider range of building and office services.

Animal Procedures Committee

Mr. Shaw: To ask the Secretary of State for the Home Department whom he proposes to appoint as successor to Professor Margaret Brazier OBE as Chairman of the Animal Procedures Committee. [23789]

Mr. George Howarth: I am pleased to be able to announce that the Reverend Professor Michael Banner has been appointed as the new Chairman of the Animal Procedures Committee. His period of office will begin on 1 February 1998.

Professor Banner was Chairman of the Committee which considered the ethical implications of emerging technologies in the breeding of farm animals, and is the F. D. Maurice Professor of Moral and Social Theology at King's College, London.

Immigration

Mr. Coaker: To ask the Secretary of State for the Home Department what are the entry requirements for holders of travel documents issued by the so-called Turkish Republic of Northern Cyprus. [23790]

Mr. Mike O'Brien: Under the Immigration Rules, holders of travel documents which are not issued by a recognised national authority are required to obtain a visa if they wish to come to the United Kingdom. Despite this, while not recognising the authorities of the so-called "Turkish Republic of Northern Cyprus" (TRNC) we have in the past accepted TRNC travel documents as proof of identity. This has meant that holders of TRNC documents were up till now not required to obtain a visa if visiting the United Kingdom for a short period. This operated under a concession.

We are today bringing the arrangements concerning holders of these documents into line with our standard practice by withdrawing this concession. There have been significant numbers of asylum claims by passengers travelling with this document which, when determined, have all been unfounded. With effect from midnight tonight, holders of documents issued by the authorities of the so-called "Turkish Republic of Northern Cyprus" will be required to obtain visas to the United Kingdom, regardless of the purpose of their journey.

We have also today laid an amendment to the Immigration (Transit Visa) Order 1993, requiring holders of such documents to obtain a visa when in transit through the United Kingdom. This requirement will apply from 5 February.

CS Gas

Mr. Baker: To ask the Secretary of State for the Home Department how many police officers have been injured as a consequence of *(a)* using and *(b)* being exposed to CS gas. [21417]

Mr. Michael: This information is not held centrally. During police trials of CS spray, between 1 March and 31 August 1996, it was found that 78 per cent. (588) of officers who sprayed CS suffered some cross-contamination effects, such as a burning sensation to the skin or pain to the eyes. The report of the evaluation of the trials, which was published by the Home Office Police Research Group in December 1996, noted that, in some cases, officers appeared to have reported their experience of CS cross-contamination as minor injury. The officers who took part in the trials generally felt that the disadvantages of cross-contamination were outweighed by the advantages of CS spray as an item of defensive equipment.

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for the Home Department on what date he last used a train in the course of his official duties. [22925]

Mr. Straw: On Tuesday 6 January 1998, when I travelled by the 7.45 am train from London Euston to Wolverhampton in order to visit Her Majesty's Young Offenders Institution Brinsford, the West Midlands Probation Service and the West Midlands Fire Service.

Firearms Compensation

Dr. Cable: To ask the Secretary of State for the Home Department what has been the average length of time taken for firearms compensation under options A and B; and what is the expected time for claims submitted now under *(a)* options A and B and *(b)* option C. [23583]

Mr. Michael: As at 1 January 1998, the average length of time to process claims under Options A and B was 19 weeks. Regular processing of Option C claims is expected to begin later this month.

Drug Treatment and Testing Programmes

Mr. Clappison: To ask the Secretary of State for the Home Department when he expects the cost of commissioning additional drug treatment and testing programmes as provisionally estimated in the Crime and Disorder Bill [*Lords*] to fall upon the Probation Service. [23126]

Mr. George Howarth: During the pilot stage of the new order, the relevant probation service(s) will be directly funded by the Home Office to Purchase drug treatment and testing services. Funding arrangements for the period of national implementation will be decided on in the light of experience in the pilot stage.

Mr. Clappison: To ask the Secretary of State for the Home Department how many local pilot projects for drug treatment and testing orders he intends to undertake; and how long he expects them to last. [23122]

Mr. George Howarth: The drug treatment and testing order will be piloted before national implementation, but a final decision on the length and number of the pilots has yet to be taken.

Mr. Clappison: To ask the Secretary of State for the Home Department if he will provide an analysis of his estimate of the cost of the local pilot projects for the Drug Treatment and Testing Order. [23120]

Mr. George Howarth: The Home Office will provide direct funding of £1 million for the pilot project(s), which will include the cost of evaluation. It has been broadly estimated that the average cost per order could be around £6,400, but the validity of this estimate will of course be tested during the pilot phase.

Mr. Clappison: To ask the Secretary of State for the Home Department when he expects drug treatment and testing orders to be available as sentences for courts throughout England and Wales. [23119]

Mr. George Howarth: No firm date has yet been set, but I would expect it to fall in the financial year 2000/2001.

Illegal Drugs

Mr. Clappison: To ask the Secretary of State for the Home Department what new initiatives Her Majesty's Government propose to put forward to address the problem of illegal drugs during the UK presidency of the European Union. [23117]

Mr. George Howarth: The United Kingdom Presidency will continue to give priority to action against drug trafficking and drugs misuse, in particular by building on the wide range of work already under-way across the three Pillars of the European Union. Our main objectives are to progress further implementation of the European Union strategy against drugs, with a focus on practical action; to begin consideration of a post-1999 European Union drugs strategy; to ensure effective European Union co-ordination for the United Nations General Assembly Special Session on Drugs, being held in New York in June; and to promote effective implementation of the European Union/Caribbean and European Union/Central Asia drugs initiatives. This will include taking forward implementation of the Joint Action on the approximation of drugs laws and practices and continuing work on practical measures to tackle drug trafficking from Latin America and heroin trafficking along the Balkan route.

Firearms Controls

Mr. Clappison: To ask the Secretary of State of the Home Department, pursuant to the letter of 22 November 1997 from the Minister of State, the hon. Member for Cardiff, South and Penarth (Mr. Michael), to the hon. Member for Hertsmere, when and in what respects, he proposes to consider extension of firearms controls. [23114]

Mr. Michael: The Government have undertaken, once the complete ban on all handguns is in place, to take a wider look at the effectiveness of all firearms controls. No specific timescale has been set. The Government have an open mind on the question of further controls and have no preconceived ideas of any specific category of firearms. We propose to consult widely with all interested parties if further steps are considered necessary.

Asylum Seekers

Miss Widdecombe: To ask the Secretary of State for the Home Department what changes he proposes to the policy governing the use of imprisonment for asylum seekers. [21296]

Mr. Mike O'Brien: People are not detained merely because they have sought asylum. However, it is sometimes necessary to detain a small proportion of those liable to detention under powers conferred by the Immigration Act, some of whom may at some stage also have sought asylum in the United Kingdom, because it is felt that they might otherwise abscond.

The use of prisons for immigration detainees is one of the areas included in the review of detention policy which is under consideration. We expect to make the results available in the near future.

Prison Visits

Miss Widdecombe: To ask the Secretary of State for the Home Department how many prisons *(a)* he and *(b)* the Minister with responsibility for prisons visited in the course of the Christmas adjournment. [21297]

Ms Quin: My right hon. Friend visited Brinsford and Grendon prisons on 6 January. I visited Castington and Acklington prisons on 2 January.

Prison Site (Heysham)

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will make a statement about the use of a former holiday camp at Heysham as a future prison. [21299]

Ms Quin: The Prison Service is interested in developing the site at Middleton Tower, Heysham for use as a temporary prison for lower security, Category C prisoners. However, the outcome of the appeal against the refusal of planning clearance for a temporary prison on the site will not be known until February 1998.

Prison Officers Association

Miss Widdecombe: To ask the Secretary of State for the Home Department what changes he proposes to the powers of the Prison Officers Association. [21301]

Ms Quin: We have no plans to change the powers of the Prison Officers Association (POA). However, we have regular meetings with representatives of the Association at which a variety of issues including the powers and responsibilities of the Prison Officer Association are discussed.

High Intensity Training Regimes

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will make a statement about the future of the High Intensity Training regimes at Colchester and Thorn Cross Young Offenders Institutions. [21302]

Ms Quin: In response to a Question from the hon. Member for Colchester (Mr. Russell) on 9 June 1997, *Official Report*, column *786*, my hon. Friend reiterated the Government's commitment to find out what works with offenders. We decided to run the Colchester experiment for a year, as had originally been planned. We are currently considering the contribution it can continue to make to the "what works" debate. The High Intensity Training regime at Thorn Cross, established separately from Colchester, will continue to operate.

Young Offenders Institutions

Miss Widdecombe: To ask the Secretary of State for the Home Department when he visited or plans to visit *(a)* Thorn Cross Young Offenders Institution and *(b)* Colchester Young Offenders Institution. [21303]

Ms Quin: My right hon. Friend has no current plans to visit either Thorn Cross or Colchester Young Offender Institutions. As part of our delegated responsibilities. I visited Colchester on 2 July and the Under-Secretary of State, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) visited Thorn Cross on 6 November. I will be visiting Thorn Cross on Tuesday 20 January.

Miss Widdecombe: To ask the Secretary of State for the Home Department how many Young Offender Institutions he has visited since 1 May. [21304]

Ms Quin: My right hon. Friend visited Brinsford Young Offenders Institution on 6 January. As part of our delegated responsibilities, I have visited four Young Offenders Institutions and my hon. Friend the Under-Secretary has visited five.

Prisons (Visitor Searches)

Miss Widdecombe: To ask the Secretary of State for the Home Department what changes he proposes to the guidance governing searching of visitors to Her Majesty's Prisons. [21306]

Ms Quin: There are no current plans to issue guidance on the searching of visitors. However, it is possible that the Prison Service's review of searching, which will touch on the searching of visitors, may recommend some further changes. The review is due to be completed by the end of January.

Prisons (Drug Use)

Miss Widdecombe: To ask the Secretary of State for the Home Department what initiatives have been introduced since 1 May to combat the use of drugs in Her Majesty's Prisons. [21262]

Mr. George Howarth: The Prison Service is currently developing plans to fulfil this Government's commitment to provide access to voluntary testing for all prisoners. This work is being taken forward as part of a review of the Prison Service Drug Strategy which Ministers have commissioned.

Prisoners (In-cell Television)

Miss Widdecombe: To ask the Secretary of State for the Home Department, pursuant to his answer of 27 October 1997, *Official Report*, column *741*, what progress has been made in formulating policy with respect to in-cell television for prisoners. [21261]

Ms Quin: The Government are still reconsidering policy in this area, and we will make an announcement when we have taken final decisions.

CABINET OFFICE

Social Exclusion Unit

Mr. Maude: To ask the Minister without Portfolio if he will answer questions relating to his role with the Social Exclusion Unit. [23232]

Mr. Mandelson: The unit is responsible to the Prime Minister in its work.

Government Policy (Implementation)

Mr. Maude: To ask the Minister without Portfolio if he will answer questions relating to the strategic implementation of Government policy. [23233]

Mr. Mandelson: I always do my best to answer questions from hon. Members on my responsibilities but will not myself answer questions on policies where other colleagues have lead responsibility.

Ministerial Travel (Trains and Buses)

Mr. Baker: To ask the Minister without Portfolio if he will list the occasions since 1 May 1997 when he has used, in the course of his official duties, *(a)* a train and *(b)* a bus. [22922]

Mr. Mandelson: I use the train regularly in the course of my official duties. I have not used a bus for this purpose.

Rome Lecture

Mr. Baker: To ask the Minister without Portfolio if he will place in the Library a copy of his lecture delivered at the Institute of International Affairs in Rome in October 1997. [22913]

Mr. Mandelson: I have today placed a copy of the lecture in the Libraries of the House.

Millennium Experience

Mr. Keith Simpson: To ask the Minister without Portfolio what specific aspects of the Millennium Experience will directly relate to Norfolk. [23049]

Mr. Mandelson: I expect the content of the Millennium Experience at Greenwich to appeal to, and be relevant to, people of all ages and interests from all over the UK, including Norfolk. The Experience will be divided into different zones looking at who we are, what we do, and where we live, in a way that will engage, inspire, and educate all visitors.

In addition, there will be a national programme associated with the Experience. This has the same overarching theme of "Time to make a Difference" and will encourage participation by individuals from all areas of the country. The New Millennium Experience Company is currently in the process of setting up teams in the nine regions of England (Norfolk is included in the Eastern region) and in Scotland, Wales and Northern Ireland. Further details of the national programme will be announced in due course.

DUCHY OF LANCASTER

Ministerial Travel (Trains)

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster on what date he last used a train in the course of his official duties. [22933]

Dr. David Clark: I last used a train for official duties on 7 January 1998.

Overseas Visits

Mr. Wilshire: To ask the Chancellor of the Duchy of Lancaster if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him *(b)* the cost to public funds of each such visit. [23259]

Dr. David Clark: My hon. Friend the Parliamentary Secretary and I have been accompanied solely by departmental officials on the overseas visits which we have undertaken. The provisions of paragraph 83 of the Ministerial Code therefore do not apply.

Ministerial Cars

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster if he will list by make, engine size and fuel consumption the official cars made available to those holding the post of Deputy Prime Minister since 1994. [22946]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Norman Baker, dated January 1998:

The Parliamentary Secretary, Office of Public Service, has asked me to reply to your Parliamentary Question asking for a list by make, engine size, and fuel consumption, of official cars made available to those holding the post of Deputy Prime Minister since 1994. I am responding as the Chief Executive of the Government Car and Despatch Agency (GCDA) which is responsible for the operation of the Government Car Service (GCS).

Since 1994 GCS has provided one car, a Jaguar Sovereign, to the Right Honourable John Prescott MP. The engine size of the car is 4.0 litres, and has an official combined fuel consumption figure of 26.8 miles per gallon.

Under the last administration, GCS did not provide the Deputy Prime Minister, the Right Honourable Michael Heseltine MP, with a car or driver. However, he used a car, together with driver, on cost terms to the public service fully equivalent to the usual ministerial transport arrangements provided by GCS, which were at the time of the agreement £43,628 per annum excluding VAT.

The full terms of that arrangement were set out in a letter dated 16 March 1995, agreed when Mr. Heseltine was President of the Board of Trade, a copy of which was placed in the Library of the House.

NORTHERN IRELAND

Further and Higher Education

Mr. Walker: To ask the Secretary of State for Northern Ireland what plans the Department of Education has to end the GCSE provision in colleges of further and higher education. [21378]

Mr. Worthington: There are no plans to end GCSE provision in further education colleges.

Animal Health Computer System

Mr. Walter: To ask the Secretary of State for Northern Ireland what has been *(a)* the annual cost since its introduction of the Animal Health Computer System in Northern Ireland and *(b)* the approximate cost per movement in the latest financial year. [21761]

Mr. Paul Murphy: *(a)* the annual cost of the system since its introduction in 1988–89 is as follows:

	£
1988–89	133,871
1989–90	368,156
1990–91	477,797
1991–92	522,856
1992–93	540,295
1993–94	560,559
1994–95	556,142
1995–96	568,814
1996–97	565,187

The figures comprise staff costs of the central computer unit, the maintenance of the system by external contractors and the rental of data circuits.

(b) the approximate cost per movement in the latest financial year (1996–97) is £0.32 based on 1,750,000 movements at a cost of £565,187.

Mr. Walter: To ask the Secretary of State for Northern Ireland what estimate she has made of the savings to the Veterinary Service of the Department of Agriculture by the introduction of the Animal Health Computer System. [21762]

Mr. Paul Murphy: The Net Present Value of the investment in the Animal Health Computer System is estimated at £7 million in 1997–98. The on-going savings are currently estimated at £7 million in 1997–98. The on-going savings are currently estimated at £2.7 million per annum. These savings include significant notional elements in that the increased efficiencies arising from the computer facility enabled the Department to redeploy a number of typing, clerical and field staff to other activities.

Mr. Walter: To ask the Secretary of State for Northern Ireland what is the *(a)* capital cost and *(b)* annual cost of the Animal and Public Health Information System and the approximate cost per livestock movement. [21763]

Mr. Paul Murphy: *(a)* the capital cost of the Animal and Public Health Information System (APHIS) is estimated at £2.25 million.

(b) the estimated annual cost of APHIS is as follows:

	£
1998–99	473,000
1999–2000	537,000
2000–01	577,000
2001–02	458,000
2002–03	462,000
2003–04	465,000

The figures comprise staff costs of the central computer unit, the maintenance of the system by external contractors and the rental of data circuits.

(c) the approximate cost per movement based upon 1,750,000 movements is estimated at around £0.30.

Mr. Walter: To ask the Secretary of State for Northern Ireland when she plans to introduce charges to farmers, auctioneers or abattoirs for the Animal and Public Health Information System; and what the scale of those charges will be. [21764]

Mr. Paul Murphy: The question of charging will be considered later this year in parallel with the introduction of the Animal and Public Health Information System.

Public Appointments

Mr. William Ross: To ask the Secretary of State for Northern Ireland what steps she will take to ensure that persons she appoints to public bodies reflect the various communities, political parties and religious denominations in Northern Ireland; to how many such bodies she makes appointments; and what is the statutory basis which requires her to ensure that her appointments reflect different groups and bodies. [22218]

Mr. Paul Murphy: All the Northern Ireland Departments, including the Northern Ireland Office, fully endorse the Guidance issued by the Commissioner for Public Appointments, Sir Leonard Peach, that all public appointments should be governed by the overriding principle of selection based on merit, and on the basis of merit, to ensure that their bodies, as far as possible, reflect the composition of the population of Northern Ireland. There are 148 bodies featured in the cabinet office publication "Public Bodies 1997" to which the Departments make appointments. None of the bodies have a statutory base which requires appointments to reflect various communities, political party and religious denominations.

HEALTH

Lariam

Mr. Llwyd: To ask the Secretary of State for Health what research his Department is currently supporting into the possible side effects of the use of Lariam; and if he will make a statement. [18270]

Ms Jowell: None. The recommendations of the Malaria Advisory Committee on the prevention of malaria for United Kingdom travellers were published by the Public Health Laboratory Service in the Communicable Disease Report on 19 September. Copies are available in the Library.

As for all marketed medicines, the available research into the side effects of melfloquine was assessed at the time of granting the Marketing Authorisation and continues to be evaluated by the Medicines Control Agency whenever new information emerges. Recognised side effects for mefloquine are included in the authorised product information and the British National Formulary. The current produce information for doctors and patients for Lariam is consistent with the newly published guidelines and the product information advises doctors to refer to these, for current advice on geographical resistance patterns and appropriate chemoprophylaxis.

In-patients

Dr. Lynne Jones: To ask the Secretary of State for Health what has been the average length of in-patient stay in each hospital trust in each of the last five years; how many patients treated as in-patients were re-admitted to each hospital trust within six months; and what proportion of the total number of patients so treated this represents. [19802]

Mr. Boateng: Information on average length of stay for each National Health Service trust for the years 1991–92 to 1995–96 has been placed in the Library. Information on six-month readmission rates for individual trusts is not collected centrally, but my noble Friend, the Baroness Jay, will write to my hon. Friend with the information that is available.

Dental Services

Mr. Bill O'Brien: To ask the Secretary of State for Health if he will make a statement on his Department's policy on free dental check-ups within the NHS. [22564]

Mr. Milburn: Dental charges are being examined as part of the comprehensive spending review, which is looking at all aspects of the Department's spending in the context of the Government's election manifesto commitment

"if you are ill or injured there will be a national health service there to help; and access to it will be based on need and need alone—not on your ability to pay, or on who your general practitioner happens to be or on where you live".

Mr. Bill O'Brien: To ask the Secretary of State for Health when he last met representatives of the dental profession to discuss improvements in the dental services within the NHS; and if he will make a statement. [22562]

Mr. Milburn: There are frequent meetings to discuss different aspects of dentistry between Departmental Ministers or officials and the representatives of the dental profession. Most recently, my right hon. Friend the Secretary of State met representatives of the General Dental Council on 24 November, and I met representatives of the General Dental Services Committee from the British Dental Association on 19 November 1997.

Mental Health

Mr. Wicks: To ask the Secretary of State for Health if his Department has formally responded to the Mental Health Act Commission's seventh biennial report. [23784]

Mr. Boateng: Yes. Copies have been placed in the Library.

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for Health on what date he last used a train in the course of his official duties. [22935]

Mr. Dobson: Today.

Norfolk and Norwich NHS Trust

Dr. Brand: To ask the Secretary of State for Health what was the number of staffed acute beds at the Norfolk and Norwich NHS Trust *(a)* at the latest available date, *(b)* proposed under the public sector route, as set out in the outline business case and *(c)* under the PFI proposals. [23128]

Mr. Milburn: I refer the hon. Member to the reply I gave the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) on 18 December 1997, *Official Report*, column *330*.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Health if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her *(b)* the cost to public funds of each such visit. [23254]

Ms Jowell: None.

AGRICULTURE, FISHERIES AND FOOD

Beef

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food under what circumstances it is permissible to offer as food, beef products which are derived from animals which are over 30 months of age; and if he will make a statement. [20312]

Mr. Rooker: The Fresh Meat (Beef Controls) Regulations 1996 permit meat and any products derived from bovine animals which are over 30 months to be offered as food under the following circumstances.

Firstly, meat derived from a bovine animal which was born, reared and slaughtered in any of the countries specified in the Schedule to the Regulations i.e.,

Argentina
Australia
Botswana
Brazil
Mauritius
Namibia
New Zealand
Paraguay
Poland
South Africa
Swaziland
Uruguay
United States of America
Zimbabwe.

Secondly, meat derived from a bovine animal which was accompanied at the time of slaughter by a slaughter certificate issued under the Beef Assurance Scheme, slaughtered in accordance with the hygiene requirements of the Fresh Meat (Hygiene and Inspection) Regulations 1995 and processed in accordance with the Meat Products (Hygiene) Regulations 1994.

These exemptions from the over thirty months rule are under continual review.

BSE

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the quantities of incinerated waste arising from the burning of cattle suspected of having BSE; at what sites this waste is located; and what are his Department's plans for final disposal of this waste. [20761]

Mr. Rooker: A typical BSE suspect carcase of about 480kg produces about 33kg of ash following incineration. Since records began in 1988, 189,812 carcases have been incinerated in Great Britain by MAFF Veterinary Investigation Centres and by commercial companies contracted by the Department, resulting in an estimated 6,264 tonnes of ash. It is normal practice for this ash to be landfilled in appropriately licensed sites. Records of these sites are not kept centrally within the Department. The policing and monitoring of such sites is the responsibility of the Environment Agency.

Genetically Modified Food

Mr. Illsley: To ask the Minister of Agriculture, Fisheries and Food if he will list the studies undertaken or commissioned by the Government into genetically modified foods listing the organisations involved. [22189]

Mr. Rooker: A list of current and recently completed studies on genetically modified foods is given in the table.

Study	*Organisation*
Tagging genetically engineered organisms	IFR, Norwich Laboratory
Development of new methods for safety evaluation of transgenic crops	BIBRA Toxicology International
Honey from genetically modified plants: integrity of pollen DNA, and expression of promoters in floral organs	Laboratory of the Government Chemist
Genetically modified organisms in food-evaluation of in vitro and in vivo models for assessing DNA transfer in gut	BIBRA Toxicology International
Detection of genetically modified organisms in foods	Laboratory of the Government Chemist
A model system for the quantitative analysis of horizontal spread of DNA from genetically engineered microorganisms GIT	IFR, Norwich Laboratory
Potential for gene transfer between manipulated bacteria and the resident microflora of the human gut	Rowett Research Institute
A model system for the quantitative analysis of horizontal spread of DNA from genetically engineered microorganisms	Surrey University
Regulation and targeting of transgene expression in fruit crops	HRI, East Malling
Causes of instability of transgenic plants	John Innes Centre
Safety of recombinant DNA technology: gene location, marker elimination and secondary effect	IFR, Norwich Laboratory
Compilation of a database of oil compositions from new varieties of oilseeds	Leatherhead Food Research Association
A database of novel foods and food products cleared in countries other than the UK	AEA Technology, Consultancy Services
Genes that have been introduced by genetic modification into crop plants intended for food use	AEA Technology, Consultancy Services
Persistence and potential infectivity of live bacteria in foods	IFR, Norwich Laboratory

Study	*Organisation*
Development of a strategy to promote the public's understanding of biotechnology	Sheffield University
The effect of agriculturally-relevant environmental factors on the expression and stability of genes affecting wheat lipases	University College Wales, Cardiff
Survival of DNA in the gut and the potential for genetic transformation of resident bacteria	Rowett Research Institute
Evaluating the risks associated with using GMOs in human foods	Newcastle University
Impact of transformation methods, construct and gene cassette architecture on the stability and expression of transgenes	John Innes Centre
Assessment of the risks of transferring antibiotic resistance determinants from transgenic plants to micro-organisms	Leeds University
Dissemination of GM DNA and antibiotic resistance genes via rumen microorganisms	Rowett Research Institute
Risk of gene transfer from genetically modified crop plants to gut bacteria	IFR, Norwich Laboratory
Gene expression in anthers and nectaries of transgenic plants	Leicester University
The stability of expression and inheritance of transgenes in brassica	John Innes Centre
Risk assessment of genetically engineered avian probiotics	Newcastle University
Possibility of Agrobacterium as a vehicle for gene escape	Mylnefield Research Services Ltd.
Do protein sequences imply inter-species gene transfer?	Manchester University
The effect of background genotype on transgenes	John Innes Centre
Investigation of novel viruses created by growing viral coat protein transgenic sugar beet plants	Central Science Laboratory/IACR, Brooms Barn
Mobile genetic elements and lateral gene transfer events in crop species	Manchester University

Spongiform Encephalopathies

Mrs. Gorman: To ask the Minister of Agriculture, Fisheries and Food what investigations his Department has undertaken into spongiform type symptoms in dogs held in *(a)* kennels and *(b)* quarantine. [22727]

Mr. Rooker: Brains from culled hounds in packs throughout Great Britain, which are traditionally fed fallen livestock and so may be considered a high risk population exposed to tissues potentially infected with transmissible spongiform encephalopathies before controls were introduced in September 1990, have been examined and the results considered by SEAC in August 1994. The results were re-evaluated in June 1995. SEAC concluded that the results were inconclusive because there were certain limitations in the protocol of the study. However, it was recognised that the study established that in the dogs studied there was no evidence of a pathologically overt spongiform encephalopathy. It has to be stressed that the hounds were being culled for a variety of reasons and the vast majority were showing no evidence of suffering from neurological disease.

The brains of dogs which die in quarantine are routinely examined for the presence of rabies. Depending on the clinical signs presented before death, some may also be examined for evidence of spongiform encephalopathy if the rabies diagnosis is negative. No TSE has been identified by these examinations.

Mrs. Gorman: To ask the Minister of Agriculture, Fisheries and Food what proportion of SEAC funding was devoted to *(a)* the BSE/CJD link, *(b)* the BSE/organophosphate link and *(c)* evidence relating to the incidence of spongiform diseases in humans before the BSE outbreak in the last year for which figures are available. [22726]

Mr. Rooker: SEAC funding covers the cost of arranging meetings, members' fees and their travel costs. It is not broken down by subject.

Pesticides

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food from which pesticides he has withdrawn clearance for use since 1 May; and from which specific permitted uses of pesticides he has withdrawn clearance for use since 1 May. [22945]

Mr. Rooker: Since 1 May 1997, the approvals for all of the uses of 218 pesticide products have been revoked. Of these, eight were revoked for safety reasons or for failure to support the pesticide following a review, and no use is now permitted. A further 84 approved pesticides were also revoked for safety reasons or failure to support the pesticide following a review, but use continues to be approved for a further two years as the safest means of disposing stocks already distributed.

Twenty-seven approved pesticides have been revoked for commercial reasons with no use now permitted. Ninety-nine approved pesticides were revoked for commercial reasons, but where uses continue to be approved for a further two years.

I have placed a list of all these pesticide products in the Library of the House.

A number of specific pesticide uses have also been withdrawn since 1 May. Details of these could be provided only at disproportionate cost. However, they are reported in the monthly Pesticides Register published by the Stationary Office.

Cattle Cull

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Department's preferred option for the disposal of animals culled under the over-30-months scheme. [23167]

Mr. Rooker: The Intervention Board Executive Agency (IBEA) has responsibility for the day to day running of the over-thirty-months scheme. After careful consideration, it has concluded that none of the bids received for incineration under its 1997 tender exercise are capable of meeting its requirements of energy recovery, proven technology, early deliverability, high volumes and reasonable costs. IBEA has therefore terminated the restricted stage of the tender so far as the incineration only element is concerned and is actively investigating other options which may be able to meet its requirements. The Government will announce their decision when these investigations are complete.

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the risks to nearby communities from the incineration of *(a)* meat and bone meal and *(b)* carcasses from animals culled under the over-30-months scheme. [23170]

Mr. Rooker: In June 1997, the Environment Agency published a number of studies on the risks from BSE to human health via different environmental pathways. In relation to incineration of BSE suspects, the risk calculation showed that the likelihood of the most exposed individual ingesting in one year sufficient material to cause infection to be less than one in 1,000 million. The Agency pointed out that, in reality, the real risk to the general public is way below that of the most exposed individual. The risks of incinerating over-thirty-months Scheme cattle carcases will be lower still. Incinerators burning carcases and meat and bone meal (MBM) will require consents under the Environment Protection Act 1990.

The risk assessments gave similar results for burning meat and bone meal derived from OTMS carcases in coal fired power stations. All of the risk assessments carried out showed the risks to be very low and negligible compared to other risks in daily life.

Rendering

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the risks to nearby communities from the burning of tallow to power animal rendering processes. [23164]

Mr. Rooker: Studies to assess the effectiveness of the rendering processes to inactivate BSE and scrapie infectivity (Taylor et al 1995, Taylor et al 1997) failed to detect any infectivity in tallow. The majority of tallow produced under the Over Thirty Months Scheme is being safely and securely stored pending a final decision being taken on the disposal options. Small amounts of tallow are being burned in some rendering plants to power the rendering process subject to the consent of the local authority.

Rabies

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 17 December 1997, *Official Report*, column *231*, what plans he has to ask the Kennedy Committee to assess possible risks from the vertical transmission of rabies virus. [23188]

Mr. Rooker: The Advisory Group on Quarantine, under the Chairmanship of Professor Kennedy, are already considering this as part of their work.

Cloning

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 18 November 1997, *Official Report*, columns *119*, if he will implement recommendation 2 of the Banner Committee. [22757]

Mr. Battle *[holding answer 12 January 1998]:* I have been asked to reply.

The second recommendation of the Banner Committee calls for a new Committee with responsibility for advising on the ethical questions associated with scientific advances in the field of genetics.

The Human Genetics Advisory Commission already has a remit to advise on the ethical issues arising from advances in human genetics. Additionally, on 24 November last year, I announced a public consultation on the wider issues arising from developments in the biosciences. The Banner Committee's second recommendation will be considered in this context.

EDUCATION AND EMPLOYMENT

School Standards

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) what assessment he has made of the value for money of the work of OFSTED in seeking to raise secondary pupils' standards of educational achievement since September 1993; [22849]

(2) what independent assessment his Department has made of OFSTED's effectiveness in improving the standards of GCSE achievement by 15 year old maintained pupils' nationally between September 1993 and 1997; and by what criteria in terms of pupils' educational achievements and welfare his Department assesses OFSTED's performance. [22854]

Mr. Byers *[holding answer 14 January 1998]:* OFSTED continues to play an essential part in the drive to achieve higher standards. Regular inspection of all schools by OFSTED contributes to public accountability and to the improvement of the education service through the comparative data which is then made available. It is not possible to separate the work of OFSTED from the other factors that have contributed to these improvements.

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) what estimate his Department has made of *(a)* the total cost, *(b)* the average total cost per maintained secondary pupil and *(c)* the average total cost per secondary school of the first four-year cycle of OFSTED secondary school inspections (i) excluding and (ii) including private training costs to inspectors; [22851]

(2) what estimate his Department has made of *(a)* the total cost, *(b)* the average total cost per maintained primary pupil and *(c)* the average total cost per secondary school, of the first three-year cycle of OFSTED primary school inspections (i) excluding and (ii) including private training costs to inspectors; [22852]

(3) what estimate his Department has made of *(a)* the total projected cost per annum, *(b)* the projected average cost per pupil per annum and *(c)* the average total cost per LEA of OFSTED's inspections, (i) excluding and (ii) including private training costs to inspectors. [22853]

Mr. Byers *[holding answer 14 January 1998]:* I am seeking this information from Her Majesty's Chief Inspector of Schools, Chris Woodhead, and will write to the hon. Member and place a copy of my letter in the Library.

Assisted Places Scheme

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will publish his latest estimate of the revenue savings he expects to accrue as a result of the abolition of the assisted places scheme in the years *(a)* 1998–99, *(b)* 1999–2000, *(c)* 2000–01 and *(d)* 2001–02; and if he will list the assumptions underlying his estimates. [23172]

Mr. Byers: Our latest estimate of savings against the previous Government's published expenditure plans is £22 million in 1998–99 and £61 million in 1999–2000, with £80 million in 2000–01 and £100 million in 2001–02 assuming that the original baseline figure of £180 million for 1999–2000 is rolled forward. The estimates assume falling numbers of assisted place holders over the years in question while continuing the present arrangements for means-testing and fee-setting.

Early Years Education

Mr. Lidington: To ask the Secretary of State for Education and Employment if he will list in respect of each local education authority area in England the number of *(a)* application forms received by his Department for certificates of eligibility for early years education for the current term, *(b)* certificates despatched to parents and *(c)* applications in respect of certificates which have not yet been despatched by his Department; and if he will make a statement. [23269]

Ms Estelle Morris: Certificates of eligibility are used in only 53 local education authorities, the others having put in place interim early years education plans covering the autumn term 1997 and the spring term 1998. Certificates of eligibility are normally despatched within five working days of receipt of a valid application. On Friday 15 January, I expect the position to be:

Local education authority	*(a) application forms received*	*(b) certificates despatched*	*(c) applications awaiting certificate despatch*
Barking and Dagenham	50	47	3
Barnet	453	449	4
Barnsley	78	78	0
Bath and North-east Somerset	349	346	3
Berkshire	1,852	1,840	12
Brent	231	228	3
Brighton and Hove	417	412	5
Bromley	862	857	5
Buckinghamshire	1,020	1,009	11
City of London	3	3	0
Derby	267	255	12
Derbyshire	885	860	25
Devon	2,445	2,413	32
East Riding of Yorkshire	550	543	7
East Sussex	1,192	1,177	15
Enfield	386	383	3
Essex	4,452	4,395	57
Gateshead	123	123	0
Harrow	259	259	0
Havering	413	409	4
Hereford and Worcester	1,521	1,509	12
Hillingdon	143	140	3
Islington	117	115	2
Kensington and Chelsea	122	121	1
Kent	4,636	4,582	54
Kingston upon Hull, City of	159	159	0
Lambeth	304	299	5
Leicester	155	154	1
Leicestershire	1,868	1,853	15
Luton	119	119	0
Norfolk	1,523	1,502	21
North Lincolnshire	113	112	1
North Yorkshire	987	971	16
Northumberland	155	149	6
Nottinghamshire	1,017	984	33
Oldham	146	145	1
Oxfordshire	1,579	1,564	15
Redbridge	354	349	5
Richmond upon Thames	310	307	3
Rochdale	128	128	0
Sefton	242	240	2
Shropshire	942	921	21
South Gloucestershire	662	650	12
Southampton	391	385	6
Suffolk	916	914	2
Surrey	2,704	2,682	22
Trafford	219	218	1
Waltham Forest	147	147	0
Wandsworth	286	285	1
Warwickshire	936	927	9
West Sussex	2,013	2,001	12
Westminster	151	151	0
Wiltshire	1,270	1,269	1
Totals	42,622	42,138	484

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Education and Employment if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her *(b)* the cost to public funds of each such visit. [23258]

Dr. Howells: Of the overseas trips taken since 1 May 1997, none of the Ministers from the Department for Education and Employment were accompanied under Rule 83 of the Ministerial Code.

SCOTLAND

Residential Homes

Mr. Russell Brown: To ask the Secretary of State for Scotland if he plans to approve the decision by Dumfries and Galloway Council to externalise all of its residential homes for the elderly. [20616]

Mr. Galbraith: If the Secretary of State receives a request to approve the decision, careful consideration will be given to all relevant factors. However, as I indicated to my hon. Friend when we met in August, local authorities are best placed to determine what services are required to respond to the needs and circumstances of their areas.

Fishing Industry

Mr. Salmond: To ask the Secretary of State for Scotland what representations he has received concerning the exemption of the fishing industry from the Working Time Directive; and if he will make a statement. [20652]

Mr. Dewar *[holding answer 15 December 1997]:* The Scottish Office has received a copy of a paper submitted by the Scottish Fishermen's Federation to the Department of Environment, Transport and the Regions in response to the EC White Paper on Sectors and Activities excluded from the Working Time Directive; and has been kept fully aware, in discussions, of the fishing industry's position on this matter.

Mr. Ancram: To ask the Secretary of state for Scotland what role he will have on fisheries matters during the United Kingdom presidency of the European Union. [22045]

Mr. Dewar: Scottish Office Ministers will play a full part in EU business during the UK Presidency.

Mr. Ancram: To ask the Secretary of State for Scotland what involvement he has had in determining the United Kingdom's priorities in fisheries during the United kingdom presidency of the European Union in the first half of 1998. [22044]

Mr. Dewar: The Scottish Office Agriculture, Environment and Fisheries Department has been closely involved in preparations for the UK's presidency and in advising Ministers on the determination of the UK's priorities.

Fisheries Council

Mr. Ancram: To ask the Secretary of State for Scotland at how many meetings of the EU Fisheries Council he has *(a)* spoken for and *(b)* been lead Minister on behalf of Her Majesty's Government since 2 May. [22025]

Mr. Dewar: My noble Friend the Under-Secretary of State responsible for agriculture, environment and fisheries has attended both meetings (30 October and 18–19 December) of the Fisheries Council as a member of the UK Ministerial team.

Water Authorities

Mr. Ancram: To ask the Secretary of State for Scotland what criteria determined the appointment of the chairpersons of the three Scottish water authorities. [22042]

Mr. Dewar: The new Chairmen of the East and North water authorities, who take up those positions on 1 April 1998, were appointed to the respective authorities in accordance with the procedures laid down by the Commissioner for Public Appointments' Code of Practice. All candidates were firstly assessed against a list of the knowledge, experience and personal qualities desirable for a Board member. In selecting Chairmen from the membership, I then considered the field in the light of the following desirable attributes:

substantial public or private sector experience, preferably at Chairman level;

effective ambassadorial skills;

ability to develop a clear vision of the future of the public utilities;

proven leadership qualities;

ability to command respect, inspire and motivate both within the Board and within the organisation as a whole;

possess knowledge of management practices in the public sector.

Further Education Colleges

Mr. Gorrie: To ask the Secretary of State for Scotland if he will establish a further education funding council to help to decide the allocation of grants to further education colleges. [22269]

Mr. Wilson: The establishment of a Further Education Funding Council was one of the recommendations of the Scottish Committee of the National Committee of Inquiry into Higher Education. There have been extensive consultations on the Committee's recommendations but final decisions have not yet been taken.

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Scotland how many secure cycle spaces there are in his Department. [22677]

Mr. Dewar: My Department has 164 secure cycle spaces in buildings where The Scottish Office is the major occupier.

Nursery Provision

Mr. Jenkin: To ask the Secretary of State for Scotland what meetings he has had with the Scottish Pre-School Play Association to discuss *(a)* nursery provision and *(b)* the Nursery Voucher Scheme. [22382]

Mr. Wilson *[holding answer 12 January 1998]:* There has so far been one Ministerial meeting with the Scottish Pre-School Play Association (SPPA): I met them on 11 July 1997, when we discussed pre-school education generally and the abolition of the pre-school voucher system in particular. I have also met *Comhairle nan Sgoiltean Araich*, another voluntary organisation concerned with pre-school education provision.

There is also regular contact between SPPA and officials. SPPA is part of a standing liaison group between officials and pre-school education providers in all the sectors. It is also a member of the National Child Care Forum, on which The Scottish Office is represented. In addition, SPPA is amongst the organisations which have been invited to respond, by 6 February, to a major consultation paper on the future of pre-school education, which I published last November.

Mr. Jenkin: To ask the Secretary of State for Scotland how many meetings he has had with representatives of private nursery providers to discuss *(a)* the abolition of the Nursery Voucher Scheme and *(b)* alternative means of making nursery provision. [22383]

Mr. Wilson *[holding answer 12 January 1998]:* There has so far been one Ministerial meeting with the Scottish Independent Nurseries Association (SINA): I met them on 24 September 1997 to discuss a wide range of issues, including the abolition of the pre-school voucher system and the way ahead for pre-school education thereafter.

There is also regular contact between SINA and officials. Together with the Scottish Council for Independent Schools (SCIS), SINA is part of a standing liaison group between officials and pre-school education providers in all the sectors. In addition, SINA and SCIS are amongst the organisations which have been invited to respond, by 6 February, to a major consultation paper on the future of pre-school education, which I published last November.

Owner-occupiers

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each year since 1978–79 the number of owner-occupiers within Scotland as a percentage of the overall housing stock. [22395]

Mr. Macdonald *[holding answer 12 January 1998]:* Information about the number of owner occupied dwellings in Scotland is collected as part of the decennial Population Census. For intervening years the Scottish Office estimates the number of owner occupied dwellings on the basis of information from local authorities and Scottish Homes. The figures for each year from 1979 to 1996 are set out below.

Year	*Owner occupied dwellings in Scotland as a percentage of the total housing stock*
1979	35.3
1980	36.1
1981	[1]36.4
1982	37.7
1983	39.1
1984	40.5
1985	41.8
1986	43.1
1987	44.6
1988	46.7
1989	49.1
1990	51.2
1991	[1]52.4
1992	54.1
1993	55.5
1994	56.9
1995	58.4
1996	59.2

[1] Census figures. Remaining figures are estimates.

Expenditure Statistics

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list, in *(a)* cash terms and *(b)* 1997–98 prices, the amount of money allocated in each financial year since 1978–79 and 1997–98 to each area of expenditure currently within his responsibility. [22417]

Mr. Dewar *[holding answer 12 January 1998]:* Fully consistent information in the form requested could be provided only at disproportionate cost. Relevant information can be found in the following publications:

Public Expenditure to 1985–86—A Commentary on the Scotland Programme

Public Expenditure to 1986–87—A Commentary on the Scotland Programme

Public Expenditure to 1987–88—A Commentary on the Scotland Programme

Public Expenditure to 1988–89—A Commentary on the Scotland Programme

Public Expenditure to 1989–90—A Commentary on the Scotland Programme

Public Expenditure to 1990–91—A Commentary on the Scotland Programme

Public Expenditure to 1991–92—A Commentary on the Scotland Programme

Public Expenditure to 1992–93—A Commentary on the Scotland Programme

Serving Scotland's Needs—The Government's Expenditure Plans 1991–92 to 1993–94 (Cm 1515)

Serving Scotland's Needs—The Government's Expenditure Plans 1992–93 to 1994–95 (Cm 1915)

Serving Scotland's Needs—The Government's Expenditure Plans 1993–94 to 1995–96 (Cm 2214)

Serving Scotland's Needs—The Government's Expenditure Plans 1994–95 to 1996–97 (Cm 2514)

Serving Scotland's Needs—The Government's Expenditure Plans 1995–96 to 1997–98 (Cm 2814)

Serving Scotland's Needs—The Government's Expenditure Plans 1996–97 to 1998–99 (Cm 3214)

Serving Scotland's Needs—The Government's Expenditure Plans 1997–98 to 1999–2000 (Cm 3614).

Hospital Beds

Mr. Sarwar: To ask the Secretary of State for Scotland what steps have been taken to avert a shortage of hospital beds during the winter of 1997–98. [22747]

Mr. Galbraith: The Government have provided an additional £25 million to the NHS in Scotland to deal with the expected increase in emergency admissions over the winter period. In addition, I have required Health Boards in Scotland to use their share of £10 million saved from reductions in bureaucracy to reduce waiting times and to ensure that effective contingency plans are in place.

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for Scotland on what date he last used a train in the course of his official duties. [22931]

Mr. Dewar: On Sunday 11 January 1998.

Referendum

Mr. Wigley: To ask the Secretary of State for Scotland how many of the returning officers of the unitary authorities in Scotland, or staff acting on their behalf, contacted the Scottish Office Devolution Unit by phone between 10pm on 11 September 1997 and the conclusion of the count for Scotland, to request guidance on the interpretation of the answers given to the questions in the referendum, where the voters had written yes or no in the ballot paper; and if he will make a statement. [23234]

Mr. McLeish: The Chief Counting Officer for Scotland who had responsibility for the count did not receive any requests for further guidance on the adjudication of ballot papers in the period in question.

Mr. Wigley: To ask the Secretary of State for Scotland if he will list those unitary authorities in Scotland which, during the course of the referendum count on 11 September changed the basis of interpretation as to whether a ballot paper was to be accepted as valid, or to be declared spoilt; and how many of these changed their interpretation on the specific advice of his Department. [23274]

Mr. McLeish: I am not aware that any area changed the basis of its interpretation of the adjudication of ballot papers or changed its interpretation of the guidance issued by the Chief Counting Office for Scotland.

Mr. Wigley: To ask the Secretary of State for Scotland what guidance he gave to returning officers in each of the unitary authority areas in Scotland, for the referendum count on 11 September 1997, with regard to deciding whether or not a vote was to be regarded as valid if the voter wrote "No" in the box adjacent to the statement "I do not agree that there should be a Scottish Parliament"; in what circumstances such a vote, in the absence of any other mark made by the voter on the ballot paper, was taken as *(a)* a "No" vote, *(b)* a "Yes" vote or *(c)* spoilt vote; and what additional guidance was given to returning officers during the course of the count on that evening. [23268]

Mr. McLeish: The advice given in the guidance issued by the Chief Counting Officer about a ballot paper marked with "No" in the box adjacent to the statement "I do not agree that there should be a Scottish Parliament" was that the ballot paper was to be treated as a "No"vote. No additional guidance was issued by the Chief Counting Officer during the course of the count.

Mr. Wigley: To ask the Secretary of State for Scotland if he will place in the Library a copy of the guidance which he circulated to returning officers in each of the unitary authority areas in Scotland for the counting procedure for the referendum which took place on 11 September 1997, together with a copy of supplementary guidance issued after and clarification guidance faxed to such officers during the course of the count. [23275]

Mr. McLeish: Responsibility for the conduct of the count lay with the Chief Counting Officer for Scotland. A copy of his guidance in connection with the count has been placed in the Library. No supplementary guidance was issued.

Students

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he will make a statement on changes in the student support and tuition fee arrangements for Scottish domiciled students in session 1989–99. [23983]

Mr. Wilson: I am publishing today the main rates of loans and maintenance grants payable in 1998–99 to continuing students and new students in full-time higher education. I am also publishing the rates for those postgraduate courses which do not attract students loans, together with the rates for the various supplementary allowances payable to both undergraduate and vocational postgraduate award holders.

The total support available to undergraduate students in 1998–99 through the main rates of maintenance grant and loan, taken together, will be 3 per cent higher than in 1997–98, thus maintaining its value in real terms. Postgraduate maintenance grants and supplementary allowances will be increased by a similar amount.

These changes are consistent with those for England and Wales announced by my right hon. Friend the Secretary of State for Education and Employment. Details have been placed in the Library.

TREASURY

Environment

16. **Mr. Baker:** To ask the Chancellor of the Exchequer what steps he is taking to use fiscal measures to encourage good environmental practice. [21067]

Mrs. Liddell: On Budget day in July, we issued a statement of intent on the use of environmental taxes, which said that we will aim to reform the tax system to increase incentives to reduce environmental damage. The Pre-Budget Report outlined specific areas where we are taking this forward as a priority.

Local Government Finance

17. **Mr. Chope:** To ask the Chancellor of the Exchequer when he next plans to meet leaders of the Local Government Association to discuss the control total for local government for 1998–99. [21068]

Mr. Darling: The Government have already announced for consultation their proposals for the local authority finance settlement for 1998–99. In his statement to the House on 2 December 1997, *Official Report,* columns 157-64 my right hon. Friend the Secretary of State for the Environment, Transport and the Regions explained that the arrangements would be finalised after a period of consultation with local authorities and others. He also referred to the establishment of a new central-local partnership which will provide an ongoing forum for discussion of all major issues of concern between the government and the Local Government Association.

PEPs and Individual Savings Accounts

18. **Mr. Day:** To ask the Chancellor of the Exchequer what representations he has received regarding PEPs. [21069]

21. **Mr. Gerald Howarth:** To ask the Chancellor of the Exchequer what representations he has received regarding his proposals for individual savings accounts. [21072]

Mr. Geoffrey Robinson: PEPs and TESSAs will be superseded from 1999 by the new individual savings account (ISA). We announced our proposals and published a consultative document on the ISA on 2 December. Responses were invited by 31 January. We have received so far, and continue to receive, large numbers of representations on these proposals.

37. **Mr. Loughton:** To ask the Chancellor of the Exchequer on what basis he calculated that there would be an additional six million savers under his proposals in the Green Paper on ISAs. [21089]

Mr. Geoffrey Robinson: I refer the hon. Gentleman to the answer I gave to the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) on 22 December 1997, *Official Report,* column *473.*

Economic and Monetary Union

19. **Mr. Healey:** To ask the Chancellor of the Exchequer if he will make a statement on the steps he is taking to encourage greater public awareness of the implications of EMU. [21070]

Mr. Gordon Brown: We have already published booklets to help people and businesses understand what EMU means. This year, we will hold conferences to inform all regions and sectors of the economy about the need to prepare. We will apply for Community funding for an information service and we will produce information packs for schools, and we plan to make all EMU information available on-line through links to libraries and information centres across the country.

26. **Helen Jones:** To ask the Chancellor of the Exchequer what representations he has received from trade unions on his EMU policy. [21077]

Mr. Gordon Brown: I have regular contact with the Trades Union Congress to discuss a range of issues, including economic and monetary union. I have also received representations from the TUC through the Business Advisory Group, which I set up in September 1997. I will shortly be publishing a report summarising the recommendations from the Advisory Group.

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will list each current statutory duty of the Bank of England, indicating how each is affected by *(a)* current obligations under Stage 2 of Economic and Monetary Union, *(b)* future obligations entered into by the United Kingdom after adherence to Stage 3 of Economic and Monetary Union and *(c)* the commencement of Stage 3 by other member states, not including the United Kingdom. [22195]

Mrs. Liddell: The main existing statutory duties of the Bank of England are prescribed by the Currency and Bank Notes Acts 1928 and 1954 (in relation to notes and coin) and by the Banking Act 1987 as amended (in relation to banking supervision). These duties are unaffected by stage 2 of economic and monetary union and would remain unaffected by the participation in stage 3 of other Member States. The 1928 and 1954 Acts would require amendment were the United Kingdom to participate in stage 3.

Windfall Tax

20. **Ms Keeble:** To ask the Chancellor of the Exchequer what discussions he has had with employers' groups on his policy to spend the proceeds of the windfall tax on a welfare-to-work programme. [21071]

Mr. Geoffrey Robinson: I am pleased to tell the House that we had widespread positive acceptance of the welfare to work programme from employers, employees representatives and the voluntary sector as well. In particular, I am most encouraged by the firm support from British industry and I am pleased also to say many Members of this House have been involved as ambassadors for the programme, and that is having a very good effect.

29. **Mr. McCabe:** To ask the Chancellor of the Exchequer what representation she has received from employers' groups on his policy to spend the proceeds of the windfall tax on a welfare-to-work programme. [21080]

Mr. Geoffrey Robinson: I refer my hon. Friend to the answer that I gave to the hon. Member for Gedling (Mr. Coaker) today.

Tax Avoidance

22. **Mr. Hawkins:** To ask the Chancellor of the Exchequer what representations he has received regarding his plans for a general provision against tax avoidance. [21073]

Mr. Gordon Brown: Since I asked the Inland Revenue to look at the possibility of a General Anti-Avoidance Rule (GAAR) in my last Budget, a number of representations have been received expressing a variety of views. The Revenue have also held informal discussions with several representative bodies and other groups. Given the informal and exploratory nature of these talks, I do not think it would be right to disclose details at this early stage. There will be formal, public consultation before any General Anti-Avoidance Rule is introduced.

32. **Mr. John M. Taylor:** To ask the Chancellor of the Exchequer what discussions he has had with other Governments regarding measures to tackle tax avoidance. [21084]

Mr. Gordon Brown: The Government have had a number of discussions with other Governments about various aspects of tax avoidance.

Fuel (Value Added Tax)

23. **Ms Lawrence:** To ask the Chancellor of the Exchequer what representations he has received from pensioner groups on his policy to reduce VAT on fuel. [21074]

25. **Mr. Goggins:** To ask the Chancellor of the Exchequer what representations he has received from pensioner groups on his policy to reduce the VAT rate on fuel. [21076]

Dawn Primarolo: Our prompt action to bring down the VAT rate on domestic fuel in the Summer Budget has been widely welcomed. The reduction will be of particular benefit to Pensioners as a proportion of their average income.

38. **Charlotte Atkins:** To ask the Chancellor of the Exchequer what representations he has received from trade unions on his policy to reduce the VAT rate on fuel. [21090]

Dawn Primarolo: Our prompt action to bring down the VAT rate on domestic fuel in the Summer Budget has been widely welcomed. There have been no specific representations from trade unions.

Tax Competition

24. **Mr. Heald:** To ask the Chancellor of the Exchequer if he will meet the Belgian Finance Minister to discuss harmful tax competition. [21075]

Dawn Primarolo: No such meeting is scheduled, but the Chancellor does of course see all EU Finance Ministers regularly at meetings of the Ecofin Council.

Hypothecated Taxation

27. **Mr. David Heath:** To ask the Chancellor of the Exchequer what recent representations he has received on the effect of hypothecated taxation on service provision. [21078]

Dawn Primarolo: The Government receive a number of representations on both the Budget and the Comprehensive Spending Reviews. A variety of representations on hypothecated taxation have been received.

Offshore Trusts

28. **Mr. Bercow:** To ask the Chancellor of the Exchequer which of his ministerial colleagues receive papers on the development of policy for the taxation of offshore trusts. [21079]

33. **Mr. Green:** To ask the Chancellor of the Exchequer which of his ministerial colleagues receive papers on the development of policy for the taxation of offshore trusts. [21085]

Mr. Gordon Brown: I refer the hon. Members to the answer I gave to the right hon. Member for Hitchen and Harpenden (Mr. Lilley) on the 10 December 1997, *Official Report*, column *576.*

35. **Mr. Brady:** To ask the Chancellor of the Exchequer what assessment he has made of the annual cost to the Treasury of tax avoidance through the use of offshore trusts. [21087]

Mr. Gordon Brown: The last Government failed to put in place any comprehensive mechanism accurately to assess or estimate the cost to the Treasury of tax avoidance. The question of assessment is part of the review announced in the Pre-Budget Report.

National Insurance

31. **Mr. Barnes:** To ask the Chancellor of the Exchequer what representations he has received recently concerning national insurance contributions; and if he will make a statement. [21082]

Mr. Darling: My ministerial colleagues and I receive numerous representations regarding national insurance contributions.

Sterling

31. **Mr. Kirkwood:** To ask the Chancellor of the Exchequer what recent representations he has received about the current level of sterling. [21083]

Mrs. Liddell: The Chancellor has received a number of representations concerning the exchange rate. The Government want a stable and competitive pound over the medium term, consistent with the objective of price stability. The focus of policy will be on achieving the low inflation and sound public finances which are the necessary conditions for sustained exchange rate stability.

Income Tax (Self-assessment)

34. **Mr. Fraser:** To ask the Chancellor of the Exchequer what plans he has to simplify the calculation of income tax for the purposes of self-assessment. [21086]

Dawn Primarolo: The self-assessment legislation included a number of measures to simplify the calculation of income tax. These measures were considered in depth by the Self Assessment Consultative Committee which has representatives from all the main organisations representing business and industry bodies and the accountancy and legal professions. The Inland Revenue is listening closely to any practical concerns raised by taxpayers and accountants about self assessment.

Budget Forecast

36. **Mr. Canavan:** To ask the Chancellor of the Exchequer what is his current forecast of the Budget surplus or deficit for 1998–99. [21088]

Mr. Darling: Table B1 in Appendix B of the November 1997 Pre-Budget Report gives current forecasts of the budget surplus or deficit on various definitions.

Channel Islands

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what assessment he has made of the economic benefits to the UK from the constitutional position of the Channel Islands in respect of their arrangements for determining their own tax laws. [22240]

Dawn Primarolo: The constitutional relationship between the Channel Islands and the United Kingdom was examined by the Royal Commission on the Constitution 1969–1973. The Government have conducted no specific assessment of the economic benefits to the UK of the constitutional position of the Channel Islands in respect of their arrangements for determining their own tax laws.

Art Market (VAT)

Sir Richard Body: To ask the Chancellor of the Exchequer for what reason an interim VAT band was established for the United Kingdom art market; what effect the VAT raise has had on turnover; and what representations he is making to the Commission on the subject. [22616]

Dawn Primarolo *[holding answer 12 January 1998]:* Goods imported into the UK normally bear VAT at the Standard rate (17.5 per cent.). Under the terms of EC law introduced in 1995 certain works of art, antiques and collectors' pieces imported into the UK are eligible until 30 June 1999 for an effective rate of VAT at importation of 2.5 per cent.

The fine art trade's published overseas trade statistics indicate that, since 1995, there has been a reduction in the annual values of UK imports of works of art, antiques and collectors' pieces from non-EC countries. It is readily acknowledged by representatives of the fine art trade that, in such a highly competitive global market, a variety of factors may have contributed to the apparent decline in imports.

During 1998, the EC Commission is expected to review the effects of the relevant EC legislation on the competitiveness of the Community art markets compared to third countries' art markets. The relevant Government departments are working closely with art trade bodies to evaluate those effects, and to try to ensure that the position of the UK's fine art market will be properly represented in that review.

Association for the Monetary Union of Europe

Sir Richard Body: To ask the Chancellor of the Exchequer what finance the Association for the Monetary Union of Europe receives from the European Community. [22617]

Mrs. Liddell *[holding answer 12 January 1998]:* The information requested is not held by the Government. The question should be addressed to Directorate General XIX of the European Commission.

Valuation Office Agency

Mr. Fallon: To ask the Chancellor of the Exchequer for what reasons the Chief Executive of the Valuation Office Agency resigned in December 1997 and on what terms; whether she was on fully-paid sick leave between January and September 1997; and at what cost. [22812]

Dawn Primarolo: The reasons for the previous Chief Executive's resignation and her sick leave record whilst she was employed are confidential information concerning public employment. Mrs. Lowe received £54,000 on her resignation. The normal rules concerning sick leave and pensions in the Civil Service were applied to Mrs. Lowe during her employment.

Private Health Insurance

Mr. Fraser: To ask the Chancellor of the Exchequer what will be the estimated saving to public funds in *(a)* 1997–98 and *(b)* 1998–99 of the abolition of tax relief on private health insurance. [22463]

Dawn Primarolo: Tax relief on private medical insurance contracts for individuals aged 60 or over was withdrawn in the July 1997 Budget. The savings in relief are estimated at £25 million in 1997–98 and £120 million in 1998–99.

Mr. Rowe: To ask the Chancellor of the Exchquer what revenue the Exchequer received in 1997 from the removal of tax relief on pensions' private medical insurance. [22827]

Dawn Primarolo: Tax relief on private medical insurance contracts for individuals aged 60 or over was withdrawn in the July 1997 Budget. The saving in relief is estimated at 25 milion in 1997–98.

Charities

Mr. Öpik: To ask the Chancellor of the Exchequer what consultation he had with charitable organisations prior to phasing out charities' tax credit compensation; and if he will make a statement. [22461]

Dawn Primarolo: The abolition of paid tax credits applies to all non-taxpayers and is part of a wider reform. We did, however, consider the position of charities carefully and so included a special seven year transitional provision for them which has been generally welcomed.

Oil Terminals

Dr. Whitehead: To ask the Chancellor of the Exchequer if he will review arrangements relating to the rebonding of oil terminals in order to encourage seaborne transport of domestic oil supplies. [22761]

Dawn Primarolo: No. These arrangements have been the subject of discussion with the oil industry for some time but the cost to the Exchequer of returning to rebonding is too expensive. It also has resource costs for Customs. The industry was compensated for debonding by the current duty deferment system, which allows monthly, rather than daily, payment of duty.

Agriculture (Compensatory Payments)

Mr. Gill: To ask the Chancellor of the Exchequer what representations he has received regarding compensatory payments to agriculture consequent upon the strength of sterling in relation to other EU currencies. [21062]

Mr. Darling: Treasury Ministers have received several such representations. I refer to the statement which my right hon. Friend the Minister of Agriculture, Fisheries and Food made to the House on 22 December, 1997, *Official Report*, columns 677–79.

Overseas Visits

Mr. Wilshire: To ask the Chancellor of the Exchequer if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her *(b)* the cost to public funds of each such visit. [23249]

Mr. Gordon Brown: There have been no such visits.

SOCIAL SECURITY

Public Appointments

Mr. Vaz: To ask the Secretary of State for Social Security (1) how many public appointments she has made since 1 May; and how many and what percentage of these *(a)* receive remuneration and *(b)* are of (i) Afro-Caribbean and (ii) Asian origin; [16785]

(2) if she will publish the names of all those people whom she has appointed to public bodies since 1 May, indicating the positions to which they have been appointed, and whether they receive remuneration. [19978]

Mr. Field: My right hon. Friend the Secretary of State for Social Security has made 35 public appointments since 1 May. Of those: *(a)* eight appointments (23 per cent.) are remunerated, on a fee paid sessional basis; *(b)* No appointments are of Afro-Caribbean or Asian Origin.

The information regarding the names of those people who have been appointed and the position to which they have been appointed is set out in the table.

Appointee	*Position and public body*	*Remuneration (Attendance fee £)*
Brigadier A. K. Dixon	Member, Central Advisory Committee on War Pensions	None
Brigadier W. Shackell CBE	Member, Central Advisory Committee on War Pensions	None
Mr. J. Howes	Member, Chasely Trust	None
Mrs. A. Spaight MA, MSCP	Member, Disability Living Allowance Advisory Board	119.00
Sir P. Large CBE	Member, Disability Living Allowance Advisory Board	119.00
Dr. P. Watson	Member, Far East (Prisoner of War and Internees) Fund	None
Reverend R. Rossiter	Member, Far East (Prisoner of War and Internees) Fund	None
Mr. R Grainger	Member, Industrial Injuries Advisory Council	107.00
Mr. H. Brown	Member, Occupational Pensions Regulatory Authority	157.00
Mrs. H. Maunsell	Member, Occupational Pensions Regulatory Authority	157.00
Mr. M. Jones	Member, Occupational Pensions Regulatory Authority	157.00
Lady J. Staughton	Member, Royal Patriotic Fund Corporation	None
Professor O. Stevenson CBE	Member, Social Security Advisory Committee	122.00
Mr. R. Wendt	Member, Social Security Advisory Committee	122.00
Mr. R. Mortimer	Member, War Pensions Committee	None
Ms J. Stevens	Member, War Pensions Committee	None
Major Roynon-Jones	Member, War Pensions Committee	None
Lieutenant Colonel M.	Member, War Pensions	None

Appointee	Position and public body	Remuneration (Attendance fee £)
Deverill	Committee	
Mr. M. Richards	Member, War Pensions Committee	None
Mr. W. Mowat	Member, War Pensions Committee	None
Mr. D. Steele	Member, War Pensions Committee	None
Mr. J. Clarke	Member, War Pensions Committee	None
Mr. D. Hollier	Member, War Pensions Committee	None
Mr. W.G. Wenman	Member, War Pensions Committee	None
Mr. G. Cook	Member, War Pensions Committee	None
Mr. A. Wakely	Member, War Pensions Committee	None
Mr. P. A. Pierce	Member, War Pensions Committee	None
Mr. R. Barry	Member, War Pensions Committee	None
Dr. A. Carvalho	Member, War Pensions Committee	None
Captain C. Blackwood	Member, War Pensions Committee	None
Mrs. P. Seaton	Member, War Pensions Committee	None
Lieutenant Colonel A. Drake DL	Member, War Pensions Committee	None
Mr. G. Coulson	Member, War Pensions Committee	None
Mrs. P. Robinson	Member, War Pensions Committee	None
Mr. L. Barber	Member, War Pensions Committee	None

1. The Retail Prices Index (All items) (RPI) and the Average Earnings Index (Whole Economy) as supplied by The Office for National Statistics were used in this calculation.
2. The figures have been rounded to the nearest 5 pence at each uprating.
3. The rate of Basic Retirement Pension was increased in the April 1994 uprating by 50 pence for a single pensioner and 70 pence for a couple on account of VAT on fuel. This increase has not been added in to these illustrative figures.

State Pensions

Mr. Corbyn: To ask the Secretary of State for Social Security what would be the rate of state pensions for each year since 1980 for *(a)* a single pensioner and *(b)* a couple if the increase had been linked to earnings rather than prices. [17365]

Mr. Denham *[holding answer 25 November 1997]:* The information requested is in the table.

Uprating date	Single pensioner (£)	Pensioner couple (£)
November 1980	27.60	44.20
November 1981	30.90	49.50
November 1982	33.50	53.65
November 1983	36.40	58.30
November 1984	38.25	61.25
November 1985	41.60	66.60
July 1986	43.45	69.55
April 1987	45.90	73.45
April 1988	49.50	79.20
April 1989	53.90	86.25
April 1990	59.15	94.65
April 1991	65.60	104.95
April 1992	70.80	113.25
April 1993	74.25	118.80
April 1994	76.40	122.25
April 1995	79.45	127.15
April 1996	82.55	132.10
April 1997	86.00	137.65
April 1998	89.60	143.40

Invalid Care Allowance

Mr. Hancock: To ask the Secretary of State for Social Security what assessment she has made of the impact of Welfare to Work proposals on the number of people claiming invalid care allowance. [20674]

Mr. Denham: The Government have recently launched the New Deal for people with a disability or long-term illness. Under the New Deal up to £195 million, set aside from the Windfall Tax, will be used to finance a range of options aimed at helping participants, in the most effective way possible, to move into or stay in work, Whilst the programme is primarily aimed at helping people with a disability or long-term illness who want to work, it also aims to help carers to balance their responsibilities with work, or to take up work when their caring responsibilities come to and end.

One key element of the New Deal will involve funding a number of innovative schemes to test ways of helping people who want to work, and the bidding process for this part of the programme was launched on 9 December. Up to 20 schemes will be selected, and we anticipate that some of the bids will focus on the needs of carers. In addition we also plan to introduce personal advisers, initially on a modest basis, to help people with a disability on long-term illness to overcome barriers to work. Carers receiving invalid care allowance will also be eligible for help from these personal advisers.

No estimate has been made of the impact of the New Deal on the number of people claiming Invalid Care Allowance.

Child Care

Ms Buck: To ask the Secretary of State for Social Security if she will list the criteria for eligibility for claims under the family credit childcare disregard; and for each of the last three years *(a)* how many families made claims against the disregard, *(b)* what was the total expenditure, *(c)* what were the average and the median claims, *(d)* how many claims were made for care of children aged (i) under one year, (ii) between one and four years and (iii) of school age, *(e)* how many families claimed for help with child care costs for more than one child and *(f)* what was the average proportion of total family expenditure on childcare which was offset by family credit childcare disregard. [21835]

Mr. Keith Bradley: The eligibility criteria for the Family Credit childcare disregard are set out in Regulation 13A of the Family Credit (General) Regulations 1987.

The disregard provides help with certain childcare charges for lone parents working 16 hours or more, couples where both are working 16 hours or more and couples where one partner is working (16 hours or more) and the other is incapacitated. It applies in respect of

childcare charges of up to £60 per week for children until the September after the child's 11th birthday. The child must be cared for by a registered childminder, nursery/playscheme, out-of-school club, a childcare scheme operating on Crown Property and schools or establishments exempt from registration under section 71 of the Children Act 1989.

From June 1998 the disregard will be enhanced by increasing the maximum childcare costs allowed to £100 for families who incur childcare costs for two or more children of qualifying age and extending the age limit by one year to the September following the child's 12th birthday.

All other information requested is set out in the table below.

Table 1: Family Credit claims for help with childcare

	May 1995	*May 1996*	*May 1997*
(a) Number of claims made	33,200	38,800	46,900
(i) Number disallowed	10,400	9,400	11,200
(ii) Number with allowable costs	22,900	29,500	35,700
(b) Total annual expenditure (millions)	£14.1	£22.3	£31.4
(c) (i) Average cost to claimant of allowable childcare (£pw)	£30.34	£34.61	£36.95
(ii) Median cost to claimant of allowable childcare (£pw)	£28.00	£32.00	£33.75
(d) Number of claims allowed for —			
(i) children under one	1,200	1,700	1,800
(ii) between one and four	16,900	20,900	24,300
(iii) aged 5–11	8,200	12,000	15,900
(e) Number of claims allowed for families with costs for more than one child	3,300	4,700	5,900
(f) Average proportion of child care cost offset by Family Credit Disregard[1]	39 per cent. (49 per cent.)	42 per cent. (54 per cent.)	46 per cent.

Sources:
Family Credit 5 per cent. sample of awards.
[1] 1 per cent. sample of Housing Benefit/Council Tax Benefit recipients without Income Support taken at the end of May 1995 and May 1996.
Notes:
All figures have been rounded to the nearest thousand and are subject to a degree of sampling error.
The figures in brackets reflect the proportion of allowable childcare costs met through Family Credit, Housing Benefit and Council Tax Benefit. Figures for May 1997 are not yet available.

Maternity Pay

Ms Abbott: To ask the Secretary of State for Social Security how many women earning above the average income for full-time women workers claimed maternity benefit in 1996–97; and if she will make a statement. [23024]

Mr. Denham: The information is not available in the form requested.

The Government aim to ensure that the maternity pay arrangements for working women are modern, fair, easy to understand and administer.

The latest information available is for 1995–96. In that year the average income for full-time woman workers was £13,423. 58,000 women earning over that figure received some Statutory Maternity Pay in that year.

Mr. Peter Bottomley: To ask the Secretary of State for Social Security if she will estimate the savings to public funds if maternity pay were restricted to a maximum of *(a)* £20,000 and *(b)* £10,000 a claim. [23048]

Mr. Denham: The information on which to base a reliable estimate is not available. A reliable estimate could be made only at disproportionate cost.

Mr. Webb: To ask the Secretary of State for Social Security what proportion of statutory maternity pay is received by those earning *(a)* under £100, *(b)* £100 to £199, *(c)* £200 to £299, *(d)* £300 to £399, *(e)* £400 to £499, *(f)* £500 to £599 and *(g)* £600 per week or more. [23215]

Mr. Denham: The information is not available in the form requested. Such information as is available is in the table.

Weekly earnings of those who received statutory maternity pay as a proportion of all statutory maternity pay paid

Weekly earnings	*Proportion of SMP received during year (per cent.)*
Under £100	17
£100 to £199	28
£200 to £299	23
£300 to £399	16
£400 to £499	7
£500 to £599	4
£600 and over	5

Source:
The Lifetime Labour Market Database (LLMDB), a 1 per cent. sample of the National Insurance Recording System taken at February 1997.
Notes:
1. Figures are for Great Britain and are rounded to the nearest whole per cent.
2. Weekly earnings are estimated from the amount of Statutory Maternity Pay during the tax year 1995–96 by the amount of statutory maternity pay received as a proportion of all statutory maternity pay paid. This estimate is based on the SMP being paid for 6 weeks at 90 per cent. of pay and for 12 further weeks at the flat rate of SMP, and the whole period of statutory maternity pay falling in one tax year.

Mr. Winnick: To ask the Secretary of State for Social Security if she will list the percentage and total number of those who received weekly sums above *(a)* £5,000, *(b)* £7,500, *(c)* £10,000, *(d)* £15,000 and *(e)* £20,000 in maternity benefits for the first six weeks in (i) 1994, (ii) 1995, (iii) 1996 and (iv) 1997. [22873]

Mr. Denham: The information is not available in the form requested and can be obtained only at disproportionate cost.

Mr. Winnick: To ask the Secretary of State for Social Security if she will list the average weekly payment in *(a)* 1994, *(b)* 1995, *(c)* 1996 and *(d)* 1997 for maternity benefits in the first six weeks. [22874]

Mr. Denham: The information is not available in the format requested. Such information as is available is in the table.

Average weekly statutory maternity pay inthe first six weeks to those in receipt of statutory maternity pay during each tax year

Tax year	*Average weekly SMP payment (£)*
1993–94	112
1994–95	126
1995–96	138

Source:
The Lifetime Labour Market Database (LLMDB), a 1 per cent. sample of the National Insurance Recording System taken at February 1997.
Notes:
1. Figures are for Great Britain and are rounded to the nearest whole pound.
2. Weekly amounts of SMP are estimated from the amount of SMP during the tax year. This estimate is based on the SMP being paid for 6 weeks at 90 per cent. of pay and for 12 further weeks at the flat rate of SMP, and the whole period of SMP falling in one tax year. This may lead to weekly amounts of SMP being underestimated for people whose claim spans two tax years.

Vaccine-damaged Children

Mr. Beith: To ask the Secretary of State for Social Security what discussions his officials have had with the Association of Parents of Vaccine Damaged Children; and if he will make a statement. [22846]

Mr. Denham: Officials have had informal discussions with representatives of the Association of Parents of Vaccine Damaged Children and others with an interest in provision for vaccine damaged people. The Government are committed to considering the Vaccine Damage Payments Scheme in detail in the light of long standing concerns about the scheme.

Ministerial Travel (Trains)

Mr. Baker: To ask the Secretary of State for Social Security on what date she last used a train in the course of her official duties. [22934]

Ms Harman: On 17 September 1997, when I travelled to Cardiff to address a conference entitled "Welfare to Work and Women in Wales" held by Chwarae Teg and the National Council of One Parent Families.

Disability Living Allowance

Mr. Russell Brown: To ask the Secretary of State for Social Security how many applications for disability living allowance were made during 1997; and how many were *(a)* refused on first application, *(b)* granted after tribunal and *(c)* granted after appeal. [23214]

Mr. Denham: The information is not available in the form requested because Disability Living Allowance statistics do not distinguish between reviews and appeals of first applications and reviews and appeals of existing awards. A claim may be successful on review or appeal for a variety of reasons, for example, because additional information has been received or the claimant's condition has deteriorated. Such information as is available is in the table.

Claims for disability allowance during 1997

	Number
Claims received	488,253
Claims refused on first application[1]	66,338
Review decisions[2]	374,494
Reviews that are successful[3]	140,245
Appeal decisions[4]	35,696
Appeals that are successful[5]	19,335

Source:
Analytical Services Division; figures based on 100 per cent. data.
Notes:
[1] Figures include claims received before 1997 but decided in 1997.
[2] Includes both reviews of the first applications which were refused and reviews of existing awards.
[3] Includes both successful reviews of first applications which were refused and existing awards where the award was increased.
[4] Includes both decisions about first applications which were refused after review and decisions about existing awards.
[5] Includes both first awards of benefit and existing awards where the award was increased.

Mr. Gale: To ask the Secretary of State for Social Security to how many claimants of disability living allowance payments are made in respect of children under the age of *(a)* 18 years and *(b)* 16 years. [23209]

Mr. Denham: On the basis of the latest available information, which relates to November 1997, the numbers are *(a)* 213,700 and *(b)* 196,500.

Pensioners (Income Support)

Mr. Clappison: To ask the Secretary of State for Social Security what is the most recent completed research evaluated by her Department in respect of the take up of income support by pensioners. [23118]

Mr. Denham: As part of our commitment to find the best ways of encouraging take-up of Income Support amongst pensioners, we are currently reviewing relevant research and initiatives completed up to this year, or in progress.

The Department is now commissioning research to identify the most important barriers to pensioners not claiming the Income Support to which they are entitled.

An estimated one million pensioners are not taking up their entitlement to Income Support, and we will be running a number of pilot schemes from April this year to find the best way to help them to claim their entitlement.

Mr. Clappison: To ask the Secretary of State for Social Security, pursuant to her Department's letter of 16 December in respect of her Department's research into the take up of income support by pensioners, who is carrying out the research, which organisations were invited to tender for it and what are her Department's *(a)* terms of reference and *(b)* budget for such research. [23116]

Mr. Denham: Research has been commissioned comprising in-depth interviews with pensioners currently claiming and not claiming, but potentially eligible for, Income Support. It will also include focus groups with pensioners and advice agencies. The terms of reference are to explore the reasons for not claiming Income Support and identify possible means of increasing take-up. Exploring the views of those who are already claiming (as well as those who are not) will give an insight into what encourages, as well as discourages, claims for Income Support.

Research commissioned by the Department is usually competitively tendered. In this case, the sample was drawn from existing data, so only the organisations involved in the original survey—the Office for National Statistics (ONS) and Social and Community Planning Research (SCPR)—were invited to tender. A contract worth £66,000 was awarded to Social and Community Planning Research.

A quantitative survey of pensioners potentially eligible for, but not claiming, Income Support is currently being negotiated; details are not yet finalised.

An estimated one million pensioners are not taking up their entitlement to Income Support, and we will be running a number of pilot schemes from April this year to find the best way to help them to claim their entitlement.

Social Security Reform

Mr. Charles Clarke: To ask the Secretary of State for Social Security if she will list the meetings between ministers in her Department and disabled people's organisations to discuss proposals to reform the social security system. [22916]

Mr. Keith Bradley: Although benefits for sickness and disability are included in my Department's Comprehensive Spending Review, no proposals have yet been brought forward. Since the beginning of July 1997, the Secretary of State and Ministers in the Department have had 14 seminars and meetings with organisations representing disabled people. A range of issues were discussed in these meetings.

Date	*Meeting*
22 July 1997	Meeting with MIND.
29 July 1997	Meeting with Deaf/Blind liaison group.
29 July 1997	Disability Reception with over 40 organisations representing the interests of disabled people.
30 July 1997	Seminar hosted by MENCAP, other organisations also in attendance.
31 July 1997	Meeting with Carer's National Association.
22 October 1997	Seminar hosted by MENCAP, other organisations also in attendance.
23 October 1997	Meeting with the National Federation of the Blind of the UK.
29 October 1997	Seminar hosted by MENCAP, other organisations also in attendance.
10 November 1997	Seminar with over 40 organisations representing the interests of disabled people.
26 November 1997	Meeting with the Disabled Drivers Association.
26 November 1997	Meeting with Rights Now!
9 December 1997	Meeting with Labour Party Disabled Members Group.
17 December 1997	Joint Department of Social Security and Department for Education and Employment awayday including representatives of six organisations.
18 December 1997	Meeting with the All Party Disablement Group.

Cold Weather Payments

Mr. Gale: To ask the Secretary of State for Social Security when she expects to table regulations implementing the introduction of cold weather payments; what provisions she intends to make to enable those elderly people using key meters to pay their heating bill; and if she will make a statement. [23210]

Mr. Denham: The Social Fund Winter Fuel Payments Regulations were laid before the House on 8 January and will come into force on 16 January.

Publication of the Regulations followed an announcement on 5 January, which outlined the detail of the scheme. A publicity campaign has now been launched involving media advertising, posters and leaflets in conjunction with Help The Aged, Age Concern and the National Association of Citizens Advice Bureaux. It is designed to ensure that pensioners are aware of what payments they will receiving, how and when. This information will enable pensioners to heat their homes confident in the knowledge that they will get extra help with their heaviest fuel bill.

People receiving Income Support or income-based Jobseeker's Allowance, and where their benefit includes one of the pensioner premiums, will receive a payment of £50. Around 1.5 million payments should be made by the end of January.

Other eligible pensioners will receive a payment of £20 or £10. Where there is only one eligible person in a household, or the eligible person is of no fixed abode, they will receive £20; otherwise, each person will receive £10. It is estimated that nearly three and a half million payments will be issued for £20 and almost five million for £10.

Overall, almost ten million payments will be made to over seven million pensioner households this winter, at a cost of around £200 million. The great majority of payments will be made by the end of March.

Information is not held on the method of payment used for heating costs by eligible pensioners, but the announcement that a payment will be made provides certainty that money is coming. Many of the poorest pensioners receive Income Support, or income-based Jobseeker's Allowance, and could receive a Cold Weather Payment should there be a spell of very cold weather in their locality.

Disability Benefit

Mr. Rowe: To ask the Secretary of State for Social Security how many representations she has received from housing associations and related bodies about the proposed changes in disability benefit eligibility; what were the terms of such representations; and if she will make a statement. [22875]

Mr. Denham: We have sought responses from relevant organisations on the best means to translate our objectives for the long-term funding of supported accommodation into a modern, practical and sustainable funding system. Two hundred and six responses were received including 89 from organisations resenting themselves as housing associations or related bodies. The respondents made a number of different observations, which we are considering.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Social Security if she will list all overseas visits made since 1 May 1997 on which she or any other Minister in her Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her and *(b)* the cost to public funds of each such visit. [23264]

Ms Harman: No such visits have been made.

Written Answers to Questions

Friday 16 January 1998

AGRICULTURE, FISHERIES AND FOOD

Rabies

Mr. Canavan: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the progress of Professor Ian Kennedy's review relating to the risks of importing rabies. [22794]

Mr. Rooker: The Advisory Group on Quarantine, under the Chairmanship of Professor Kennedy, has so far met on three occasions.

TREASURY

TESSAs and PEPs

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what assessment he has made on the impact of the limiting of tax relief to £50,000 on investments in TESSAs and PEPs on retirement incomes. [21914]

Mr. Geoffrey Robinson *[holding answer 22 December 1997]:* The impact on retirement income of capping ISAs at £50,000 will depend on the way in which people decide to invest the balance of their investments and their other sources of income.

Tax Avoidance

Mr. Lilley: To ask the Chancellor of the Exchequer what arrangements exist for the exchange of information on tax avoidance between the Belgian tax authorities and the Inland Revenue. [22280]

Dawn Primarolo *[holding answer 12 January 1998]:* Exchanges of information between the Belgian tax authorities and the Inland Revenue are made under the EC Mutual Assistance Directive (No. 77/799/EEC) and the UK Double Taxation Agreement with Belgium (Statutory Instrument 1987 No. 2053).

Early and Medical Retirement

Mr. Robert McCartney: To ask the Chancellor of the Exchequer if he will make it his policy to withdraw enhancement benefits for early or medical retirement from members of public sector superannuation schemes later found guilty of, or responsible for, improper activities that involved costs to the relevant employer. [23021]

Mrs. Liddell: Legislation exists to enable public service schemes to forfeit the pension rights of public servants who are convicted of serious offences committed in connection with their employment, or for treason or offences under the Official Secrets Act. Schemes may also have rules or regulations, or rely upon DSS regulations, to use pension rights to recover moneys owed to the employer.

It is a matter for those who run the schemes to determine when and how to apply the relevant legislation and regulations in individual cases.

Correspondence

Mr. Blunt: To ask the Chancellor of the Exchequer, pursuant to his answer of 18 December 1997, *Official Report*, column *246*. for what reasons a breakdown of replies signed by his private secretary and himself is not available. [23051]

Dawn Primarolo: The breakdown could have been provided only at disproportionate cost.

Orion Trust

Mr. Lilley: To ask the Chancellor of the Exchequer what is the relationship between the Orion Trust and the Robinson Family No. 1 Trust. [23655]

Mr. Gordon Brown: I refer the right hon. Member to the first of the answers I gave on 10 December 1997, *Official Report*, column *575*.

Pensions Mis-selling

Mr. Timms: To ask the Chancellor of the Exchequer what assessment he has made of progress made by pension firms in providing redress to the victims of mis-selling. [24328]

Mrs. Liddell: The table shows what progress has been made in the period up to the end of December 1997 by the 41 firms I have been monitoring. Since November, most of these firms have made continuing progress, and between them the firms concerned have now resolved over half of the cases identified for review.

For 29 of these firms, the Personal Investment Authority (PIA) set a deadline of 31 December for 90 per cent. of the most urgent cases to be resolved. It made clear that failure to take all reasonable steps to meet the deadline would be grounds for disciplinary action. The PIA announced today that the initial indications are that while most the firms concerned had indeed made their best endeavours to meet this first deadline, five appear to have failed to do so. It also announced its intention to make further investigations to see what further action is warranted.

The first deadline has now passed and most of the large firms appear to have met it. Those who have not must face the consequences. The PIA is considering what the consequences should be. The 41 firms still have a huge task ahead of them: none of them have yet resolved all their priority cases. For most firms, including the many that are not included in the table, a deadline of 31 December 1998 has been set for completion of this task—for some firms it is as early as 30 April 1998. There will be no let up—from the Government or from the regulators—until it has been achieved, and I will continue to monitor progress month by month.

These deadlines must be met fairly and effectively. The regulators will be monitoring firms' case processing to see that there is no cutting of corners at investors' expense. Failure to conduct the reviews properly is as serious an omission as failure to process cases quickly.

	A	B	C	D	E	F	G	H
Under 25 per cent. of cases resolved								
DBS	652	68	125	49	75	8	1	19
Burns Anderson	974	98	137	89	48	27	3	22
Gan	10,517	600	2,749	372	2,377	1,612	15	25
25-50 per cent. of cases resolved								
Windsor Life	8,319	1,483	1,057	148	909	759	9	29
Lincoln National	13,034	1,227	2,712	869	1,903	1,709	13	29
Financial Options	303	74	28	14	14	5	2	31
Countrywide	3,463	916	308	222	86	57	2	35
Canada Life	5,459	236	2,180	458	1,722	1,472	27	40
Friends Provident	6,723	868	2,171	359	1,812	1,640	24	43
London and Manchester	8,073	793	3,100	431	2,669	2,346	29	44
CIS	43,391	2,990	17,318	11,884	5,434	4,525	10	45
IFA Network	203	11	85	60	25	20	10	45
United Assurance	12,329	700	5,236	1,682	3,554	3,156	26	45
Abbey Life	16,956	3,947	4,060	879	3,181	2,809	17	45
Standard Life	6,799	500	2,684	959	1,725	1,634	24	45
Royal and Sun Alliance	15,476	1,843	5,992	796	5,196	4,415	29	46
Brittanic	18,690	4,003	5,465	2,159	3,306	2,600	14	47
Hill Samuel	5,982	786	2,314	464	1,850	1,590	27	47
Colonial	8,067	1,949	2,327	313	2,014	1,590	20	48
50–75 per cent. cases resolved								
Godwins	1,476	69	696	301	395	372	25	50
Allied Dunbar	18,378	2,946	7,408	2,674	4,734	3,820	21	51
Natwest	14,199	3,681	4,664	877	3,787	2,783	20	52
Sun Life of Canada	25,979	6,497	8,290	1,600	6,690	5,510	21	52
Lloyd's TSB	48,241	8,774	19,619	5,500	14,119	11,912	25	54
Guardian	8,778	913	4,762	778	3,984	3,216	37	56
Albany Life	2,848	548	1,439	104	1,335	982	34	57
Commercial Union	7,536	1,058	3,840	694	3,146	2,712	36	61
Pearl	43,735	2,884	31,043	5,523	25,520	18,277	42	61
Royal London	11,634	975	7,150	1,285	5,865	4,885	42	61
Norwich Union	7,226	2,072	2,702	589	2,113	1,813	25	62
Berkeley Independent	100	54	10	8	2	2	2	64
Midland	4,800	341	3,315	463	2,852	2,306	48	65
Wesleyan	4,137	233	2,657	807	1,850	1,671	40	66
Prudential	71,619	17,705	49,258	3,328	45,930	26,075	36	66
Legal and General	35,906	14,028	13,342	1,419	11,923	8,942	25	68
Sedgwick	13,414	6,557	3,198	1,196	2,002	1,634	12	70
M and E Network	273	154	46	17	29	25	9	72
Over 75 per cent. of cases resolved								
Equitable Life	11,129	5,566	2,995	1,313	1,682	1,468	13	75
Barclays	16,849	6,073	8,176	1,920	6,256	5,205	31	78
AXA Equity and Law	3,874	702	2,561	651	1,910	1,725	45	79
Hogg Robinson	1,949	795	866	317	549	466	24	81

A: cases identified as requiring review.
B: of A, cases where investor was informed that information gained during assessment excluded cases from review.
C: number of assessments completed.
D: cases where the investor has been informed that no redress is due.
E: cases where redress has been offered
F: cases where redress has been accepted.
G: cases where redress has been accepted as a percentage of cases identified for review ((F/A)X100).
H: cases completed, including exclusions, as a percentage of cases identified for review (((B+D+F)/A)x100).

CULTURE, MEDIA AND SPORT

Sport and Schools

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport what measures he is taking to attract private sector money into school sporting activity. [19493]

Mr. Banks: Sportsmatch, the Government-funded business incentive scheme for sport, offers pound for pound matching funding for sponsorship of grass roots sport. One million pound out of the annual Sportsmatch budget of £3.2 million is reserved for schools and schools-related activities. I announced recently that the minimum award for schools has been reduced to £500 to increase the opportunities for securing private sector sponsorship. In addition, the Lottery Sports Fund School Community Sports Initiative is designed to help schools find matching funding, including private sector investment, having already supported 24 projects with awards totalling over £10 million.

Higher Education

Mr. Rowlands: To ask the Secretary of State for Wales what estimate he has made of the number of students who dropped out of higher education courses in *(a)* 1995–96, and *(b)* 1996–97; and what estimate he has made of the cost of each such drop out. [21896]

Mr. Hain: The information requested is not yet available centrally. I will write to the hon. Member when the figures for Wales become available in the Spring.

The latest available figures for drop-out among full-time and sandwich first-degree students in former Universities Funding Council institutions in the UK and former polytechnics in England are shown in the following table.

Full-time and sandwich first degree drop-out rates in former UFC universities in the UK and former polytechnics in England[1]

Per cent.

	Higher education
1989–90	16
1990–91	15
1991–92	17
1992–93	17
1993–94	[2]17–18
1994–95	[2]17–18

Sources:
USR leavers and enrolment records, HESA, CNAA enrolment records, England and Wales (1989–90), DfEE FESR, England (1990–91 to 1994–95).

Notes:
[1]Drop-out covers all those leaving degree courses because of exam failure, ill health, personal and other reasons. It includes those switching to a lower level course but it excludes students transferring between degree courses or subjects. The rate for each academic year reflects the progression of students through the whole length of the course. The rate is a weighted sum of the separate university and former polytechnic figures based upon graduate numbers. It therefore excludes first degree students in other UK HE institutions. The calculation for the polytechnic drop-out rate is necessarily approximate because of significant limitations in the underlying data. In practice it has been necessary to estimate drop-out in 1991–92 to 1994–95 from the change in two successive years for a sample of around half of the 29 English former polytechnics.
[2]A range is given because the introduction of a new data source has made it difficult to measure drop-out accurately.

HOME DEPARTMENT

Mentally Ill Offenders

Ms Perham: To ask the Secretary of State for the Home Department if he will review the guidelines whereby victims of crimes committed by perpetrators diagnosed as being mentally ill are not informed about the release or rehabilitation of those perpetrators. [22859]

Mr. Michael: Both the Home Office and the Department of Health are committed to improving the level of information provided to the victims of crimes committed by people with mental disorders. The issue is complicated by consideration of confidentiality of personal information, but we are undertaking work on this issue and I hope it will be possible to make real progress in the next few months.

Deaths in Police Custody

Mr. Cohen: To ask the Secretary of State for the Home Department when the report by the Home Office Police Research Group into deaths in police custody will be published. [23041]

Mr. Michael: Due to unavoidable personnel changes, completion of the report has been delayed and it is not now expected to be published before early summer.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 December 1997, *Official Report*, column *255*, in respect of each of the licences granted for research into the medical use of cannabis, if he will list the publications containing the results indicating the date of publication. [23219]

Mr. George Howarth: This information is not collected.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 December 1997, *Official Report*, column *255*, what are the rules which determine when a licence to research and trial the medical use of cannabis will lapse. [23149]

Mr. George Howarth: Research licences are valid for three years in accordance with administrative policy; they may be extended as necessary.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 December 1997, *Official Report*, column *255*, where the researchers examining the medical use of cannabis obtain their cannabis. [23221]

Mr. George Howarth: Supplies have been obtained under licence from the Laboratory of the Government Chemist and the University of London.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 December 1997, *Official Report*, column *255*, if he will list the licences granted for research, other than medical research, into cannabis, indicating in each case the purpose of the research, the result and if the licence is still valid. [23220]

Mr. George Howarth: There are sixteen licences currently valid for cannabis research not directly related to medical research. They are all held for academic purposes. Information on results is not collected. The licence holders are:

Dr. C. Hunter, University of the West of England;
Dr. G. Hall, De Montfort University;
Professor D. Cowan, Kings College London;
Dr. D. Harvey, University of Oxford;
Professor F. Evans, University of London;
Dr. M. Cole, University of Strathclyde;
Professor M. Rubenstein, Liverpool John Moores University;
Professor P. Redfern, University of Bath;
Dr. R. Morgan, University of Sunderland;
Dr. K. Brain, University of Wales;
Dr. J. Smart, University of Portsmouth;
Dr. P. Dewick, University of Nottingham;

Dr. G. Lockwood, University of Manchester;

Mr. M. Aitken, University of Brighton;

Dr. P. Houghton, Kings College London;

Professor R. Richards, The Robert Gordon University.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 18 December 1997, *Official Report*, column *255*, if all the doctors researching the medical use of cannabis are qualified in pharmacology. [23222]

Mr. George Howarth: This information is not held, as a qualification in pharmacology is not a licensing requirement.

Probation Orders (Drug Dependency)

Mr. Clappison: To ask the Secretary of State for the Home Department how many probation orders with a requirement of treatment for drug dependency were *(a)* made and *(b)* subject to breach proceedings in each of the last 10 years. [23121]

Ms Quin *[holding answer 15 January 1998]:* Requirements for drug treatment are not identified separately from alcohol treatment in the national probation statistics. The information below was published in "Probation Statistics England and Wales 1996" in September 1997 (table 3.10).

Table: Number of persons commencing probation service supervision by type of additional requirement (England and Wales)[1]

	Residential drugs/alcohol treatment	*Non-residential drugs/alcohol treatment*	*Drugs/alcohol by or under a qualified medical person*
1992	50	99	70
1993	269	444	375
1994	338	601	420
1995	374	769	564
1996[2]	334	887	538

[1]New requirements added from 1 October 1992 under the Criminal Justice Act 1991.
[2]Provisional

Crime (Witnesses and Victims)

Mr. Clappison: To ask the Secretary of State for the Home Department when he expects the review of the treatment of victims and vulnerable witnesses by the criminal justice system which he announced on 13 June 1997 to be completed. [23115]

Mr. Michael *[holding answer 15 January 1998]:* We hope that the review will be completed shortly and a final report submitted to Ministers in the spring. We will consider the report as quickly as possible thereafter.

Sex Offenders

Mr. Clappison: To ask the Secretary of State for the Home Department what arrangements are in place for notification of the UK authorities by other countries of sex offences committed by UK citizens within their jurisdiction. [23113]

Mr. Michael *[holding answer 15 January 1998]:* While there is no formal requirement for other countries to notify us of convictions of British citizens, I understand that existing arrangements via the International Criminal Police Organisation (Interpol) work well. These allow Interpol member countries, of which there are 178 throughout the world, to use the Interpol Notice system to notify criminal activities of citizens to national authorities.

Interpol International Notices are circulated to all member countries via the Automated Search Facility (ASF) and give the identity particulars, physical description and, where possible, the fingerprints and photograph of an individual.

The Interpol Green Notice is used to seek information on people who have committed or are likely to commit offences affecting several countries and are often used to exchange information on travelling paedophiles. With 178 Interpol member countries, including the principal sex-tourism destinations, this offers an effective and efficient method of information exchange.

It is our policy to encourage the use of the system to inform preventive strategies for the protection of children and vulnerable adults. It is also out intention to use this system to ensure that the proposed Sex Offenders Orders can be used to maximum effect against sex offenders convicted abroad.

Electors

Mr. Robert McCartney: To ask the Secretary of State for the Home Department what is the average number of electors per constituency in the UK; and what effect the application of that United Kingdom population average would have on the numbers of hon. Members in *(a)* Great Britain, *(b)* England, *(c)* Scotland, *(d)* Wales and *(e)* Northern Ireland. [23022]

Mr. George Howarth: The average number of electors per constituency in the United Kingdom is 67,077.

The effect of the application of that United Kingdom population average on the number of hon. Members for the component parts of the United Kingdom would be as follows:

	Number
(a) Great Britain	641 (no change)
(b) England	549 (+20)
(c) Scotland	59 (–13)
(d) Wales	33 (–7)
(e) Northern Ireland	18 (no change)

Police (Complaints)

Dr. Tonge: To ask the Secretary of State for the Home Department what plans he has to introduce an independent body to investigate complaints against the Police. [23492]

Mr. Michael: We are committed to finding ways of increasing public confidence in the investigation of complaints against the police, including examining the scope for introducing a greater degree of independence into the system. We are currently considering these issues in the light of the Home Affairs Committee's recently published report on the police complaints and discipline system.

Women Prisoners

Miss Widdecombe: To ask the Secretary of State for the Home Department what proposals he has for improving the conditions of women prisoners. [21298]

Ms Quin *[holding answer 15 January 1998]:* The Prison Service is planning to build a purpose-built women's prison. The preferred location should serve East Midlands, East Anglia and North London.

Additional prison places for women have already been made available by changing the role of existing accommodation at Brockhill, Foston Hall and Highpoint North and by providing new accommodation at New Hall and Eastwood Park.

At six women's prisons, building projects are in progress to maintain or upgrade existing services and facilities. A further 17 projects at these prisons are under consideration.

As part of the Prison Service Review, the Government ensured that the appointment of an Assistant Director for Women Prisoners will focus particularly on the needs of women. This will include the need for offending behaviour programmes for women and special regimes for young female offenders.

The Government are also examining the recommendations of the Chief Inspector's Thematic review.

HMP Weare

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will make a statement on the future of HMP Weare. [21300]

Ms Quin *[holding answer 15 January 1998]:* Her Majesty's Prison Weare was commissioned by the previous administration for an initial period of three years to help the Prison Service accommodate the very high number of prisoners. Its occupation and location will continue to be reviewed on a regular basis.

Prisons (Education Spending)

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will make a statement about education spending in prisons. [21305]

Ms Quin *[holding answer 15 January 1998]:* Prison Service expenditure on prisoner education was £36,956,000 in 1995–96, £34,481,000 in 1996–97; and the Service estimates that in 1997–98 it will have spent £36,266,000.

The very high numbers of prisoners combined with the need for financial restraint have placed education budgets under pressure. However, we are committed to the provision of constructive regimes for prisoners and wish to see prison education making a positive and cost-effective contribution to the overall aim of protecting the public from crime. The £43 million which the Government have made available to the Prison Service over this year and next is intended not only to help it house the higher than expected population, but also to maintain quality of regimes.

The Prison Service is helping governors get better value for money by: encouraging them, through the core curriculum and in other ways to focus on what will be effective in reducing crime and recidivism; and integrating education with other regime activities, such as work and offending behaviour courses.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her *(b)* the cost to public funds of each such visit. [23253]

Mr. Straw *[holding answer 15 January 1998]:* Travelling expenses have been paid in accordance with Rule 83 of the Ministerial Code in respect of visits to the following Crown Dependencies:

Jersey, 11-12 July 1997

My noble Friend Lord Williams accompanied, at public expense, by Lady Williams and two officials. The total cost incurred for this visit was £1,087.

Isle of Man, 15-16 August 1997

My noble Friend Lord Williams accompanied, at public expense, by Lady Williams and two officials. The total cost incurred for this visit was £1,101.

Racial Attacks

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department (1) how many racial attacks were recorded in each of the past 10 years where the attacker was a white person. [22206]

(2) how many racial attacks were recorded in each of the past 10 years where the victim was a white person. [22207]

Mr. Michael *[holding answers 12 January 1998]:* The number of racial incidents recorded by the police is submitted by each police force to Her Majesty's Inspectorate of Constabulary at the end of each financial year. The figures show racial incidents recorded by the police under the Association of Chief Police Officers' definition of a racial incident:

"any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation, or any incident which includes an allegation of racial motivation made by any person".

This definition covers all racial incidents, not only racial attacks.

These figures do not include a breakdown, by ethnicity, of either the victim or the offender in a racial incident. However, data on the ethnic classification of victims and offenders involved in racial incidents were collected by the Home Office's Police Research Group for the financial year 1996–97 in connection with a research project on policing racial incidents which was published in November 1997. These data are incomplete because data were not available from all police forces, but the available figures are set out in the table.

Ethnic breakdown of victims/offenders involved in racial incidents recorded by the police in 1996—97[1]

	Number
Victims[2]	
White	2,044
Non-white	7,185
Not recorded	262
Total	9,491
Offenders[3]	
White	6,180
Non-white	2,613
Not recorded	781
Total	9,574

Notes:
[1] In 4 forces the data relate to the calendar year 1996; in 1 force data relate to a 4 month period from 1 January 1997 to 1 May 1997 and in another data relate to a 6 month period 1 October 1996 to 31 March 1997.
[2] Data available for 36 out of 43 forces in England and Wales.
[3] Data available for 32 out of 43 forces in England and Wales.
For the Metropolitan Police Service the data available relates to suspects rather than offenders.

NORTHERN IRELAND

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Northern Ireland how many secure cycle spaces there are in her Department. [22681]

Mr. Paul Murphy: There are no separate records maintained on the number of secure cycle spaces at Government premises in Northern Ireland and this information could be obtained only at disproportionate cost. Cyclists are able to leave their bicycles in all Government-owned car parks with the same level of security as for motor vehicles.

Local Enterprise and Development Unit

Mr. Godman: To ask the Secretary of State for Northern Ireland if she will make a statement on the progress of the Local Enterprise and Development Unit in generating self-employment and small business development in the last year. [22741]

Mr. Ingram: LEDU, the Small Business Agency for Northern Ireland, measures the performance of its client companies by way of an annual survey, of which the most recent was completed in March 1997. Its findings reveal that LEDU assisted 1,543 new businesses to start-up during 1996–97, 136 of which represented businesses with potential to engage in future export-led growth (an increase of 72 per cent. over the previous two years).

Jobs created through new business starts were at an all time high of 3,425 and losses due to business closures were at their lowest level since 1991. In overall terms, a net 3,525 increase in full-time employment was recorded in LEDU's client bank; an increase of 15 per cent. over the previous year.

LEDU's growth category businesses have an estimated aggregate annual turnover of £750 million (8.5 per cent. increase from the previous year) and support the employment of 11,670 people (6 per cent. up on the previous year). Overall, LEDU's growth companies increased their sales to external markets by nearly 14 per cent. to an annual value of £300 million and improved their sales per employee by 2 per cent.

European Structural Funds

Mr. Godman: To ask the Secretary of State for Northern Ireland if she will make a statement on her strategy for re-negotiating European Union Structural Funds after the year 2000. [22745]

Mr. Paul Murphy: A number of key issues regarding the European Union Structural Funds after 1999 have still to be decided by the Member States. Every effort will be made to secure the best deal possible for Northern Ireland and the Northern Ireland strategy to achieve this will be developed and implemented in consultation with other interested Whitehall Departments.

Inward Investment

Mr. Godman: To ask the Secretary of State for Northern Ireland if she will make a statement on the progress made by the Industrial Development Board in promoting inward investment since July 1997. [22740]

Mr. Ingram: The Industrial Development Board continues to make steady progress in promoting inward investment in Northern Ireland. Since the beginning of July 1997, 16 projects offering 2,144 jobs and representing promised investment of some £266 million, have been announced by externally owned companies. The climate for investment remains strong and the consolidation of the peace process through a political settlement will have significant impact on the promotion of Northern Ireland as an investment location.

Comprehensive Spending Review

Mr. Godman: To ask the Secretary of State for Northern Ireland when she proposes to announce the results of the Comprehensive Spending Review in respect of *(a)* Departmental and *(b)* spending priorities; and if she will make a statement. [22742]

Mr. Paul Murphy: The outcome of the Northern Ireland spending review will not be available until after the national review has been completed. The national review is expected to be concluded in the summer.

Constituency Boundaries

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland when her Department will be able to provide statistical information based on the constituency boundaries in force at the General Election in 1997. [22807]

Mr. Paul Murphy: Data from the 1991 Census of Population have been re-worked to the new Parliamentary Constituencies and published in the "1991 Census Monitor for New Parliamentary Constituencies in Northern Ireland," a copy of which has been placed in the House of Commons library. The Department of Economic Development also provides Claimant Unemployment and Census of Employment statistics by Parliamentary Constituency. Certain other socio-economic data are held at postcode level which can be amalgamated to approximate Parliamentary Constituency boundaries as necessary.

Bangor Market Parking Area

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland (1) how many penalty tickets have been issued and what was the amount paid in relation to those tickets in respect of the Bangor Market parking area now suspended; and what steps her Department is taking to cancel outstanding proceedings and return monies to those who have paid penalties and fines; [22803]

(2) what assessment her Department made of the effect on numbers using public transport to travel to work in Belfast of the introduction of parking charges in Bangor Market; and if she will make a statement. [22804]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Roads Service under its chief executive, Mr. W.J. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from G.P. Fraser to Mr. Robert McCartney, dated 14 January 1998:

The Secretary of State for Northern Ireland has asked the Chief Executive to respond to your recently tabled Parliamentary Questions in connection with the introduction of car parking charges at the Castle Street and Castle Square (Bangor Market) car parks in Bangor, In his absence, I am replying.

Roads Service fully appreciates the need to encourage increased use of public transport and when car parking charges were introduced in the above-mentioned car parks 123 spaces remained free of charge (in the Castle Square car park) for use by all-day parkers. In addition, there are 270 free spaces available in 2 other car parks close to the bus and railway stations. This number is considered adequate to cater for the volume of commuter parking. There is no evidence to suggest that the number of commuters using public transport to travel to Belfast was affected when these charges were in place.

During the period the charges were in place, 1,538 notices were issued in respect of unpaid charges, 792 of which were returned by customers enclosing the appropriate payment. These amounted to a total of £409. No penalty enforcement action is proposed as regard those who have failed to respond to the notices.

I hope you find this information helpful.

Mr. W. J. Allen

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will review the decision by the Department of Finance and Personnel not to exercise its discretion to allow a late transfer of the superannuation rights of Mr. W. J. Allen to the Department of Education; and if she will make a statement about the types of extenuating circumstances which have applied to such transfers. [22806]

Mr. Paul Murphy: The Department of Education for Northern Ireland and the Department of Finance and Personnel are examining the issues raised in this matter. It is not possible to respond fully within the specified timescale but a Ministerial reply will be issued as soon as possible.

Maze Prison

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what operating procedures were issued to prison officers dealing with the prisoners' children's Christmas 1997 parties at HM Prison Maze; in what order prisoners and visitors left after the party; and if this procedure was based on previous practice. [22785]

Mr. Ingram: It would not be appropriate for me to answer this now because the security arrangements for the parties are among the matters currently being investigated by a special inquiry team. Their report will be published in due course.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many operators have been trained to use the Rapiscan equipment at HM Prison Maze; and by whom operating instruction is provided. [22783]

Mr. Ingram: A total of 83 staff at HM Prison Maze have been trained in the use of Rapiscan equipment. Training is provided locally by the Training Department.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what use is made of the Rapiscan baggage scanner installed at the main gate staff search area at HM Prison Maze; and if every item of *(a)* staff and *(b)* official visitors' baggage and property is scanned. [22782]

Mr. Ingram: All staff and official visitors' baggage must go through the Rapiscan located at the staff search area.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what was the cost of the provision of new cutlery and crockery at HM Prison Maze; and if she will make a statement. [22791]

Mr. Ingram: The total cost of supplying the metal cutlery and crockery to inmates was £2,800.00. This produces significant savings against the polycarbonate items previously issued as the annual cost of replacement of these was £4,200.00.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what refresher courses in the use of Rapiscan baggage scanner equipment have been provided at HM Prison Maze during the three-year period ending 30 November 1997. [22784]

Mr. Ingram: Once staff have completed the initial Rapiscan training course, their skills in the use of the equipment are kept up to date through frequent use of it and it is considered that refresher training is not required.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what risk assessment was conducted by her Department prior to the introduction of metal cutlery in HM Prison Maze. [22813]

Mr. Ingram: A full risk assessment was carried out jointly by the Health and Safety Officer and Security Governor prior to the issue of metal cutlery in HMP Maze.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many prison officers in HM Prison Maze are fully trained in the operation of walk-through metal detection scanners; and how often refresher training courses have taken place during the past three years. [22779]

Mr. Ingram: Records are not available to confirm the numbers of officers trained in the use of this equipment, however walk-through metal detection scanners are no longer in use as there are more efficient and effective detection systems now in place.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland for how long the two walk-through metal detection scanners in the prisoner search area at the rear of Visits in HM Prison Maze have been inoperative. [22778]

Mr. Ingram: The two walk-through metal detection scanners referred to have been inoperative for three years. However, staff were issued with hand-held metal detectors from that date.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if there was a full search of HM Prison Maze carried out during the 17 days between the Averill escape and the murder of Mr. Wright. [22789]

Mr. Ingram: A search of HMP Maze was carried out immediately following the Averill escape to ensure that he was not hiding or being hidden. In addition to the search of the residential blocks, all other areas of the prison were searched using trained search dogs, and the external areas were searched by the RUC and Army.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what representations were made to the Governor of HM Prison Maze on 6 August 1996 concerning difficulties arising from large numbers of prisoners being returned from recreational areas who failed to co-operate with the returning of numbers procedures; and whether action was taken to deal with this problem. [22786]

Mr. Ingram: There is no record of any complaint being made to the Governor in relation to this matter.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many PTZ spy-in-the-sky cameras are installed at HM Prison Maze; if that which gave coverage of H Block 6 where Mr. Wright was murdered was in full working order at the time of the killing; and if she will make a full statement. [22788]

Mr. Ingram: It would not be appropriate for me to answer this now as security arrangements are among the matters currently being investigated by a special inquiry team. Their report will be published in due course.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if Key Function 1.6 of the Business and Corporate Plan relating to HM Prison Maze has been fully implemented, taking account of the 1994 Woodcock Report and the RUC Review; and if she will indicate the number and description of unauthorised articles found during searches of *(a)* Loyalist and *(b)* Republican residential areas during the year to 30 November 1997. [22790]

Mr. Ingram: The Northern Ireland Prison Service Corporate and Business Plan does not contain a Key Function 1.6. However, the hon. Member may be referring to the Governor/Headquarters establishment contract of which key function 1.6 refers to searching. An effective searching programme is now in place. The information about the seizure of unauthorised articles in the format requested could not be extracted in time to answer this question. However, I will write separately when the information is available.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what use is made of the Rapiscan baggage scanner installed at the visitors' reception area at HM Prison Maze; and if every item of prisoner visitors' baggage and property is scanned. [22781]

Mr. Ingram: There are standing instructions that all parcels clothing and property entering the prison go through the Rapiscan baggage scanner at visitors' reception.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if there are walk-through metal detection scanners installed and in use at the visitors' reception area at HM Prison Maze. [22780]

Mr. Ingram: There are no walk-through metal detection scanners installed at the visitors' reception area. Staff use hand held metal detectors.

Steele Report

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if she will now make available to hon. Members the Steele Report on the tunnel escape attempt inquiry. [22787]

Mr. Ingram: No. The Steele report will not be made available.

Local Government Finance

Mr. Maginnis: To ask the Secretary of State for Northern Ireland in what respect the implementation of the best value regime is intended to lead to more responsibility being devolved to local authorities in Northern Ireland. [22777]

Mr. Paul Murphy: The question of greater responsibilities for local authorities will be a matter for consideration as part of the current political talks process. The introduction of a Best Value regime for District Council services in Northern Ireland will encourage greater local accountability by giving District Councils greater flexibility in determining how best to achieve increased efficiency and improve quality of service. To ensure that local government is involved in developing Best Value proposals, a Consultation Paper was published on 10 December 1997 with a closing date of 5 February 1998. A copy of the Paper has been placed in the Library.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what are the estimated costs to local government authorities during each of the next five years of the transition from compulsory competitive tendering to best value; and if she will make a statement. [22776]

Mr. Paul Murphy: The Government are currently in the process of consulting all interested parties on their proposals for a Best Value regime for District Council services in Northern Ireland. It will be a matter for each District Council to decide how to respond to the challenge of Best Value, and so it is not possible to estimate future costs at present.

Waste Incineration Plants

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many local councils are investigating the development of waste incineration plants; what financial resources have been involved;

whether the Department of the Environment for Northern Ireland has established a co-ordinating facility to encourage and assist local government attempts; and if she will make a statement. [22800]

Mr. Paul Murphy: While district councils in Northern Ireland continue to explore new options for waste management, none has undertaken a detailed study of the development of waste incineration plants, nor has the Department of the Environment for Northern Ireland established any co-ordinating facility to encourage and assist such developments. The Government are currently formulating proposals for a Northern Ireland Waste Management Strategy which will address the issue of how incineration should contribute to the overall management of waste. The Department is considering applications from two companies—NIGEN Ltd. and Belfast Waste Services Ltd.—for planning permission to develop municipal waste incinerators in the Belfast harbour area.

Water Service

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what plans he has to *(a)* privatise and *(b)* alter the present organisational structure of the water service in Northern Ireland. [22756]

Mr. Paul Murphy: No decisions have been taken on the future organisational arrangements for the provision of water and sewerage services in Northern Ireland. The options are currently under review and it is hoped to publish a consultation paper early in 1998.

Parades Commission

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland when she was notified of the resignation of the Rev. Roy Magee as a member of the Parades Commission; and if she will make a statement. [22493]

Mr. Ingram: Rev. Roy Magee advised my right hon. Friend the Secretary of State in a letter dated 5 December of his intention to resign at the end of December.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Posts (Personnel)

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by overseas post *(a)* the number of diplomatic staff, *(b)* the number of British-based non-diplomatic staff and *(c)* the number of locally recruited staff currently (i) authorised for and (ii) actually based at each overseas post; and if he will indicate in (1) numerical and (2) percentage terms how each of theses authorised and actual numbers have changed since (A) five years ago and (B) 10 years ago. [22819]

Mr. Tony Lloyd: I have placed in the Library of the House tables showing for each overseas Post (i) the current FCO authorised establishment of UK-based staff, together with the figures for 1993; and (ii) the number of Locally Engaged staff-years being worked currently, together with the figures for 1993.

Other statistics in the form requested by the hon. Member are not readily available, but figures for the total UK-based staff establishment of the FCO are as follows:

	1998	*1993*	*1988*
Home	3,525	4,040	3,775
Overseas	2,272	2,506	2,793
Total	5,797	6,546	6,568

	Change 1998–93		*Change 1998–88*	
	Number	*Per cent.*	*Number*	*Per cent.*
Home	–515	–12.7	–250	–6.6
Overseas	–234	–9.3	–521	–18.7
Total	–749	–11.4	–771	–11.7

Figures for total UK-based staff in post are:

1998	*1993*	*Change 1998–93*	
Number	*Number*	*Number*	*Per cent.*
5, 571	6,526	–955	–14.6

Figures for 1988 are regrettably not available, nor is a breakdown by location.

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by overseas post *(a)* the current annual cost and *(b)* the cost in 1990–91 of employing (i) diplomatic staff, (ii) British-based non-diplomatic staff and (iii) locally recruited staff; and if he will indicate (1) numerically and (2) in percentage terms how each of these costs have changed since 1990–91. [22817]

Mr. Tony Lloyd: I have placed in the Library of the House a table showing for each overseas Post the full cost of staff slots at a representative sample of FCO grades (both UK-based and Locally Engaged). The figures show the estimated total cost to the FCO of maintaining an officer at Post in 1995–96 and are the latest available. They comprise: (i) direct costs (such as paybill, National Insurance Contributions, superannuation, allowances, accommodation and travel); (ii) a proportionate share of support functions at Post (such as communications and security); and (iii) a proportionate share of UK administration costs (such as personnel, finance, estate management and IT management).

No directly comparable figures for earlier years are available.

Ethical Foreign Policy

Mr. Viggers: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the role of *(a)* ethics and *(b)* morality in his Department's foreign policy. [23130]

Mr. Tony Lloyd *[holding answer 15 January 1998]:* As we made clear in the FCO Mission Statement last July, we are committed to work through international forums and bilateral relationships to spread the values of human rights, civil liberties and democracy which we demand for ourselves.

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government's ethical foreign policy extends to a concern about how men treat women in other countries. [23212]

Mr. Tony Lloyd *[holding answer 15 January 1998]:* We are fully committed to the promotion of human rights for all. We support the efforts of the European Union and other regional groups of which we are a member to promote gender non-discrimination and women's rights. The United Kingdom is an active member of the United Nation's Commission on the Status of Women and the Commission for Human Rights, and is committed to the implementation of the Beijing Platform for Action.

European Commission Staff

Mr. Yeo: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the cost of the staff employed by the European Commission who are based in countries outside the European Union; and how many such staff are employed. [23029]

Mr. Doug Henderson: We do not hold this information. I will write to the hon. Member in due course, having contacted the European Commission.

Mr. Yeo: To ask the Secretary of State for Foreign and Commonwealth Affairs how many staff employed by the European Commission are based in Barbados; what are their functions; and what is their cost to public funds. [23028]

Mr. Doug Henderson: The Commission has six Brussels-based staff at its Delegation in Bridgetown, Barbados, as follows: Head of Delegation, two Economic Advisers, Rural Development Administrator, Social Development Adviser and Technical Adviser.

They are mainly involved in administering the Community's aid programme.

The cost of running the Delegation in Barbados comes from an overall budget for Commission Delegations in third countries which in 1996 was ECU 194,558,200 (about £130 million). The UK share of this sum was approximately 15 per cent. or £20 million.

TRADE AND INDUSTRY

India (Port Development)

Mr. Matthew Taylor: To ask the President of the Board of Trade (1) what representations the Government has made to *(a)* P&O and *(b)* the Indian Government regarding the proposed port development by P&O at Vadhavan in Dahanu Taluka, India; [22455]

(2) what action she has taken in response to representations she has received regarding the proposed port development by P&O at Vadhavan in Dahanu Taluka, India; [22456]

(3) how many representations received by Her Majesty's Government regarding the proposed port development by P&O at Vadhavan in Dahanu Taluka, India have been *(a)* in favour of and *(b)* against the project; [22457]

(4) what representations she has received from P&O regarding their proposed port development at Vadhavan in Dahanu Taluka, India; [22458]

(5) what representations she has received from the people of Dahanu Taluka regarding the proposed port development by P&O at Vadhavan in Dahanu Taluka, India; and if they were in favour of the proposed port development. [22459]

Mrs. Roche: To date, HMG have received seven representations regarding the proposed port development by P&O at Vadhavan. No representations were in favour of the project, and one came indirectly from the local people via the Dahanu Taluka Environment Welfare Association.

All the representations have been replied to by letter (except for the most recent one for which a reply is pending) explaining that the actual award of the contract to P&O Australia is for the Government of Maharashtra to decide and that the UK Government have no role in such an award. The replies also make it clear that the Vadhavan port development is not a British aid-funded project but purely a commercial transaction between P&O Australia and the Government of Maharashtra and, therefore, that interested parties may wish to express their concerns to the Maharashtran Government.

To date there have been no representations from the UK Government to either P&O or the Indian Government regarding the proposed port development at Vadhavan, nor has the UK Government received any representations from P&O with respect to the same issue.

Unsolicited Communications

Mr. Kaufman: To ask the President of the Board of Trade if she will make it an offence to transmit unsolicited commercial communications through facsimile machines. [22896]

Mrs. Roche: Measures are already in place to deal with the problem of unsolicited faxes. The telecommunications and telephone selling industries have established a Fax Preference Service to help residential customers reduce the number of faxes they receive. Customers who have a fax machine in their residential premises may register for inclusion in a database against which companies selling via fax "clean" their mailing lists. In addition, under the Telecommunications Act 1984, UK companies using fax marketing are subject to a class licence which contains measures aimed at limiting the nuisance which can be caused by unsolicited faxes. Anyone sending unsolicited faxes must cease doing so to any particular person on receipt of a written request from them, or face possible enforcement action, including the removal of their right to operate a telecoms system, by Oftel.

Launch Aid

Mr. Cousins: To ask the President of the Board of Trade when she received a request for launch aid in respect of the A340 500/600 Airbus project; what decision has been made and on what grounds; and if the matter remains under review. [23040]

Mr. Battle: My department received an application for launch aid in respect of the A340-500/600 from British Aerospace on 8 July 1997. The application continues to be considered very carefully.

Official Engagements

Mrs. Gillan: To ask the President of the Board of Trade what official engagements the Minister for Consumer Affairs has undertaken since 1 December 1997. [23531]

Mr. Nigel Griffiths: I have carried out a wide range of engagements both at the DTI and outside since 1 December in fulfilment of my role as Minister for Competition and Consumer Affairs.

Information Technology

Mrs. Curtis-Thomas: To ask the President of the Board of Trade what plans she has to consolidate the analysis and reporting of IT-related statistics, with particular reference to the economic impact of the industry on GDP and GNP; and what assessments she has made of the current economic impact of the IT industry and the user IT dependent business. [23815]

Mr. Battle: Collection and analysis of statistics on the IT and IT-related industries is the responsibility of the Office for National Statistics (ONS). The surveys conducted by the ONS are mainly to provide information for National Accounts purposes, and not for policy purposes. However, the Department of Trade and Industry regularly has an opportunity to comment on the relevant surveys; some information is collected specifically on behalf of DTI, and the Department has access to the results of the surveys. DTI has no plans at present to alter these arrangements.

The IT, electronics and communications industries have a turnover of over £90 billion and add some £40 billion to UK GDP. They are growing at around seven per cent. per annum. The products and services of this sector impact on nearly all other sectors of the economy to differing degrees. No overall assessment of the economic impact on user IT dependent businesses has been undertaken.

Mrs. Gillan: To ask the President of the Board of Trade what progress she has made in setting up the IT Skills Project Office. [23594]

Mrs. Roche: The Skills Project Office was established in July 1997 and submitted its preliminary findings in October 1997. The Office is currently working with Action 2000 on an initial tranche of 12 projects which will help industry tackle the century date change problem, which form part of an overall package of 53 projects aimed at the general IT skills shortage.

Action 2000

Mrs. Gillan: To ask the President of the Board of Trade what budget has been allocated to Action 2000. [23627]

Mrs. Roche: Don Cruickshank, Chairman of Action 2000, has been told that the budget for Action 2000 would be up to £1 million per financial year in each of the years 1997–98 to 1999–2000 inclusive. One million pound has been set aside in the current financial year. Before 1998–99 we expect to receive from Mr. Cruickshank his advice on what costed programme is needed, and the budget for future years can then be fixed.

Mrs. Gillan: To ask the President of the Board of Trade if she will publish the promotional plans for Action 2000 to promote awareness of the year 2000 problem. [23592]

Mrs. Roche: Action 2000 will shortly be launching its Millennium Bug Campaign and a copy of the promotional material will be placed in the library of the House.

Mrs. Gillan: To ask the President of the Board of Trade how many officials, and at what grade, are working on millennium compliance issues. [23632]

Mrs. Roche: *(a)* The sources devoted to the millennium compliance of the core Department's own systems are subject to regular change as individual projects start and conclude. Currently, approximately 23 staff from private sector contractors and three in-house staff, two Directors and one range 10, are engaged on such work. *(b)* The number of staff involved in helping to establish the Department's Action 2000 initiative to support UK businesses is four full time officials, a Director, two range 10, one support staff and one consultant.

Mrs. Gillan: To ask the President of the Board of Trade when Action 2000 will establish a millennium helpline; and what that telephone number will be. [23626]

Mrs. Roche: Action 2000 plan to announce a package of support aimed primarily at SMEs in the private sector before the end of this month. This will include a millennium hotline and the number will be announced at a press conference.

Mrs. Gillan: To ask the President of the Board of Trade if she will place the business plans of Action 2000 in the Library. [23629]

Mrs. Roche: Following the launch of the Millennium Bug Campaign later this month, Action 2000 will be completing its business plan and submitting full costed proposals to the President of the Board of Trade for her approval. Copies of relevant documents will then be placed in the Library.

Mrs. Gillan: To ask the President of the Board of Trade if she will publish the terms of the contract of employment with Don Cruickshank of Action 2000. [23631]

Mrs. Roche: I refer the hon. Member to the answer given to the hon. Member for Maidenhead (Mrs. May) on 17 and 19 November 1997, *Official Report*, columns *50–51* and *190–91*.

Mrs. Gillan: To ask the President of the Board of Trade how many members have been appointed to the advisory board of Action 2000. [23628]

Mrs. Roche: The Chairman of Action 2000 is currently consulting about these appointments.

SCOTLAND

Nursing Homes (Residential Allowance)

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what plans he has to review the residential allowance payable to occupants of private and voluntary residential and nursing homes; if he will extend this payment to occupants of local authority residential and nursing homes; what further initiatives he plans for the residential care sector; and if he will make a statement. [18610]

Mr Keith Bradley: I have been asked to reply.

The Government are undertaking a number of reviews of key policy areas, including a review of the funding of long term care. The future payment of the Income Support Residential Allowance will be included in these reviews.

SOCIAL SECURITY

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Social Security how many officials, and at what grade, are working on millennium compliance issues. [23616]

Mr. Keith Bradley: The Department has established a Year 2000 Programme led by the Information Technology Services Agency (ITSA) to co-ordinate the extensive activity across the Department. The Departmental Board, chaired by the Permanent Secretary, is receiving regular reports on progress. An ITSA Director (a senior civil servant) leads the work, reporting to the ITSA Chief Executive who chairs the Project Steering Group. There is a Programme Manager (Unified Grade 6) and a core team of five staff (two SEOs, one HEO and two EOs).

As part of this programme, there are, in addition, a network of Year 2000 teams across all areas of the Department working towards compliance. For some staff Year 2000 is a specific responsibility; for many others it is a priority activity within their normal work area.

National Insurance

Kate Hoey: To ask the Secretary of State for Social Security if she intends to change the national insurance contribution contracting-out rebates. [24282]

Mr. Denham: I announced on 4 December that I was asking the Government Actuary for this views on the level of the National Insurance contracting-out rebates. He has now responded.

I have considered both the Government Actuary's advice and the impact of trends in the pensions industry on the resources available to the National Insurance Fund. From April 1999, the first opportunity available, I propose to:

> increase the age-related rebates for Appropriate Personal Pensions. The rebate rate at the youngest ages will rise from 3.4 per cent. to 3.8 per cent. with proportionately smaller increases at other ages, with the cap remaining at 9 per cent.; and
>
> adjust the rebate for contracted-out money purchase schemes by replacing the current loading for expenses with the same as that contained within the rebate for contracted-out salary-related schemes.

I will lay an Order outlining these changes before both Houses in due course.

A copy of the Government Actuary's report has been placed in the Library of both Houses.

Pensions

Mr. Rooney: To ask the Secretary of State for Social Security if she will publish figures showing the level of the basic pension and SERPS addition for men and women on *(a)* average full-time earnings for their sex, *(b)* half average earnings and *(c)* earnings of £40 a week, and its equivalent as a proportion of average earnings in later years, expressed in today's prices and as a percentage of average earnings in (i) 1997–98, (ii) 2015–16, (iii) 2025–26 and (iv) 2035–36, based on the assumption of (1) price indexation and (2) earnings indexation. [20809]

Mr. Denham *[holding answer 15 December 1997]:* The information is not available in the format requested. Such information as is available is in the tables. Where someone is earning £40 per week in 1997 terms, as this is well below the lower earnings limit for National Insurance contributions, they would not qualify for any basic Retirement Pension or SERPS in respect of these earnings.

Table 1: Level of basic pension for men and women on earnings levels shown—uprated in line with prices but expressed in 1997–98 prices. Amounts expressed as proportion of national average earnings

	Average full-time earnings Men		*Average full-time earnings* Women		*Half average full-time earnings* Men		*Half average full-time earnings* Women	
	£	*Per cent.*	£	*Per cent.*	£	*Per cent.*	£	*Per cent.*
1997–98	62.45	16.7	62.45	16.7	62.45	16.7	62.45	16.7
2015–16	62.45	12.8	62.45	12.8	62.45	12.8	62.45	12.8
2025–26	62.45	11.0	62.45	11.0	62.45	11.0	62.45	11.0
2035–36	62.45	9.5	62.45	9.5	62.45	9.5	62.45	9.5

Table 2: Level of SERPS for men and women on earnings levels shown—uprated in line with prices but expressed in 1997–98 prices. Amounts expressed as proportion of national average earnings

	Average full-time earnings Men		Average full-time earnings Women		Half average full-time earnings Men		Half average full-time earnings Women	
	£	Per cent.	£	Per cent.	£	Per cent.	£	Per cent.
1997–98	83.45	22.3	51.56	13.8	34.48	9.2	18.54	5.0
2015–16	93.69	19.2	61.25	12.5	39.21	8.0	22.04	4.5
2025–26	103.40	18.2	71.75	12.6	45.87	8.1	26.67	4.7
2035–36	107.49	16.3	82.91	12.6	53.03	8.1	33.10	5.0

Table 3: Level of basic pension for men and women on earnings levels shown—uprated in line with earnings but expressed in 1997–98 prices. Amounts expressed as proportion of national average earnings

	Average full-time earnings Men		Average full-time earnings Women		Half average full-time earnings Men		Half average full-time earnings Women	
	£	Per cent.	£	Per cent.	£	Per cent.	£	Per cent.
1997–98	62.45	16.7	62.45	16.7	62.45	16.7	62.45	16.5
2015–16	80.90	16.5	80.90	16.5	80.90	16.5	80.90	16.5
2025–26	92.89	16.5	93.89	16.5	93.89	16.5	93.89	16.5
2035–36	108.96	16.5	108.96	16.5	108.96	16.5	108.96	16.5

Table 4: Level of SERPS for men and women on earnings levels shown—uprated in line with earnings but expressed in 1997–98 prices. Amounts expressed as proportion of national average earnings

	Average full-time earnings Men		Average full-time earnings Women		Half average full-time earnings Men		Half average full-time earnings Women	
	£	Per cent.	£	Per cent.	£	Per cent.	£	Per cent.
1997–98	83.45	22.3	51.56	13.8	34.48	9.2	18.54	5.0
2015–16	94.78	19.4	60.42	12.4	38.39	7.9	21.22	4.3
2025–26	108.36	19.1	69.95	12.3	44.07	7.8	24.86	4.4
2035–36	120.14	18.2	80.28	12.2	49.43	7.5	29.50	4.5

1. Figures provided by the Government Actuary's Department.
2. For all years except the first year, national average earnings and earnings uprating factors are assumed to increase by 1.5 per cent. in real terms per annum. For 1998–99 the latter is assumed to increase by the change in real earnings in the 12 months to September 1997.

Mr. Corbyn: To ask the Secretary of State for Social Security what would be the net cost to the Exchequer of raising the state pension in line with earnings in the current year over the pension payable in 1996–97; and what would be the net additional cost if the link between pensions and earnings had not been ended in 1980. [17364]

Mr. Denham *[pursuant to his reply, 12 December 1997, c. 730-31]:* The additional net cost to the Department of raising State pensions in line with earnings from April 1997 is estimated to be £530 million in 1997–98[1].

If the link between pensions and earnings had continued since 1979 to date the additional net cost to the Department in 1997–98 is estimated to be £10.4 billion[2].

Notes:

1. Figure is rounded to £10 million.
2. Figure is rounded to nearest £100 million.
3. These estimates are in respect of contributory RP and linked benefits. The gross costs were estimated by the Government Actuary's Department. Net costs were calculated by using income related benefit offset ratios.

The income related benefit offsets were calculated using specific offset ratios of 27 per cent. and 22 per cent. respectively. The offset ratios were calculated using two models: the 1997–98 Policy Simulation Model based on the 1995–96 Family Resources Survey, and the 1997–98 Income Support Simulation Model based on the May 1996 Quarterly Statistical Enquiry; both uprated to 1997–98 prices, benefits and earnings levels, and calibrated to the forecasts underlying the 1997 Departmental Report.

Domestic Violence

Dr. Lynne Jones: To ask the Secretary of State for Social Security what action is being taken to assist victims of violence and abuse in close relationships and domestic situations. [22421]

Ms Ruddock: Combating violence against women is a key priority for the Ministers for Women and we are working closely with colleagues across Government, with women's organisations and through the Cabinet sub-Committee on Women's Issues, to reduce the level of violence against women. We are working with the Home Office, which has lead responsibility for developing policies to tackle domestic violence, in promoting strategies which combine prevention of violence with support for those who have already been subjected to violence.

The Government's commitment is demonstrated by a wide range of initiatives already underway. The Home Office has set up an inter-departmental review to identify measures to protect vulnerable or intimidated witnesses and to assist them to give evidence in court. The Lord Chancellor's Department's implementation of Part IV of the Family Law Act 1996 affords further protection for women and children, by providing civil remedies to victims of domestic violence. The Department of Health plays a vital role in encouraging inter-agency forums to improve local service co-ordination to influence public attitudes and offer support and relevant information for those who experience domestic violence.

Heating Allowances

Dr. Lynne Jones: To ask the Secretary of State for Social Security what are her estimates of the annual cost of the new heating allowances *(a)* for pensioners on income support and *(b)* for other pensioners; and what would be the cost of extending these payments (i) to families who currently qualify for cold weather payments and (ii) to families with children under five years of age who receive in-work benefits. [20625]

Mr. Denham: The additional help of £400 million over this winter and next, announced by my right hon. Friend the Chancellor of the Exchequer on 25 November 1997, *Official Report*, columns 773–98, demonstrates the Government's commitment to help the elderly keep warm in their homes during cold weather.

People receiving Income Support in income-based Jobseeker's Allowance during the week commencing 5 January where their benefit includes one of the pensioner premiums will receive a Winter Fuel Payment of £50. Around 1.5 million payments should be made at a cost of over £70 million.

Other eligible pensioners will receive a payment of £20 or £10. Where there is only one eligible person in a household, or the eligible person is of no fixed abode, they will receive £20; otherwise, each person will receive £10. It is estimated that over 3 million payments will be issued for £20 and almost 5 million for £10 at a cost of £120 million.

Overall, almost 10 million payments will be made to over seven million pensioner households at a total cost of around £200 million.

The estimated additional cost of extending the provision and making a £50 payment to each family who: (i) are currently eligible for Cold Weather Payments would be £70 million; or, (ii) have children under five and are receiving in-work benefits of either Family Credit, Housing Benefit (non-IS cases), Council Tax Benefit (non-IS cases) or Disability Working Allowance would be £10 million.

Note: all figures are rounded to the nearest 10 million.

DEFENCE

Trident

Mr. Hoyle: To ask the Secretary of State for Defence if the costs of the Trident missile bodies ordered in 1997 are included in the Trident project cost estimate. [24048]

Mr. George Robertson: The procurement costs of all the UK's Trident missile bodies are included in the Trident acquisition cost estimate, which currently stands at some £12.6 billion.

The maintenance and support costs of the missiles are included in the operating costs of Trident, which have been estimated at an average of £200 million per year over the 30 year lifetime of the system. We are currently looking at the basis of this cost estimate in the light of operating experience and as part of the wider Strategic Defence Review.

I regret that I did not make this distinction clear in my oral reply to the hon. Member for Moray (Mrs. Ewing) on 12 January 1998, *Official Report*, columns 12–13.

Defence Contracts

Ms Dari Taylor: To ask the Secretary of State for Defence if he will make a statement about steps to reclaim moneys from the companies involved in the payment of commissions to Mr. Gordon Foxley relating to defence contracts. [24113]

Mr. Spellar: On 10 December 1997, *Official Report*, column *553*, I announced that normal commercial relations were to be resumed with the second of the three companies involved in the Foxley case, Junghans GmbH of Germany. I am now pleased to announce that a satisfactory settlement has been reached with the final company implicated in this affair, Simmel Difesa Spa who are acting on behalf of the successors to Fratelli Borletti Spa, under which the company will pay an agreed sum in redress to my Department, including interest and a contribution to costs, for payments made contrary to contractual conditions. A statement of contrition by the company, a copy of which has been placed in the Library of the House, forms part of the agreement with the Ministry of Defence. This settlement provides for normal commercial relations to continue between Simmel and the Ministry of Defence.

Strategic Defence Review

Mr. Hanson: To ask the Secretary of State for Defence if he will publish those written submissions to the Strategic Defence Review which have been made by individual Service and Ministry of Defence civilian personnel. [24114]

Mr. George Robertson: Written submissions to the SDR from Service and MOD civilian personnel are part of an internal consultation process. I will therefore place a digest of these submissions in the Library of the House as soon as it is available.

Iraq

Mr. Hanson: To ask the Secretary of State for Defence if he will make a statement about military contingency planning in respect of recent events in Iraq. [24115]

Mr. George Robertson: Iraq continues to obstruct the work of the United Nations Special Commission whose purpose is to ensure that Iraq cannot again threaten its neighbours with weapons of mass destruction. The United Nations Security Council has repeatedly made clear that Iraq must co-operate fully and unreservedly with UNSCOM and comply with relevant Security Council Resolutions. The United Kingdom is working with other members of the Security Council to secure Iraq's co-operation through diplomatic means. But, if these efforts fail, we may need to consider other measures, including the use of force. As a contingency, HMS INVINCIBLE, accompanied by the Royal Fleet Auxiliary FORT VICTORIA, will therefore sail to the Gulf to join other UK forces and those of our allies already operating in the region.

Land Command Restructuring

Mr. Bayley: To ask the Secretary of State for Defence when he intends to consult hon. Members with a constituency interest over Commander in Chief's Land Command's proposal to relocate HQ 2nd Division at York to Edinburgh in April 2000; if he will list the units currently located at Imphal Barracks in York and the number of *(a)* service and *(b)* civilian personnel employed by these units; which of these units will be affected by the Land Command restructuring proposals; and if he will make a statement about the future of Imphal Barracks in York and the Land Command restructuring proposals. [23356]

Mr. Spellar: The Commander in Chief Land Command has set in hand a study of the options for restructuring his Command. These options include a proposal to reduce the number of district headquarters from six to three. The study will include recommendations on the location of a headquarters to administer a proposed region covering Scotland and the North of England, parts of which are at present administered by headquarters of the Fifth Division at Shrewsbury, of the Second Division at York, and of the Scottish District at Edinburgh. This work is still at an early stage and no recommendations have yet been put to Ministers nor decisions been taken. Until the study is complete, it will not be possible to say whether and how any changes may affect Imphal Barracks in York, which at present houses both the headquarters of the Second Division and a number of other units.

The units currently located at Imphal Barracks, York are listed with the number of Service and civilian personnel employed there:

Unit	*Number of Service personnel employed*	*Number of Civilian personnel employed*
Headquarters 2 Division	79	143
Headquarters York Garrison	5	73
Headquarters 15 (North East) Brigade	29	20
2 Signal Regiment	437	0
Recruiting and Liaison Staff (East)	4	7
120/123 Army Youth Team	7	0
RA Gunnery Training Team (North)	9	0
240 Signal Squadron	14	20
46 Transport Regiment Royal Logistic Corps	5	33
Periodic Royal Electrical and Mechanical Engineers Examination Team	8	12
Kings Division Officer Recruiting	0	1
2 Military Intelligence Company	13	0
23 Military Intelligence Section	3	2
33 Section Special Investigation Branch Royal Military Police	9	3
150 Provost Company Royal Military Police (York Detachment)	2	0
Defence Estate Organisation (Works) York	0	4
Army Welfare Service York Branch	0	9

1. Figures for Service personnel employment are as at September 1997.
2. Figures for Civilian personnel employment are as at 1 January 1998.

We will initiate consultation, including with relevant hon. Members, in the normal way once any recommendations have been made.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Defence (1) if he will place a copy in the Library of the letter sent to suppliers reminding them of their contractual arrangement to ensure their goods are millennium compliant and list the suppliers to whom the letter was sent and the date on which it was sent; [23588]

(2) pursuant to his answer of 22 December, *Official Report*, column *418*, if he will list the names of those suppliers who have been unable to provide the necessary assurances that the equipment they provide is millennium compliant. [23587]

Mr. Spellar: Suppliers under existing contracts are being requested to confirm that equipment being supplied will be Year 2000 compliant. For new procurements a condition of contract is included covering Year 2000 compliance. A copy of the standard letter issued to those suppliers will be placed in the Library of the House.

Liaison with MOD's suppliers occurs at many points across the Department. Local project staff are responsible for ensuring that suppliers who are approached provide satisfactory responses to the request for assurance. There is no central record of suppliers who have been contacted, or of responses from suppliers unable to provide the necessary assurances.

This information could be supplied only at disproportionate cost.

Mrs. Gillan: To ask the Secretary of State for Defence how many officials and at what grade are working on millennium compliance issues. [23589]

Mr. Spellar: Staff at all levels of the MOD are involved in Year 2000 associated tasks ranging from the rescheduling of resources, to the management of Year 2000 programmes and projects, to the checking and correction of systems. When necessary, internal staff resources are being supplemented by suitably skilled consultancy effort.

However, the size and scope of the MOD and of the delegated nature of the way the Department does its business means that detailed information is not centrally available on the numbers and grades of officials involved in Year 2000 remedial work. This information could only be supplied at disproportionate cost.

Mrs. Gillan: To ask the Secretary of State for Defence what is the latest estimate of the cost to his Department of ensuring that all equipment is millennium compliant. [23586]

Mr. Spellar: The current estimated total cost to MOD of tackling the Year 2000 problem is £200 million. Costs are, however, still being assessed and refined and it is expected that the imminent completion of more costed plans will give a better indication of the accuracy of this estimate.

Animal Experiments

Mr. Flynn: To ask the Secretary of State for Defence if he will list the procedures which have been carried out on monkeys and great apes, and the number involved in these procedures which have died as a result, at (i) Porton Down and (ii) other establishments for which he is responsible, in each of the last 10 years. [22573]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Paul Flynn, dated 16 January 1998:

I have been asked to reply to your question concerning the procedures that have been carried out on monkeys and great apes over the last ten years at Porton Down and other establishments.

No work on great apes has been undertaken at DERA during the last ten years, either at Porton Down or elsewhere. The number of procedures carried out on other non-human primates for 1987 to 1996 is shown in the table below. All figures relate to procedures carried out at Porton Down, except in 1993 when 12 procedures were carried out at the Royal Air Force Institute of Aviation Medicine at Farnborough. It should be noted that the Home Office reporting requirements changed in 1990, and so the number of procedures does not necessarily equate to the number of animals used. All animals were killed humanely at the end of projects in accordance with the relevant Home Office licence.

Number of procedures conducted on non-human primates by year

Year	*Number of procedures*
1987	117
1988	164
1989	64
1990	80
1991	31
1992	72
1993	48
1994	17
1995	17
1996	14

The number, but not a description, of the procedures is reported annually by species and by primary purpose in the annual returns to the Home Office. The procedures are defined on the project licences, and so a list of the actual procedures carried out could only be obtained by reference to the individual project licences and then not on an annual basis. Further, some of the titles of the procedures relate to classified research programmes and, in the interests of security, could not be disclosed. Nevertheless, many details of DERA's research on non-human primates are available in publications in the open literature.

I hope this is helpful.

CABINET OFFICE

RJB Mining

Mr. Maude: To ask the Minister without Portfolio if he will make a statement on his meeting with the Chief Executive of RJB Mining on 9 January. [23230]

Mr. Mandelson: I visited Kellingley to learn at first hand of the issues facing the coal industry and to acquaint the workforce and management with the Government's approach.

Ministerial Visit (Disney World)

Mr. Maude: To ask the Minister without Portfolio if he will make a statement on his visit to Disney World earlier in January. [23226]

Mr. Mandelson: Walt Disney are world leaders in entertainment. I went to learn at first hand from their wide experience, as suggested by the Select Committee on Culture, Media and Sport. I had extensive discussions on technical matters, managing the flow of visitors, service facilities, and other aspects of this highly successful public attraction.

Mr. Maude: To ask the Minister without Portfolio what was the cost to public funds of his visit to Disney World in Orlando. [23920]

Mr. Redwood: To ask the Minister without Portfolio what was the cost of his trip to Florida, including the travel and accommodation costs of accompanying staff. [23481]

Mr. Mandelson: The cost of my trip to the United States was approximately £3,450, including the travel and accommodation costs of an accompanying official from the British Consulate General in Miami.

Mr. Maude: To ask the Minister without Portfolio if, and at what cost, he was accompanied to Disney World by Civil Service staff. [23922]

Mr. Spring: To ask the Minister without Portfolio how many *(a)* civil servants and *(b)* special advisers accompanied him to Disney World; what was the estimated cost of their visit; and what was their schedule of appointments at Disney World. [23925]

Mr. Mandelson: One civil servant from the British Consulate General in Miami accompanied me on my appointments at Disney World. The cost of his travel and accommodation was approximately £307.

Mr. Spring: To ask the Minister without Portfolio what was the cost to public funds of his recent visit to the United States of America; and what part of his visit was for private purposes. [23923]

Mr. Redwood: To ask the Minister without Portfolio how many days he spent in the United States of America on his recent trip; and how many of these were working days. [23480]

Mr. Mandelson: I spent four days in the United States of America. I undertook an official programme on all these days, following a private overnight stay on arrival.

Mr. Redwood: To ask the Minister without Portfolio for what reasons he chose to visit Disney World Florida rather than Disney Land Paris; and what was the extra cost of visiting Florida compared with a visit to Paris for the same purpose. [23476]

Mr. Mandelson: I wanted, in particular, to have the opportunity of visiting the Epcot (Educational Prototype Community of Tomorrow) Centre; and was also able to fit in a short programme in Washington arranged for me via the British Embassy. A direct cost comparison is not therefore relevant in this case.

Mr. Spring: To ask the Minister without Portfolio if he will list the dates of his visit to the United States of America separately identifying the date of his visit to Disney World; and if he will provide a breakdown of his appointments at Disney World. [23931]

Mr. Mandelson: I visited the United States of America on an official programme from 2 to 5 January 1998. On 2 and 3 January I held a series of meetings at Epcot (the Educational Prototype Community of Tomorrow) with Judson Green (President, Walt Disney Attractions), George Kalogridis (Vice President Epcot Operations), Robin Chapman (Director Creative Development Epcot), and Danni Mikler (Manager Epcot International Programmes).

EDUCATION AND EMPLOYMENT

Mathematics

Mr. Bercow: To ask the Secretary of State for Education and Employment if he will publish the results for the link items for mathematics for the *(a)* Third International Mathematics and Sciences Study, *(b)* Secondary International Mathematics Study and *(c)* First International Mathematics Study. [22795]

Ms Estelle Morris: The Qualifications and Curriculum Authority (QCA) have commissioned a further analysis of the results of the Third International Mathematics and Science Study which will include some comparisons with the Second International Mathematics Study. QCA plan to make the further analysis publicly available.

Higher Education

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the percentage intake of full-time home undergraduates at each HEFCE funded institution from *(a)* state schools, *(b)* fee-paying schools and *(c)* the FEFC sector, onto (i) arts and social science courses, (ii) science courses and (iii) all courses in (1) 1995 and (2) 1996; and if he will make a statement. [23608]

Dr. Howells: The data requested are not available centrally. The Universities and Colleges Admissions Service (UCAS) collects details of the course subject and previous educational establishment of applicants and accepted applicants to each higher education establishment but these data are published only at the sector level. Information on the previous educational establishment of accepted applicants is published in the UCAS Annual Report. The latest published data are for applicants accepted for autumn 1996 entry and are shown in the table. It is for individual universities and colleges to decide whether or not such data should be made available for their own institution With the authorisation of the institutions involved, UCAS can provide these data separately for each individual establishment. The hon. Member might therefore care to contact UCAS directly.

Previous educational establishment of home applicants accepted to degree courses

1996 entry

Type of establishment	*Number*
Maintained	
Grammar	16,634
Sixth Form Centre	3,546
Comprehensive	67,397
Other	1,260
Total	88,837
Independent	29,264
Further Education	
Sixth Form College	23,603
Other FE	52,345
Technical	1,612
Total	77,560
Higher Education	6,661
Other	9,040
Not known	35,141
Total	246,503

DUCHY OF LANCASTER

Millennium Compliance

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster if he will list his responsibilities for millennium compliance in the light of the Prime Minister's announcement of his new responsibilities. [23623]

Dr. David Clark: I refer the hon. Member to the reply I gave to a similar question from the hon. Member for Gordon (Mr. Bruce) on 18 December 1997, *Official Report*, column *318*.

The Ministerial Group on the Millennium Date Change which the Prime Minister announced on 27 November will oversee work being done in both the public and private sectors. I have been charged with convening a sub-group to focus on progress in dealing with the Year 2000 problem in central Government departments and agencies. Responsibilities within Government remain unchanged with individual departments being ultimately responsible for their own areas.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 4 December 1997, *Official Report*, column *325*, if he will place *(a)* a copy of his letter to colleagues and *(b)* copies of each department's response to his request for further information on the skills issue and millennium compliance in the Library. [23613]

Dr. David Clark: Yes. I will place this information in the libraries of the House and publish it on the Internet shortly.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster if he will give details of all engagements he has undertaken directly in connection with millennium compliance issues since 1 November. [23624]

Dr. David Clark: I, and my officials, have had a number of meetings with interested bodies, the media, colleagues and officials.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster, pursuant to his answer of 4 December, *Official Report*, column *324*, if he will list the departments whose plans indicate that PC replacement plans will not be completed until after June 1999. [23614]

Dr. David Clark: This information is included in the plans which were placed in the libraries of the House following my statement on 27 November.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster how many officials in his Department, and at what grade, are working on millennium compliance issues. [23615]

Mr. Kilfoyle: Within the Cabinet Office and its Agencies, there are 41 officials working on millennium compliance issues either as part of their normal duties or in a full time capacity; details are as follows:

	As part of job		*Full Time*	
Department/Agency	*Number*	*Grade*	*Number*	*Grade*
Cabinet Office	1	G3	—	—
	2	G5	—	—
	2	G7	—	—
	2	SEO	—	—
	3	HEO	—	—
	3	TTO	—	—
	1	EO	—	—
	1	AO	—	—
Central Computer and Telecommunications Agency	1	G6	—	—
	1	G7	1	G7
	2	SEO	—	—
	3	HEO	1	EO
Central Office of Information	1	G5	—	—
	1	HEO	—	—
Civil Service College	1	G7	—	—
Government Car and Despatch Agency	1	G7	—	—
	1	SEO	—	—
Property Advisers to the Civil Estate	1	G5	—	—
	1	G6	—	—
	1	HEO	—	—
Security Facilities Executive	1	G7	—	—
	1	SEO	—	—
	1	HEO	—	—
The Buying Agency	1	G6	—	—
	2	SEO	—	—
	1	EO	—	—
	2	AO	—	—
Total	39		2	

ENVIRONMENT, TRANSPORT AND THE REGIONS

Sewerage

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions how many water companies have proscribed the use of ribbed thin wall plastic piping in sewerage installations. [22758]

Angela Eagle: Of the ten major water and sewerage companies, two have suspended the use of ribbed thin wall plastic piping and a third has placed a temporary restriction on its use. The remaining seven companies allow a range of pipe materials for sewerage installations. Choice of pipe material depends on a number of factors including relevant site conditions.

Urban Foxes

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what estimate his Department has made of the growth of the urban fox population in the United Kingdom over the last 30 years. [22820]

Angela Eagle: Reliable data are not available before 1980. Since 1980, detailed population surveys were undertaken in nine English towns and form the results of these surveys the predicted urban fox population in 1994 was estimated at 33,000, made up of 30,000 for England, 2,900 for Scotland and 100 for Wales.

A study in 1987 showed that urban foxes tend to be self-regulating, and it also indicated that they have little effect on rural populations, with low net emigration. Recently, the decline in reported sightings suggests that the number of urban foxes has fallen in some cities.

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the public health risks which arise from urban fox populations. [22822]

Angela Eagle: There are very few health risks resulting from urban fox populations, and there is very little cause for concern.

Foxes in theory could transmit certain infections, such as toxocariasis, hydatid disease or pasteurellosis to man. However, from the limited data available, it is evident that foxes have not been implicated in any cases of these diseases among humans.

There is currently no rabies in the terrestrial mammal population of the British Isles.

Heavy Goods Vehicles

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions (1) what estimate he has made of the number of occasions over a five-year period on which a driver of an HGV can expect to be stopped for a roadside check by the Vehicle Inspectorate; [22832]

(2) what proportion of vehicles stopped by the Vehicle Inspectorate at roadside checks that were found to be unroadworthy or otherwise in breach of regulations, were registered outside the United Kingdom. [22834]

Ms Glenda Jackson: I have asked the Chief Executive of the Vehicle Inspectorate Executive Agency, Mr. Ron Oliver, to write to the hon. Member.

Letter from Ron Oliver to Mr. Tom Brake, dated 16 January 1998:

The Secretary of State has asked me to reply to your questions about the estimated number of occasions over a 5-year period on which a driver of an HGV can expect to be stopped for a roadside check by the Vehicle Inspectorate and what proportion of vehicle stopped by the Inspectorate found to be unroadworthy or otherwise in breach of regulations, were registered outside the United Kingdom.

There are approximately 406,500 HGVs (i.e., vehicles with a design gross weight in excess of 3,500 kgs) operating annually on a commercial basis in the UK. The Inspectorate carries out in the region of 360,000 roadside checks of HGVs a year. On this basis it is estimated that an HGV driver could be stopped between 4 or 5 time over a 5-year period by the Inspectorate. I should add that the Inspectorate's examiners target their checks to find the more serious defects and breaches of law.

Details of vehicles registered outside the UK found to be unroadworthy or in breach of regulations at Inspectorate roadside checks during 1996–97 are shown below:

	Number	*Number*
Number of vehicles found to be unroadworthy/in breach of regulations	35,104	(34,537)
Number of above vehicles registered outside UK	1,651	(1,084)
Percentage of above registered outside UK	4.7	(3.1)

1. Figures exclude vehicles prohibited as a result of an instrumented smoke only check as this data does not distinguish if a vehicle is registered outside the UK.
2. The figures include prohibitions issued for drivers' hours offences which are only issued to vehicles registered outside the UK. Figures in brackets exclude these prohibitions.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to impound heavy goods vehicles found at roadside checks to be in unsafe condition. [22833]

Ms Glenda Jackson: We are developing a scheme for the detention of illegally operated heavy goods vehicles, but this would require primary legislation and there would first need to be a public consultation exercise. There are still a number of practical issues to be resolved before we can go out to consultation and these are being addressed.

Rail Services

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to set targets for increasing the proportion of passengers and freight carried by rail. [22836]

Ms Glenda Jackson: We want to see more passengers and freight travel by rail. Our White Paper on integrated transport will set out our proposals for achieving this objective.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase the role of local authorities in delivering an integrated rail service. [22838]

Ms Glenda Jackson: We are committed to establishing a national rail authority and are reviewing the role of local government in transport planning. Our proposals will be published in our White Paper on integrated transport policy.

Rail Network

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will set up a new rail authority to co-ordinate and develop the rail network; [22835]

(2) what plans he has to create a national rail development plan to modernise and expand the network. [22837]

Ms Glenda Jackson: We are committed to establishing a national rail authority, to provide a clear, coherent and strategic programme for the development of the railways.

Passenger Transport Authorities

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will extend the Passenger Transport Authority Model to London and other areas. [22839]

Ms Glenda Jackson: The institutions required for delivering an integrated transport policy are being considered carefully and we shall be setting out our policies in the White Paper due to be published later this year. The specific proposals for restructuring transport in London under a Greater London Authority (GLA) will take this work into account. They will be set out in the GLA White Paper which we intend to publish in March.

Coastguard

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the capability of the undersea telecoms link between the Shetland Islands and the mainland for carrying clear traffic for the purpose of Her Majesty's Coastguard; and when he expects the link to be mended; [22847]

(2) how many consultants were employed by the Coastguard Agency in *(a)* 1996–97 and *(b)* 1997–98; in what capacity; and at what cost. [22844]

Ms Glenda Jackson: I have asked the Chief Executive of the Coastguard Agency, Mr. C. Harris, to write to my hon. Friend.

Letter from C. J. Harris to Mrs. Gwyneth Dunwoody, dated 16 January 1998:

The Secretary of State for Environment, Transport and the Regions has asked me to reply to your recent Questions about the Coastguard service.

The Coastguard Agency employed 22 consultants in 1996–97 at a cost of £525,455 and have so far employed 22 consultants in 1997–98 at a cost to-date of £330,832. Since April 1996, these consultants have been involved in a wide range of projects including IT training and development, paybill modelling, health and safety, Coastguard property and assisting the Marine Pollution Control Unit with annual and table top exercises.

HM Coastguard has microwave telecom links between Shetland and the Scottish mainland provided by British Telecom rather than undersea submarine cable. My Regional Controller for North and East Scotland has confirmed that there are no defects or restrictions on operators due to British Telecom lines which effect the communication links of HM Coastguard.

Kerosene

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what discussions his Department has had with *(a)* the European Commission and *(b)* the Treasury regarding the introduction of taxation on Kerosene. [23199]

Ms Glenda Jackson: The Council agreed, on 9 June 1997, a Resolution calling for the European Commission to study the economic and environmental effects in the EU of taxing aviation kerosene. My Department will continue its dialogue with the Commission as the study progresses and keep in regular contact with the Treasury and other interested Departments on this issue.

Motorcycling

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 18 December 1997, *Official Report*, column *267*, if he will set up a motorcycle strategy group to consider the issues raised at the special motorcycling seminar held at his Department on 25 November 1997. [23039]

Ms Glenda Jackson: I refer my hon. Friend to the answer I gave on 18 December 1997, *Official Report*, column *267*.

We will consider between now and the publication of the White Paper on Integrated Transport Policy the best structure for consulting effectively and widely about motorcycling issues.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions what contingency plans he has made in the event of millennium compliance failures in any transportation system in the United Kingdom. [23634]

Angela Eagle: Millennium compliance is the responsibility of the relevant transport industry.

My Department has worked closely with the railway industry to ensure that arrangements are in place for millennium compliance. The Rail Millennium Programme Office has been set up to manage an industry-wide programme of projects to ensure compliance. Part of this programme is to assess the risks of non compliance and the need for any specific contingency plans.

My officials are working with London Transport to ensure, as far as possible, that millennium compliance failures do not occur and to ensure that sensible contingency measures are put in place in good time.

As regards aviation, my Department has notified all major UK airlines, airports and associated industry organisations of the need to consider whether their systems will be affected by the problem and advised them to take any remedial action necessary. We have also been in close and regular contact with the Civil Aviation Authority (including National Air Traffic Services) who have been requested to consider the problem and take any necessary action with other relevant sectors of the aviation industry. The situation has been and will continue to be monitored on a regular basis.

The Highways Agency is actively considering the issue, including the need for contingency plans, in relation to the trunk road network and is liaising with local highway authorities.

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the total cost of millennium compliance to his Department broken down between transport, environment and the regions. [23633]

Ms Glenda Jackson: The Secretary of State for the Environment, Transport and the Regions estimates the total cost of millennium compliance to his Department to be £17.9 million (excluding Government Offices for the Regions).

Since the merger of the former Transport and Environment Departments it is no longer possible to differentiate between the central costs for transport and environment. Of the £17.95 million, £2.2 million is estimated for DETR (Central).

Of the remaining £15.75 million, £15.55 million is estimated for the former Transport Executive Agencies and £200 thousand for the former Environment Executive Agencies.

The results of a scoping exercise for the Government Offices for the Regions should be available in April 1998. Costs are not expected to exceed existing PES provision.

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions (1) what contingency arrangements have been made for the Coastguard Agency in the event of any millennium compliance failure; [23635]

(2) what estimate he has made of the cost of millennium compliance for the Coastguard Agency. [23636]

Ms Glenda Jackson: I have asked the Chief Executive of the Coastguard Agency, Mr. C. J Harris, to write to the hon. Member.

Letter from C. J. Harris to Cheryl Gillian, dated 16 January 1998:

The Secretary of State for Environment, Transport and the Regions has asked me to reply to your recent Questions about the issue of millennium compliance.

A programme of replacing all existing PCs and Servers that are not compliant is currently under way and will be completed by the end of the current financial year. Statements of compliance have been obtained from all of the Agency's hardware suppliers and sample machines tested.

Statements of compliance have also been received from all providers of bespoke software. All are or will be compliant with the exception of the Operations Rooms Command and Control System (ADAS) and a Marine Pollution Control Unit package (BOSCA). We are awaiting a statement of compliance regarding the latter, but no problems are anticipated. The Coastguard Agency is currently reviewing the replacement of the ADAS system, and a decision on the way forward is expected shortly. Compliance should be achieved during 1999.

I acknowledge that certain domestic devices, such as lifts, escalators etc., have imbedded chips which may also have a year 2000 compliance problem. This area is being investigated by the Agency's Estate Services Branch who are awaiting statements of compliance. It is anticipated that all devices will be compliant by 31 March.

To date, the estimated cost of the compliance exercise for the above programmes is £170k.

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions how many officials, and at what grade, are working on millennium compliance issues. [23637]

Ms Glenda Jackson: The central DETR co-ordination programme has a programme manager at G7 level and two co-ordinators at SEO level with additional support equivalent to one HEO. Each Business Unit within DETR (central) is responsible for ensuring compliance of their own business critical systems. It is estimated that a total of 50 officials between EO and G5 are working on millennium compliance issues on a part time basis. (Please see following table for breakdown by grade.)

Executive Agencies

The Executive Agencies have a varying number of officials dealing with millennium compliance issues depending on the size of the problem within each agency. Approximate totals are given in the following table.

Government Office for the Regions

The Government Office Central Unit has established a central committee to address millennium issues and there are a variety of officials at different grades working on the issues within each government office. Again, approximate totals are given in the following table.

Officials working on Millennium Compliance Issues

	G5	*G6*	*G7*	*SEO*	*HEO*	*EO*	*AO*
DETR(C)	1	—	3	8	26	12	—
Executive Agencies	5	1	6	10	11	8	5
Government Offices	—	—	1	1	14	—	—

All figures exclude contractors.

Unitary Development Plans

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made towards national coverage of local plans and unitary development plans. [23806]

Mr. Raynsford: My Department has published a report today which gives details of progress made towards adoption of plans by individual local authorities in England. I have arranged for copies to be placed in the Library of the House. AT the end of December 1997, 53 per cent. of local authorities had an adopted Local Plan or Unitary Development Plan in place. Measures to speed up the procedures under which such plans are prepared and adopted were included in the statement on Modernising Planning issued by my hon. Friend the Minister for Regions, Regeneration and Planning on 15 January 1998, *Official Report*, column *262*.

M. V. Pride of Bilbao

Mr. Viggers: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the result of inquiries made by the Marine Safety Agency into the circumstances of the 17 hour delay in the completion of the journey commenced by M. V. Pride of Bilbao on 3 January. [23590]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency, Mr. R. M. Bradley to write to the hon. Member.

Letter from R. M. Bradley to Mr. Peter Viggers, dated 16 January 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your Question about the vessel "Pride of Bilbao".

The vessel recently completed a voyage from Bilbao to Portsmouth in poor weather conditions which worsened as the passage continued. The Master of the vessel was subsequently interviewed by MSA officials. It was established that weather forecasts were available at the outset of the voyage and it was found that it was not unreasonable, on safety grounds, for the voyage to have been commenced.

There were twelve reported injuries, the worst of which was a broken arm; no damage to the ship was sustained. All of the injuries sustained have been reported to the Marine Accident Investigation Branch for their consideration.

The MSA is content that the Master did not put to sea in overly adverse conditions and did not compromise safety in any part of the voyage.

LORD CHANCELLOR'S DEPARTMENT

Civil Cases (Fast Track Procedure)

Mr. Clapham: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his policy on the creation of a fast track procedure for certain types of civil cases; and what plans he has to modify the burden of proof which is carried by the plaintiff. [22359]

Mr. Hoon: The Lord Chancellor's Department issued a working paper on judicial case management in July 1997, which included proposals for a fast track procedure. A further paper was published at the end of November proposing a limit of £15,000 for fast track cases. It is planned to implement the fast track in April 1999 as part of the Lord Chancellor's Civil Justice Reforms. There are no current plans to change the existing requirements of the burden of proof as they relate to the plaintiff in a civil legal action.

Legal Aid

Mr. Clapham: To ask the Parliamentary Secretary, Lord Chancellor's Department if initial investigations required to determine the chances of a case succeeding will be covered by the insurance policy, in circumstances where it is decided not to proceed with a case under his proposed reforms of legal aid. [22434]

Mr. Hoon: Whether initial investigation costs are covered by an insurance policy if a case does not proceed would depend on the terms of the particular insurance policy.

Mr. Clapham: To ask the Parliamentary Secretary, Lord Chancellor's Department what measures he intends to introduce under his legal aid reforms to ensure that fixing costs will not damage the prospects of injury victims winning cases? [22362]

Mr. Hoon: I am very aware of the concerns expressed about the implications of the fast track fixed costs proposals. In considering the future of a fixed costs scheme, a balance needs to be achieved between the desirable aims of making litigation more certain and affordable, with the need to allow parties to litigate on equal terms. Any system introduced will take account of these factors.

Loser Pays All Principle

Mr. Clapham: To ask the Parliamentary Secretary, Lord Chancellor's Department what measures he will take under his legal aid reforms to ensure that removing the principles of loser pays all will not encourage unnecessary delays in the judicial process. [22433]

Mr. Hoon: I have no proposals to amend the principle that the "loser pays all" under the legal aid reforms that we have announced. Any proposals to apply fixed recoverable costs in fast track cases, as part of the civil justice reforms, will, in common with the intention of the fast track, attempt to reduce delay.

Magistrates (Wales)

Mr. Ruane: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will give a breakdown of magistrate benches in Wales according to declared political allegiance. [22107]

Mr. Hoon: On the latest information available, the political breakdown of benches in Wales, listed under Lord Chancellor Advisory Committee areas is:

Declared political allegiances by Welsh Advisory Committee area and bench

	CON	*LAB*	*LD*	*PC*	*Other/not-committeed*
Clwyd					
Berwyn	4	2	4	1	2
Colwyn	19	8	11	2	3
Dyffryn Clwyd	9	2	7	2	2
Flint	12	10	4	3	3
Hawarden	10	17	2	0	3
Mold	11	10	7	3	3
Rhuddlan	27	14	7	5	1
Wrexham Maelor	34	34	27	2	2
Total Clwyd	126	97	69	18	19
Dyfed (3 Committees)					
Carmarthen North	3	2	2	2	2
Carmarthen South	8	7	6	8	9
De Ceredigion	2	1	2	2	5
Ceredigion Ganol	3	2	3	5	0
Cleddau	15	2	4	0	7
Dinefwr	1	8	6	4	11
Gogledd Ceredigion	3	4	3	4	6
Gogledd Preseli	2	2	2	2	1
Llanelli	14	24	8	4	17
South Pembrokeshire	11	11	7	0	3
Total Dyfed	62	63	43	31	61
Mid Glamorgan					
Cynon Valley	11	16	4	7	0
Merthyr Tydfil	11	23	5	1	2
Miskin	17	26	9	3	24
Newcastle and Ogmore	22	39	6	2	14
Total Mid Glamorgan	61	104	24	13	40
South Glamorgan					
Cardiff	100	80	56	3	23
Vale of Glamorgan	40	25	8	2	9
Total South Glamorgan	140	105	64	5	32
West Glamorgan					
Neath/Port Talbot	35	49	21	6	26
Swansea County	66	72	28	2	16
Total West Glamorgan	101	121	49	8	42
Gwent					
Bedwellty	19	26	10	1	17
East Gwent	37	28	9	0	16
Lower Rhymney Valley	13	20	4	1	8
Newport	45	38	18	2	13
Upper Rhymney Valley	2	5	0	0	5
Total Gwent	116	117	41	4	59
Gwynedd (3 Committees)					
Aberconwy	17	7	8	5	2
Bangor	7	0	7	7	2
Caernarfon/Gwyrfai	5	2	4	9	0

Declared political allegiances by Welsh Advisory Committee area and bench

	CON	LAB	LD	PC	Other/not-committeed
Meirionnydd	3	3	2	3	16
Pwllheli/Porthmadog	3	5	3	5	2
Ynys Mon	15	7	0	14	6
Total Gwynedd	50	24	24	43	28
Powys (2 Committees)					
Brecon	5	3	8	0	2
Machynlleth	2	2	1	2	0
Newtown	5	4	4	0	6
Radnor and North					
Brecknock	5	2	3	0	6
Welshpool	11	2	6	1	1
Ystradgynlais	3	4	0	0	1
Total Powys	31	17	22	3	16
Total Wales	687	648	336	125	297

HEALTH

Private Clinics

Ann Clwyd: To ask the Secretary of State for Health how many private sector clinic registrations were cancelled by health authorities, because national and local standards were not being met in each of the last five years. [23007]

Mr. Milburn: Certain private clinics must be registered as nursing homes under the Registered Homes Act 1984. Information on the number of nursing homes deregistered is given in the table. The information collected centrally does not enable the number of private clinics included in these figures to be identified.

Year	*Number of nursing homes deregistered*
1992	7
1993	11
1994	7
1995	15
1996	6

These figures are taken from the National List of Cancelled Registrations and cover all nursing homes registered under Part II of the Registered Homes Act 1984.

Ann Clwyd: To ask the Secretary of State for Health what assessment he has made of the adequacy of health authorities' inspections of private sector clinics and hospitals. [23008]

Mr. Milburn: Health authorities are required by law to inspect private hospitals and certain clinics at least twice a year, and, in general, give this task appropriate priority within the resources available.

Children Leaving Care

Mr. Streeter: To ask the Secretary of State for Health what plans he has to review the standard of services provided to children leaving care. [23110]

Mr. Boateng: In February 1997 the Social Services Inspectorate (SSI) published "When Leaving Home is Leaving Care . . ." following a major inspection of leaving care and after care services in nine social services departments. The inspection was based on a comprehensive set of standards drawn up by SSI. Given that such a major inspection has been conducted relatively recently, there are no current plans to mount a further review in the near future. Copies of "When Leaving Home is Leaving Care" are available in the Library.

NHS Staff (Territorial Army)

Mr. Colvin: To ask the Secretary of State for Health how many NHS and NHS Trust employees are members of the Territorial Army; and what percentage this is of the total number of employees. [23326]

Mr. Milburn: The information requested is not available centrally. National Health Service Executive guidance to all NHS Employers in 1997 encouraged the release of staff for duties in the Reserve Forces. Copies of this guidance have been placed in the Library.

Breast Cancer Screening

Dr. Tonge: To ask the Secretary of State for Health what plans he has for screening women for breast cancer in *(a)* the 30 to 40 years and *(b)* over 50 years age groups. [23520]

Mr. Boateng: There is at present no evidence to suggest that screening all women aged 30 to 40 would be effective in reducing mortality from breast cancer, and the Government have no current plans to introduce screening for this age group. However, we are currently funding research into the effectiveness of screening women aged 40 to 50. Any decision to introduce screening for this age group will need to be based on the outcome of this research.

The National Health Service Breast Screening Programme was set up in 1988 and invites all women aged between 50 and 64 for screening every three years, with screening for older women available three yearly on request. The Government are funding research into changes which might improve the quality of the service to women, including reducing the screening interval, taking two mammographic views of the breast at all screening rounds, and routinely inviting women aged 65 to 69 for screening.

NHS Board Members

Mr. Blunt: To ask the Secretary of State for Health when he plans to reply to the letter from the hon. Member for Reigate of 26 November 1997 about appointments as chairmen and non-executive directors of NHS Boards. [22947]

Mr. Milburn: I replied to the hon. Member's letter on 13 January.

Continence Products (VAT)

Mr. Burstow: To ask the Secretary of State for Health what steps he took to inform community continence services of the Treasury's decision on 13 August 1997 to impose VAT on home deliveries of continence products. [22842]

Mr. Boateng: Her Majesty's Customs and Excise issued a News Release on 13 August 1997 regarding the Government's intention to bring forward legislation to clarify the law on the Value Added Tax treatment of drugs and medical appliances. They copied this to the National Health Service Executive on the same day. HM Customs and Excise subsequently, during September, notified the NHS of the Government's intention.

Stretton Hall, Great Glen

Mr. Garnier: To ask the Secretary of State for Health if he will make a statement about the redevelopment of Stretton Hall, Great Glen, with particular reference to his Department's immunity from planning regulations. [23383]

Mr. Milburn: The sale of Stretton Hall Hospital in Leicestershire is being managed by the Trent Regional Office of the National Health Service Executive. Outline planning consent has been obtained involving 100 new dwellings, and a sale has been agreed subject to obtaining detailed planning consent. The purchaser will have to comply with all planning legislation affecting the development.

Health authorities lost Crown immunity in 1991. On the abolition of regional health authorities in 1996, some property, which has since been managed by the NHS Executive, regained Crown immunity. This currently applies to Stretton Hall Hospital, pending its sale. However, it is not the Department's policy to take advantage of this situation. NHS Estates, an agency of the Department of Health, with English Heritage have produced guidance which is expected to be followed by all regional offices of the NHS Executive in respect of the care and disposal of historic buildings.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Health what contingency arrangements have been made for the Ambulance Service in the event of millennium compliance failure. [23639]

Mr. Milburn: The National Health Service Executive's Year 2000 Programme are working to eliminate risk through the identification and management of potential risks.

It is a priority for NHS Organisations to develop contingency plans and an Ambulance Service forum is being established, through NHS regional offices, to address the issues.

Mrs. Gillan: To ask the Secretary of State for Health what estimate he has made of the cost of millennium compliance for the Ambulance Service. [23640]

Mr. Milburn: No estimates have been made.

Mrs. Gillan: To ask the Secretary of State for Health by what date all *(a)* kidney dialysis machines, *(b)* intensive care cots for premature babies and *(c)* intensive care equipment will be millennium compliant; and what will be the cost of compliance. [23646]

Mr. Milburn: By 31 December 1998 each separate National Health Service organisation should have completed major activities where all critical systems are ready and fully tested, or detailed plans made for coping with those systems or equipment that cannot be repaired or replaced in time.

Mrs. Gillan: To ask the Secretary of State for Health when he expects to be able to estimate accurately the costs of millennium compliance in the NHS. [23644]

Mr. Milburn: Information should be available by end of April 1998.

Mrs. Gillan: To ask the Secretary of State for Health when he wrote to suppliers to the NHS reminding them of the necessity for all equipment to be millennium compliant; and if he will place a copy of the letter in the Library and list the names of suppliers he has sent it to and the date it was sent. [23645]

Mr. Milburn: The Medical Devices Agency wrote in 1996, and again in 1997, to the main United Kingdom trade associations concerned with medical devices. This has been followed up with a letter to many individual manufacturers. The National Health Service Supplies Authority are in the process of writing to approximately 4,000 supplier organisations with whom the NHS has a national contract. The letter will be sent by 31 January 1998.

The NHS Executive wrote in October 1997 to 30 leading suppliers of Information Systems to the acute and community trusts and the main suppliers of general practitioner systems. Copies of letters and addressees will be placed in the Library.

Mrs. Gillan: To ask the Secretary of State for Health how many officials, and at what grade, are working on millennium compliance issues. [23641]

Mr. Milburn: The Department of Health, including its agencies, currently employs a total of 44 full time equivalent members of staff of various grades on Year 2000 related work. The Year 2000 programme within the Department of Health is co-ordinated by the head of the Applications Development and Support branch, who reports to the senior Departmental information technology steering committee.

Mrs. Gillan: To ask the Secretary of State for Health what resources are being made available to the NHS's Adverse Incident Centre to deal with any failures to systems through millennium compliance failures. [23638]

Ms Jowell: The Medical Devices Agency expects the majority of medical devices to be millennium compliant already. Therefore the number of adverse incidents involving millennium compliance failures is likely to be low. As the number of reports involving millennium compliance failures is expected to be a small fraction of the total number of adverse incident reports, we see no need to allocate extra resources to the Adverse Incident Centre to deal specifically with millennium compliance failures.

Workforce Standing Advisory Committee

Dr. Harris: To ask the Secretary of State for Health how many new medical schools he anticipates will be required to implement the recommendations of the Medical Workforce Standing Advisory Committee. [23174]

Mr. Milburn: One of the main recommendations in the Third Report of the Medical Workforce Standing Advisory Committee (MWSAC) is a 20 per cent. increase in the annual intake to United Kingdom medical schools. This recommendation has very significant implications, and needs careful examination. The Government will announce their decisions on all of MWSAC's recommendations in a few months' time, in the light of the Government's Comprehensive Spending Review (CSR).

Dr. Harris: To ask the Secretary of State for Health what is his Department's policy towards the recommendations of the Medical Workforce Standing Advisory Committee. [23175]

Mr. Milburn: The Medical Workforce Standing Advisory Committee's (MWSAC) main recommendations are for the annual intake to United Kingdom medical schools to increase by 1,000, a 20 per cent. increase over the target of 4,970 for the year 2000, together with a range of measures to improve the recruitment and retention of doctors.

A number of MWSAC's recommendations chime with the Government's own thinking and should be welcomed. But the recommendation on increased medical school intake has very significant implications, and will need careful examination.

The Government will announce their decisions on all of MWSAC's recommendations in a few months' time in the light of the Comprehensive Sending Review.

Dental Services

Mr. Sanders: To ask the Secretary of State for Health what plans he has to increase the number of NHS dentists in the South Devon area. [23386]

Mr. Milburn: On 1 January we announced a further £10 million to continue the Government's drive to improve access to National Health Service dentistry and tackle oral health inequalities through our Investing in Dentistry initiative. This focuses help on those areas of the country where these problems are most acute, by providing grants to enable dentists to expand existing practices and set up new ones.

Written Answers to Questions

Monday 19 January 1998

ENVIRONMENT, TRANSPORT AND THE REGIONS

Sewers

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will amend the Building Regulations to comply with section 104 of the Water Industries Act 1991 to ensure that all sewers are built by developers to an adoptable standard. [22841]

Mr. Raynsford: There are no plans to amend the Building Regulations to require that all sewers are built to a standard necessary for them to be adopted under an agreement made under section 104 of the Water Industry Act 1991. However, in 1986, the Department of the Environment in conjunction with the Welsh Office carried out a review of water and sewerage law and considered the automatic adoption of all new sewers undertakers. It was concluded that this could not be implemented as it would have involved vesting existing private sewers with the water authorities of the time and would have placed an undue financial burden on them and hence their customers.

London Underground

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each of the last five years *(a)* the number of penalty fares issued by London Underground Ltd. and *(b)* the income generated by penalty fares issued by London Underground Ltd. [23217]

Ms Glenda Jackson: The operation of the Penalty Fares Scheme is a matter for London Underground. The table details the information provided by London Underground for the completed years since the scheme was launched on 4 April 1994.

Year	*1994–95*	*1995–96*	*1996–97*
Number of penalty fares issued	173,899	145,410	203,650
Income from penalty fares	£1.1 million	£1 million	£1.5 million

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions how many appeals against penalty fares issued by London Underground Ltd. were made in each of the last five years; and what proportion of these were successful in each of those years. [23218]

Ms Glenda Jackson: The operation of the Penalty Fares Scheme is a matter for London Underground. The table details the information provided by London Underground for the completed years since the scheme was launched on 4 April 1994.

Year	*1994–95*	*1995–96*	*1996–97*
Appeals processed[1]	26,318	21,771	26,117
Percentage of appeals that were successful	25 per cent.	26 per cent.	35 per cent.

[1] Of the appeals processed approximately 10–15 per cent. are further correspondence or re-appeals.

Duty Free Sales

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the effect of the abolition of duty free on the cost of air travel and ferry travel. [23200]

Ms Glenda Jackson: We are currently in the process of examining the possible effects of abolition of duty free sales, including the implications for air travel and ferry travel.

West Coast Main Line

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of accidents involving staff and contractors working on the West Coast Main Line for each of the last five years. [23205]

Ms Glenda Jackson: I regret that this information is not available in the format requested and could be obtained only at disproportionate cost. The accident reporting regime changed in 1996 when the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 came into effect. In addition, accidents are recorded not by train route but by which company reported the accident. In the majority of cases, this is Railtrack, as infrastructure controller, even where Railtrack staff were not involved in the accident. Accidents are recorded against relevant Railtrack zones. The West Coast Main Line covers several such zones and some of the boundaries have changed since the creation of Railtrack in April 1994.

Gatwick Airport

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will place in the Library a copy of the recommendations made by the Gatwick Airport close parallel runway study group; [23202]

(2) what work his Department is currently undertaking in relation to the possibility of a close parallel runway at Gatwick Airport. [23201]

Ms Glenda Jackson: My Department is not undertaking any work in relation to the possibility of developing a close parallel runway at Gatwick Airport. The work which the previous administration asked BAA to undertake into this concept following publication of the report on Runway Capacity to Serve the South East (RUCATSE) is not yet complete. We have asked BAA to put the work on hold so that we can consider how to take this issue forward in the light of the integrated transport White Paper, which we expect to publish in the Spring.

Office of Passenger Rail Franchising

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by train operating company the punctuality and reliability figures compiled by OPRAF for each of the last 12 months. [23204]

Ms Glenda Jackson: This information is included in the quarterly bulletins of franchise operators' performance issued by the Franchising Director, the most recent of which was published on 15 January. The bulletins are in the Library of the House.

Local Government Finance

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions how many local authorities are expected to be brought into liability for VAT by exceeding the 5 per cent. de minimis partial exemption limit; and how he intends that the additional cost to such authorities will be funded. [22992]

Mr. Raynsford: The provisional Local Government Revenue Finance Settlement for 1998–99 takes into account local authorities' VAT liability for their statutory responsibilities. The previous Government introduced a change in VAT partial exemption rules which affected VAT liability on local authorities' exempt business activities. This came into effect on 1 April 1997, in order to ensure that local authorities accurately account for VAT and are treated on a similar basis to the private sector. Local authorities calculate the extent to which they have exceeded the 5 per cent. limit on an annual basis, and must make an adjustment in the next VAT return after the year end. The effects of the change in VAT partial exemption rules will not therefore be known until 1998–99.

We expect councils to find the budget for any effects of this change from within their provision for 1998–99.

Lost Property (Rail Stations)

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines exist for the provision of a lost property service in railway stations. [23195]

Ms Glenda Jackson: The adoption of a voluntary code of practice aimed at improving the level of service to those customers who lose property in the course of a rail journey is currently being considered by the train operating companies who lease the majority of stations, and by Railtrack who manage the 14 major stations on the network. It is expected that it will come into operation in the spring.

Staying Put Scheme

Miss Widdecombe: To ask the Secretary of State for the Environment, Transport and the Regions what level of grant support is envisaged for the Staying Put scheme; and if he will make a statement. [23100]

Mr. Raynsford: Government funding for home improvement agencies, also known as "Staying Put" or "Care and Repair" schemes, has been increased by £¾ million (17 per cent.) to £5.214 million for 1998–99. Bids for funding for individual agencies are currently being assessed and we expect to announce the outcome next month.

Leasehold Valuation Tribunals

Mr. Colman: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to review the work of Leasehold Valuation Tribunals. [23328]

Ms Armstrong: We are monitoring closely the work of the Leasehold Valuation Tribunals in relation to their new jurisdiction for determining disputes over service charges and applications for the appointment of a manager which commenced on 1 September. We will consider carefully whether any changes in procedure are needed in the light of experience.

Leasehold Reform

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions when the Government expect to bring forward a consultation paper on options for leasehold reform. [23663]

Ms Armstrong: We are currently considering the scope and practicability of possible new measures to assist leaseholders. We expect to make an announcement about our proposals and invite comments from interested parties in the Spring.

Genetically Modified Organisms

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the withholding of information from the public register of applications for consent to release genetically modified organisms on the grounds of prevention of damage to the environment. [22881]

Mr. Meacher *[holding answer 15 January 1998]:* Under the current legislation, information may be withheld from the public register on the grounds of prevention of damage to the environment. To date, no information has been withheld from the public register on these grounds. We would consider any requests to withhold information on this basis extremely carefully, with safety to the environment as the primary concern.

China

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to visit China. [23561]

Mr. Prescott: I hope to visit China in the early part of the summer.

Project Funding (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the projects within the Northumberland County Council area that have received European Regional Development Funding in the last three years. [24019]

Angela Eagle: Projects within the Northumberland County Council's area have to date received £26,377,479 from the Regional Development Fund (EDRF) in the last three years. A total of 170 projects have been supported

under the following European Structural Funds Programmes: North East of England Objective 2, Northern Uplands Objective 5b, PESCA Community Initiative and RECHAR II Community Initiative. Regional projects approved under the aforementioned programmes have also provided assistance in the Northumberland area.

The Northumberland area has also benefited from support from the European Social Fund (ESF) and the European Agricultural Guidance Guarantee Fund (EAGGF).

Tables on projects in Northumberland that have received support from the EDRF have been placed in the Library.

Local Authority Pension Funds

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what is the current value of the local authority occupational pension funds. [23791]

Ms Armstrong: The most recent date for which we hold information relating to local authority pension funds in England and Wales is 30 June 1997, when the market value totalled £61.5 billion.

Coach Travel (Disabled People)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had, and with whom, to seek to improve travelling conditions in motor coaches for disabled people. [23800]

Ms Glenda Jackson: The Department has held extensive informal discussions, both with their statutory advisers on disability, the Disabled Persons Transport Advisory Committee (DPTAC) and with representatives of both manufacturing and operating industries. On the basis of these preliminary discussions, we published on 19 December, for widespread public consultation, our proposals for making both buses and coaches accessible to disabled people in compliance with the Disability Discrimination Act. Twelve thousand copies of the consultation document have been issued to disability organisations and other consumer groups as well as to all bus and coach operators and manufacturers. The consultation document has been placed in the House Library.

Water Supplies (Stevenage)

Mr. Lilley: To ask the Deputy Prime Minister if he will assess the availability of water supplies for the planned new households when ruling on plans to expand Stevenage. [23729]

Angela Eagle: No. It is for the water companies concerned to quantify and provide the water supplies required to support new housing developments. This is a normal part of the planning process.

CFCs

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to ban all sales of CFCs. [23410]

Angela Eagle: My Department, in collaboration with the Department of Trade and Industry, is currently undertaking a study to look at the environmental and economic costs and benefits of tighter controls on ozone depleting substances, including a possible ban on the sale of CFCs, which may be included in proposals which the European Commission are expected to bring forward to amend EC Regulation 3093/94 on Substances that Deplete the Ozone Layer. We will consider the issue fully when the study is completed and in the light of discussion with European colleagues of whatever proposals the Commission bring forward.

Wild-caught Birds

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what recent figures he has obtained in respect of the number of wild-caught birds imported into the United Kingdom; and what percentage of wild-caught birds imported into the United Kingdom in the last year for which figures are available are estimated to have been dead on arrival. [22969]

Angela Eagle: The Department maintains records of trade only in the species listed in the Annexes to Council Regulation (EC) No. 338/97, which govern the import into EU Member States. At present, these records do not include data on the number of birds that were dead on arrival but we intend to gather mortality statistics when systems can be put in place. From the data returned so far, some 4,598 wild-caught birds were imported in 1997.

Radioactive Waste

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is the Government's policy on EU Directive 96/29 in respect of the recycling of radioactive waste in consumer goods. [23618]

Angela Eagle: Directive 96/29/Euratom lays down revised European Union basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation. It must be implemented into UK legislation by May 2000.

The Directive effectively sets levels of radioactivity above which radioactive materials must be the subject of regulatory control. The Directive, however, gives Member States discretion in setting levels for the release from regulatory control of materials for disposal, recycling and re-use.

The Government are giving careful consideration to this matter and their proposals will be the subject of full public consultation planned for later this year.

A27 Polegate Bypass

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how much has been spent to date in total on the proposals to build the new A27 Polegate bypass, broken down into *(a)* land acquisition, *(b)* public consultation, *(c)* design costs, *(d)* compensation payments to tenderers and *(e)* others. [23409]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Norman Baker, dated 19 January 1998:

The Parliamentary Under Secretary of State has asked me to reply to your recent Parliamentary Question on how much has been spent to date in total on the proposals to build the A27 Polegate Bypass broken down into (a) land acquisition, (b) public consultation, (c) design costs, (d) compensation payments to tenderers and (e) others.

The overall spend so far is approximately £3.7m (including VAT). Of that, £1.4m has been spent on land acquisition, including land blighted by the scheme, but not necessarily required for it. Some of the costs would be recovered when any surplus land is sold.

Design costs, which include the development of preliminary design through public consultation to detailed design, are around £1m; it is not possible to break this down further except at disproportionate cost.

No compensation payments to tenderers (i.e for the DBFO project) have been made to date.

We have also spent £1m on advance payments to statutory undertakers (eg to move overhead electric power lines), some of which may be recoverable if the scheme does not go ahead, and £250,000 on ground investigation surveys. The only other item of major expenditure has been the preparation of tender documents for the Weald and Downland DBFO project of which this scheme was part, we estimate that the portion of costs attributable to this scheme are in the order of £50,000.

National Conditions of Carriage

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review *(a)* the National Conditions of Carriage in general and *(b)* clause 45 of the conditions. [23393]

Ms Glenda Jackson: At the request of the Rail Regulator, the Association of Train Operating Companies is currently conducting a review of the National Conditions of Carriage and consulting the Office of Passenger Rail Franchising, the Office of the Rail Regulator, the Central Rail Users' Consultative Committee and the train operating companies.

River Tyne Debris Clearance

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the contributions in the last five years from the Environment Agency and its predecessors to the "Eager Beaver" River Tyne Debris Clearance vessel; and what are his reasons for discontinuing this contribution in the next financial year. [23647]

Angela Eagle: The contributions made to the "Eager Beaver" River Tyne Debris Clearance vessel in the past five years by the Environment Agency from 1996–97 and the National Rivers Authority before it, are as follows:

1993–94: £4,000

1994–95: £4,000

1995–96: £2,000

1996–97: £2,000

1997–98: £2,000

The Environment Agency is an executive non-Departmental public body, free to manage its day to day business within the framework provided by the Government. Any decision about its future funding contributions to the "Eager Beaver" is therefore a matter for the Agency.

Cavity Walls

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions what are the latest results of his Department's research into rain penetration in cavity walls. [24238]

Angela Eagle: On behalf of the Department of the Environment, Transport and the Regions the Building Research Establishment has undertaken research into water penetration in cavity walls filled with insulation.

As part of my Department's ongoing programme of research into rain penetration in cavity walls, I have, in consultation with my hon. Friends the Minister for London and Construction and the Minister for Local Government and Housing, asked for precautionary checks to be carried out on the condition of galvanised steel wire wall ties in a representative sample of homes with cavity walls filled with insulation. This follows the preliminary results of research which indicate that there is a possibility that the life expectancy of green coloured galvanised steel wire wall ties might be shortened when used in conjunction with Urea Formaldehyde foam cavity fill. The tests were undertaken on dwarf walls without the protective features found in real houses. I wish, therefore, to establish whether the effects indicated in the BRE research occur in real houses.

I want to stress that there is no conclusive evidence of a safety risk involving galvanised steel wire wall ties in cavity wall insulation. But it would be wrong if, as a result of the preliminary findings, we did not investigate quickly and thoroughly whether or not the possible problems with green coloured galvanised steel wire wall ties in some cavity fills were occurring in people's homes. This is a prudent, precautionary measure and I have asked that further research be carried out as soon as possible.

The expert, independent, advice I have received from the BRE is that, while it believes that its initial findings indicate the need for a wider study, it is strongly of the view that it would be premature to place any firm interpretation on its findings until it can be established whether they are representative of conditions in the UK housing stock.

While the number of homes containing galvanised wire wall ties with a green film, in cavity wall insulation, is a small portion of the housing stock, it is prudent to carry out these precautionary checks which will be extended to examine other forms of galvanised wire wall ties in cavity fill.

BRE's test results show:

Accelerated corrosion has occurred to galvanised steel wire wall ties which have been coated with a green identification film when embedded in moist urea formaldehyde foam cavity insulation.

Whilst there was visual evidence of corrosion of "grey" (without the green film) galvanised steel wire wall ties embedded in moist cavity fill insulation, the measurement of loss of zinc was too small to be significant.

No significant corrosion was found in either form of galvanised steel wire wall tie embedded in moist blown mineral wood or mineral wool batt cavity insulation.

There was some visual evidence of corrosion on both types of galvanised steel wire ties at the gap which occurs between the masonry and all three types of wet insulation.

Stainless steel wire wall ties showed no signs of corrosion irrespective of the cavity fill material and exposure.

The results were obtained from experimental walls after 12 and 18 months subject to regimes of accelerated exposure. Copies of BRE's Research report have been placed in the House Library.

Ferry Crews

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 12 January 1998, *Official Report,* column *111,* on ferry crews, if he will set out the criteria which the Marine Safety Agency uses in assessing the ability of passenger ferry crew members to communicate in English. [23725]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency, Mr. Bradley, to write to the hon. Member.

Letter from R. M. Bradley to Mr. Alasdair Morgan, dated 19 January 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your Question about the criteria used by the MSA in assessing the abilities of passenger ferry crew members to communicate in English.

MSA inspectors, when witnessing emergency drills on passenger ferries, expect crew members to be able to communicate clearly to passengers in English the location of the following (which are specifically referred to in the Merchant Shipping (Minimum Standards of Safety Communications) Regulations 1997):

muster stations;

life-saving devices;

evacuation routes;

safety instructions;

and to be able to give a clear explanation to passengers of other matters such as:

the nature of the emergency;

the need to put on warm clothing;

instruction to board a life boat or life raft.

The inspectors may apply these criteria at any other time if they feel that crew members' English language skills need to be assessed.

Charity Collections (Stations)

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions if he will advise the managements of all railway and underground stations not to rely on charity registration as an indication of respectability. [22886]

Ms Glenda Jackson: Applications for charity collections on railway and underground stations are considered by the operators on an individual basis and do not solely rely on the fact that an organisation is registered with the Charity Commission.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions if he will advise the management of railway and underground stations to require a recommendation from an independent source before permitting charity collections on station land and premises. [22884]

Ms Glenda Jackson: Permission for charity collections on railway and underground stations is a matter for the individual operator, in this case Railtrack, the train operating company or London Underground Ltd. Charities are advised to seek permission from them in advance to enable applications to be considered and collection times to be allocated.

Timber

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what is the Government's policy on the purchasing for use by Government departments and agencies of *(a)* Brazilian mahogany and *(b)* other endangered timber; how the policy is implemented and monitored; in what form the results of that monitoring are published; and if he will make a statement. [23847]

Angela Eagle: Decisions on the procurement of goods and services, including timber or related products, are the responsibility of individual Departments. Departments must have regard to the need to secure best value for the taxpayers' money, to EU and other international rules on procurement and to their strategies for environmentally friendly housekeeping. In pursuing these aims, Departments can be expected to seek timber from sustainable sources where practicable. My Department's *Green Guide for Buyers Part 1: Policy and Practice,* which I have commended to Green Ministers in other Departments, requires minimum use of virgin materials, and the Department seeks as far as possible to purchase wood only from sources verified as sustainable. Costa Rica and Bolivia have listed their populations of Brazilian Mahogany in Appendix III of CITES (the Convention on International Trade in Endangered Species) and Brazil has consulted on a proposal to do the same. The importation of this species into the EU requires an export permit or a certificate from the country of origin. Importers are required to complete a notification in order to help monitoring of the levels of trade.

Food Safety

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions if the funding for implementation of the Pennington Report, announced on 19 August 1997, will count against local authority spending limits. [22948]

Mr. Raynsford *[holding answer 16 January 1998]:* In line with the announcement made on 19 August 1997 by my hon. Friend the Minister for Public Health, £3.75 million of extra funding has been provided to English local authorities to contribute towards the additional costs of inspecting food premises more frequently. This will assist in implementing the Government's response to the Pennington report. As a rule, expenditure for which

provision is made within an authority's Standard Spending Assessment (SSA) is included in an authority's budget requirement for capping purposes. Authorities are able to increase their budgets by at least the increase in their SSA, except where it would take their budget more than 12.5 per cent. above SSA or where their budget is already more than 12.5 per cent. above SSA.

HOUSE OF COMMONS

Parliamentary Questions

Mr. Baker: To ask the President of the Council how many questions have been tabled since 1 May for answer on the following day by *(a)* Labour hon. Members and *(b)* hon. Members from other parties; and how many in each case were subsequently answered the following day. [23407]

Mrs. Ann Taylor: The number of such Questions tabled by Labour hon. Members was 766, of which the POLIS database records 690 as having been answered on the day on which they appeared on the Order Paper and the number tabled by hon. Members of other parties was 10, of which the POLIS database records 2 as having been answered on the day on which they appeared on the Order Paper. These figures are from 1 May 1997 to 15 January 1998 (inclusive).

PRESIDENT OF THE COUNCIL

Drugs Tsar

Mr. Flynn: To ask the President of the Council when the decision was taken to employ an assistant Drugs Tsar; and how the job was advertised. [23391]

Mrs. Ann Taylor: The decision to appoint Mike Trace as the Deputy UK Anti-Drugs Coordinator was taken in the light of the Ministerial interviews of the short-listed candidates, which I chaired and it was ratified by the Prime Minister before appointment in October 1997.

The Deputy Coordinator acts in support of the full range of the Coordinator's responsibilities.

HOME DEPARTMENT

Abdul Oudigo

Mr. Corbyn: To ask the Secretary of State for the Home Department (1) if he will publish all the correspondence between his Department, the Metropolitan Police, the Nigerian Police and Interpol concerning Abdul Oudigo in 1995 and 1996; [23026]

(2) if he will publish the contents of the Interpol report on Abdul Oudigo that was received by his Department in 1996. [23027]

Mr. Michael: Interpol London has no record of Mr. Oudigo, either on paper or on any of its databases. Nor is there any record on the Police National Computer or at the Interpol Headquarters in Lyon.

If my hon. Friend is able to provide this Department with further information concerning his Question, for example Mr. Oudigo's date of birth, I will be happy to make further inquiries.

Mr. Peter San Pedro

Mr. Cohen: To ask the Secretary of State for the Home Department at what time CS spray was used on Peter San Pedro of London; at what time Mr. San Pedro was released; at what time Mr. San Pedro died in a road accident; and if he will make a statement. [23107]

Mr. Michael: I understand from Kent County Constabulary that an officer sprayed Mr. San Pedro with CS during an incident which began at 11.33 am on 3 April 1997; that he was released from custody at 12.30 pm that day; and that at 6.23 pm an emergency call was received to say that he had been struck by a lorry. The incident has been investigated by the Police Complaints Authority and an inquest took place on 4 and 5 December. The cause of death was recorded as multiple injuries and the jury returned an open verdict. The Crown Prosecution Service is currently considering matters arising out of the incident.

Flying Squad

Mr. Cohen: To ask the Secretary of State for the Home Department for what reasons the police installed road blocks around the headquarters of the Flying Squad in Walthamstow during the weekend of 20 and 21 December. [23043]

Mr. Michael: This is an operational matter for the Commissioner of Police of the Metropolis. However, he tells me that no road blocks were installed around the regional Flying Squad office at Rigg Approach, Walthamstow, during the weekend of the 20 and 21 December. On that date, the office was searched by officers from the Metropolitan Police's Complaints Investigation Bureau following the arrest of former officers.

Dangerous Dogs

Mr. Edward Davey: To ask the Secretary of State for the Home Department how many dogs have been *(a)* seized and *(b)* destroyed under the provisions of the Dangerous Dogs Act 1991 to date. [23018]

Mr. George Howarth: Information on the numbers of dogs which have been seized by the police and local authorities under the Dangerous Dogs Act 1991 is not collected centrally.

Information on the number of dogs destroyed under the dangerous dogs legislation is not collected in the form requested.

In the period 1992–1996, a total of 977 people were convicted either of offences under section 1 of the 1991 Act or of aggravated offences under section 3. In each of these cases, the court would have had no option but to order the destruction of the dog concerned. This figure, therefore, is likely to be close to the actual number of dogs put down under the Act over that period.

Animal Breeding Licences

Mr. Hancock: To ask the Secretary of State for the Home Department what licences for animal breeding are currently held by Hillgrove Farm, Witney, Oxfordshire; when the provision of these licences was last reviewed; and what assessment he has made of the justification for their issue. [22863]

Mr. George Howarth: Hillgrove Farm is designated under the Animals (Scientific Procedures) Act 1986 as a breeder and supplier of animals for use in scientific procedures. The Animals (Scientific Procedures) Act 1986 does not require that Certificates of Designation be renewed or formally reviewed. However, inspectors visit all establishments and will, where necessary, recommend the amendment of Certificates.

Hillgrove Farm was inspected three times in 1997. The purpose of these inspections was to assess compliance with the conditions set out on the Certificate of Designation.

I am satisfied that the establishment is operating within the terms and conditions of the 1986 Act and of its Certificate of Designation. There are no grounds, therefore, to revoke the Certificate.

Jonathan Aitken

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department on what dates officers from the Metropolitan Police travelled to Paris to interview staff at the Ritz in connection with the alleged perjury of Mr. Jonathan Aitken. [23112]

Mr. Michael: This investigation is an operational matter for the Commissioner. However, he tells me that two officers from the Metropolitan Police travelled to Paris on 12 January 1998 in connection with this investigation.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department when he expects the Commissioner of Police of the Metropolis to conclude his investigation into the alleged perjury of Jonathan Aitken. [21606]

Mr. Michael: The Commissioner informs me that inquiries are continuing. These inquiries have been protracted due to the legal necessity to seek evidence from foreign jurisdictions. The investigation is being pursued as expeditiously as possible and will be concluded as soon as practicable. This investigation is an operational matter for the Commissioner.

Drugs Offenders

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what was the average determinate sentence of imprisonment or detention in a young offender institution received by offenders convicted of the supply, importation or production of Class A controlled drugs in each of the last 10 years for which figures are available; [23123]

(2) how many offenders convicted of offences related to the supply, importation or production of Class A controlled drugs received (a) a life sentence, *(b)* a determinate sentence of imprisonment and *(c)* a non-custodial sentence in each of the last 10 years for which figures are available. [23124]

Mr. Michael *[holding answer 15 January 1998]:* The offences referred to cover a wide range of circumstances and seriousness. Some cases may attract a caution if the offender has admitted guilt and the police decide that the offence is at the lower end of seriousness. On conviction, the maximum sentence available to the court for these offences is life imprisonment.

Table 1 shows the respective number of offenders cautioned, given a non-custodial sentence and given a custodial sentence since 1993. Table 2 shows the average sentence lengths given to those given a custodial sentence. Prior to 1993, information held centrally for offences of supply and production does not identify controlled drugs by type or class.

Table 1: Number of offenders convicted of offences of supply, importation[1] and production of a Class A controlled drug by result, 1993–96

England and Wales

				Immediate custody			
Offence	*Year*	*Cautioned*	*Total sentenced*	*Non-custodial sentences*	*Determinate sentences*	*Life sentences*	*Total sentenced and cautioned*
Supply of a Class A controlled drug	1993	91	740	267	473	—	831
	1994	84	796	270	529	—	880
	1995	70	952	251	701	—	1,022
	1996	73	1,306	309	995	—	1,379
Importation[1]	1993	6	1,156	381	777	—	1,162
	1994	5	1,179	840	836	—	1,184
	1995	7	1,025	288	736	—	1,032
	1996	7	1,129	260	869	—	1,136
Production of Class A controlled drug	1993	25	34	25	9	—	59
	1994	48	44	34	10	—	92
	1995	58	59	38	22	—	117
	1996	15	57	43	15	—	72

[1] Importation of any controlled drug—cannot identify by class type.

Table 2 : Average sentence lengths[1] given for the offences of supply, importation[2] or production of a Class A controlled drug by type of custodial sentence and court, 1993–1996

England and Wales

Type of court/type of sentence/year	Average sentence length[1] (months) Supply of a Class A controlled drug	Importation[2]	Production of a Class A controlled drug
Magistrates' courts			
Young Offender Institution			
1993	2.3	2.3	—
1994	3.3	3.4	—
1995	—	—	--
1996	4.0	6.0	3.0
Unsuspended sentence of imprisonment			
1993	3.9	3.7	—
1994	3.0	3.1	—
1995	3.1	2.7	3.5
1996	2.9	3.2	—
Crown Court			
Young Offender Institution			
1993	20.1	29.2	—
1994	27.5	41.1	—
1995	24.8	38.5	—
1996	27.6	40.0	—
Unsuspended sentence of imprisonment			
1993	40.1	54.1	24.3
1994	41.3	52.4	31.8
1995	41.3	61.7	39.1
1996	41.5	65.8	42.2
All courts			
Young Offender Institution			
1993	19.5	28.4	—
1994	25.4	38.9	—
1995	24.8	38.5	—
1996	26.6	38.6	3.0
Unsuspended sentence of imprisonment			
1993	39.3	53.2	24.3
1994	41.1	51.5	31.8
1995	40.3	60.0	35.9
1996	41.0	64.8	42.2

[1] Excludes Life sentences.
[2] Importation of any controlled drug—cannot identify by class type.

Witness Protection Scheme

Dr. Cable: To ask the Secretary of State for the Home Department how many people sought relocation in 1997 under the witness protection scheme; and how many were successfully rehoused, by borough. [23960]

Mr. Michael: There is no national scheme for the protection of witnesses in this country and information relating to those on police witness protection schemes is not collected centrally. Whether to offer protection in any particular case and the form that protection should take, including whether the person should be relocated, is a decision for the police force concerned.

Asylum Seekers

Mr. Baker: To ask the Secretary of State for the Home Department what percentage of, and how many, asylum seekers were *(a)* granted asylum and *(b)* given exceptional leave to remain for each year from 1985 to 1997 inclusive. [23489]

Mr. Mike O'Brien: During 1997, a total of 36,045 initial decisions, excluding dependants, were made on asylum applications. Of these, 3,985 (11 per cent.) were to recognise the applicant as a refugee and grant asylum, 3,115 (9 per cent.) were to refuse asylum but grant exceptional leave to enter (or remain) and 28,945 (80 per cent.) were to refuse both asylum and exceptional leave.

Equivalent information for the years 1986 to 1996 is given in table 1.2 of the Home Office statistical bulletin "Asylum Statistics United Kingdom 1996" (issue 15/97). Table 1.2 of issue 9/96 of this publication provides similar data for 1985. Copies of both publications are available in the Library.

Mr. Baker: To ask the Secretary of State for the Home Department how many *(a)* applications for asylum awaiting an initial decision and *(b)* appeals by asylum seekers against refusal to grant leave to stay were outstanding on 1 January. [23540]

Mr. Mike O'Brien: Information on the number of outstanding cases relates to the position at the end of the month rather than the beginning.

As at 31 December 1997, there were 51,795 applications for asylum in the United Kingdom, excluding dependants, awaiting an initial decision. As at the same date, there were 25,555 asylum related appeals awaiting determination.

The number of applications awaiting an initial decision has fallen by 5,600 (from 57,405) since the end of 1996. The total number of asylum related appeals outstanding has arisen over the same period by 3,215. However, over the last 5 months, this figure has shown a slight but consistent fall.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department how many visits were carried out last year by his Department's inspectors to establishments authorised to undertake animal procedures; and how many of these were unannounced. [22957]

Mr. George Howarth: Figures for 1997 have not yet been finalised. I will write to the hon. Member when they are available.

Mr. Baker: To ask the Secretary of State for the Home Department what steps are taken to ensure animals held in captivity for use in experiments are allowed to follow normal behavioural patterns so far as possible; and on how many occasions in 1996 his Department's inspectors have required changes to be made to conditions of captivity. [22952]

Mr. George Howarth: The environmental conditions required for animals used in scientific procedures are set out in the Code of Practice for the Housing and Care of Animals used in Scientific Procedures and reflected in the conditions set out in the establishment's Certificate of Designation. As far as possible, account is taken of species specific behaviour patterns and needs.

Central records are not kept of how many times inspectors have required changes to be made at designated establishments to meet the conditions set out in the Certificate of Designation.

The Inspectorate has completed audits of all establishments designated under section 6 of the Animals (Scientific Procedures) Act 1986 and found high levels of compliance. Instances of non-compliance are being addressed.

Mr. Baker: To ask the Secretary of State for the Home Department what opportunities exist for pooling of data and other information obtained from animal experimentation between the United Kingdom and other countries; and what steps he is taking to encourage this. [22954]

Mr. George Howarth: There are no powers under the Animals (Scientific Procedures) Act 1986 to require scientists to share data obtained from animal experimentation. Scientists are, however, expected by the Home Office to publish the results of their research.

Under certain circumstances, where animal test data are submitted to regulatory authorities, there may be statutory obligations to share this data with third parties. The Home Office has encouraged this, as such sharing may reduce the number or scope of regulatory tests involving the use of animals.

Mr. Baker: To ask the Secretary of State for the Home Department if he will estimate the percentage of animal procedures carried out in 1996 which replicated procedures already undertaken previously *(a)* within the United Kingdom and *(b)* elsewhere. [22955]

Mr. George Howarth: This information is not available.

On occasion, replication or duplication of procedures may be essential to establish the reliability of previous data and findings. Unless there are valid reasons for replicating work already undertaken, the Inspectorate will not recommend that a licence be granted.

Mr. Baker: To ask the Secretary of State for the Home Department how many prosecutions have been initiated in each year since 1987 for offences under the Animals (Scientific Procedures) Act 1986; and what was the outcome in each completed case. [22960]

Mr. George Howarth: Two prosecutions have been initiated since 1987. In 1991, an individual was convicted of breeding and supplying animals for use in scientific procedures while not being designated under section 7 of the Animals (Scientific Procedures) Act 1986. In the other instance, charges were brought in 1997. This case is still before the courts.

Prosecutions for cruelty in designated establishments have also been pursued under the Protection of Animals Act 1911.

Mr. Baker: To ask the Secretary of State for the Home Department what steps he is taking to reconcile respect for commercial confidentiality with his stated policy to seek to reduce the numbers of procedures carried out. [22956]

Mr. George Howarth: We assume the question relates to scientific procedures involving animals.

We have already announced our intention to investigate the possibility of a European database on alternative methods and to make applicants for project licences declare what consideration they have given to alternatives which reduce the number of animals used or replace them entirely (as well as refining procedures to minimise suffering).

The Animals (Scientific Procedures) Inspectorate will continue to assess licence applications to ensure that alternatives are used wherever possible. I do not accept that there is a conflict between commercial confidentiality and efforts to minimise the number of animals used in scientific procedures.

Mr. Baker: To ask the Secretary of State for the Home Department what changes will be required to the Animals (Scientific Procedures) Act 1986 to comply with the terms of the Government's White Paper on Freedom of Information. [22958]

Mr. George Howarth: The Animals (Scientific Procedures) Act 1986 is one of a number of Acts which contain statutory bars to the disclosure of information. Section 24 of the Act prevents the disclosure of information given in confidence. The Government have announced that they will be reviewing such statutory bars to decide whether they should remain or should be amended to bring them into line with the "substantial harm" and "public interest" tests proposed in the White Paper on Freedom of Information: "Your Right to Know" (Cm 3818). No decisions have yet been made concerning individual Acts.

Mr. Baker: To ask the Secretary of State for the Home Department if he will make it his policy to increase substantially the penalties available for failure to adhere to the conditions laid down as part of project licences under the Animal (Scientific Procedures) Act 1986. [22959]

Mr. George Howarth: The available penalties are set out in the Animals (Scientific Procedures) Act 1986. These include variation or revocation of licences (section 11); suspension of licences (section 13); and, upon conviction under section 22 of the Act, imprisonment or a fine. The maximum term of imprisonment is two years on conviction on indictment or six months on summary conviction. Variation of a licence may include changes to the authorities granted (such as removing authority to carry out certain protocols) or the addition of special conditions. We have no plans to change these provisions of the Act.

In addition to these penalties, administrative measures can be taken such as admonition, or a requirement that licensees attend a training course. The latter can be formalised by the variation of the licence by the addition of a special condition.

All infringements of the Act are reported to the Animal Procedures Committee which reviews the level of penalties imposed and advises on whether these were appropriate. It remains Home Office policy to impose penalties primarily to prevent recurrence of the infringement of the Act.

Mr. Baker: To ask the Secretary of State for the Home Department how many animals bred or otherwise obtained for use in animal experimentation in 1996 were subsequently killed without being so used; and what this was as a percentage of animals used. [22951]

Mr. George Howarth: Animals which are bred in designated establishments for use in scientific procedures under the terms of the Animals (Scientific Procedures)

Act 1986 but which are not so used can be killed by Schedule 1 or other approved methods without licence authority under the Act.

Types of animal which are not listed in Schedule 2 to the 1986 Act can be bred within non-designated establishments. Surplus animals can be humanely killed in such establishments without authority under the terms of the 1986 Act.

The Home Office cannot therefore collate, or even estimate, the number of animals bred for use in scientific procedures but which were killed without being used.

Changes to the Act would be needed if statistics of this nature were to be collected and there are no plans to make any such changes.

Mr. Baker: To ask the Secretary of State for the Home Department what steps he is taking *(a)* within the EU and *(b)* within the UN to discourage animal experimentation. [22953]

Mr. George Howarth: The United Kingdom takes an active role with its partners in Europe to ensure the implementation of the provisions of European Directive 86/609/EEC on the approximation of laws, regulations and administrative provisions of the member states regarding the protection of animals used for experimental and other scientific purposes.

There is no forum within the United Nations for discussing the use of animals in scientific procedures. However, links with other countries (including a number of non-European Union countries) exist through the Council of Europe and the European Convention ETS123 for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes.

The Directive, the Convention and the Animals (Scientific Procedures) Act 1986 require that animals be used only where this is justified and where alternative methods of achieving the objective of the programme of work are not available.

Mr. Baker: To ask the Secretary of State for the Home Department what research his Department has *(a)* commissioned and *(b)* evaluated concerning the reliability of the results derived from animal testing and their applicability in respect of humans. [22963]

Mr. George Howarth: No research has been commissioned by the Home Office, but account is taken of species differences in the design of experiments, in the range of animal species used, and in the correlation of animal-based data with other experimental data. This includes, where appropriate, that produced in human trials.

The requirement to carry out safety tests using animals, the nature of the tests and the way the results are analysed and interpreted are the responsibility of other Government Departments and other international regulators, not the Home Office.

Young Remand Prisoners

Mr. Baker: To ask the Secretary of State for the Home Department what plans he has to end the practice of holding males aged under 18 years in adult prisons while on remand. [23726]

Mr. Michael: The Government are concerned about the continued remand of boys to prison which is a long-standing issue which the last Government failed to resolve. This Government's policy is to move to a situation where it is no longer necessary to remand 15 and 16 years olds to prison. I set out the background in detail in my answer to the hon. Member for Hertsmere (Mr. Clappison) on 12 January 1998, *Official Report*, columns *64–66*. We have reviewed this whole difficult area and decided that the priority is to give the courts the right range of powers to remand juveniles to secure accommodation, and there are provisions within the Crime and Disorder Bill to achieve this. The proposals do not apply to 17 year olds who are treated as adults for remand purposes. There is no proposal to change the remand arrangements for this older age group.

We hope that the outcome of the current review of the secure juvenile estate and the work which the Prison Service is currently doing will enable us to end the practice of detaining juveniles with adults.

Damages (Civil Recovery)

Mrs. Ballard: To ask the Secretary of State for the Home Department what research his Department has conducted into the effect of legislation to facilitate the civil recovery of damages from criminals on the level of crime against businesses. [23949]

Mr. Michael: No such research has been conducted by the Home Office.

Firearms

Mr. Collins: To ask the Secretary of State for the Home Department if he will make a statement on the quantity of illegal arms in circulation in England and Wales and on the impact on the illegal arms trade of the Firearms (Amendment) Act 1997. [23490]

Mr. Michael: There is no reliable estimate of the number of illegal firearms in this country. The primary purpose of the 1997 legislation, especially the banning of handguns, is to provide greater safeguards for the safety of the public, given that the shootings at Dunblane and Hungerford were committed using lawfully held weapons. In 1996, there were 294 incidents in which handguns were stolen or otherwise misappropriated so the ban will remove a significant supply of weapons for use in crime.

Mr. Collins: To ask the Secretary of State for the Home Department what is his current estimate of the sums paid under the Firearms (Amendment) Act 1997 Compensation Scheme to handgun owners *(a)* since the commencement of the scheme and *(b)* once full compensation has been paid. [23544]

Mr. Michael: On 6 January 1998, £30.3 million had been paid out under the Firearms Compensation Scheme. The latest total estimate for the Scheme, including payments for small-calibre pistols and ancillary equipment to be surrendered during February, is £166 million.

Drug Dealing Charges

Mr. Flynn: To ask the Secretary of State for the Home Department what are the totals of those *(a)* held in custody and *(b)* who received jail sentences subsequently following allegations that they have been dealing in

(i) heroin, (ii) ecstasy and (iii) cannabis in each of the last eight years; and what proportion they represent of the totals charged in each category. [23387]

Mr. Michael: Information for those appearing at the Crown Court in 1996 is given in the table. Crown Court data for earlier years and data for magistrates' courts are not sufficiently robust to allow for this level of detail.

Defendants who appeared at the Crown Court in 1996 on charges of dealing[1] in heroin, ecstasy and cannabis

	Dealing in:		
	Heroin	*Ecstasy*	*Cannabis*
Dealt with[2]	992	839	2,720
Held in custody	625	343	794
Percentage held in custody	63 per cent.	41 per cent.	29 per cent.
Held in custody and sentenced to immediate custody	538	301	578
Percentage of those held in custody sentenced to immediate custody	86 per cent.	88 per cent.	73 per cent.

[1] dealing includes offences of supply and possession with intent to supply.
[2] includes all those acquitted or sentenced.

Voluntary Work

Mr. Godman: To ask the Secretary of State for the Home Department what recent representations he has received concerning the funding of projects organised and administered by community and voluntary organisations. [21443]

Mr. Michael: We receive grant applications from a wide range of community and voluntary organisations. In addition, we are in frequent discussion with representatives of voluntary and community organisations about matters of mutual interest, including funding.

Charity Collections

Mr. Sanders: To ask the Secretary of State for the Home Department what advice his Department issues to the owners of premises approached by charities for permission to make collections who wish to verify the standing of the charity; and if he will make a statement. [22885]

Mr. Michael: I refer the hon. Member to my answer of 12 November 1997, *Official Report*, columns *558–59*.

Littlewoods Directors

Mr. Stephen Twigg: To ask the Secretary of State for the Home Department if he will make a statement on the appointment of Ms Perkins as a non-executive director of Littlewoods. [24237]

Mr. Straw: My wife's unpaid appointment as a non-executive director of Littlewoods was made in July 1997, as part of a long-standing scheme for establishing better understanding between senior civil servants and the private sector. I am informed that 119 senior civil servants had appointments as non-executive directors in 1996–97. As a precaution against any appearance of conflict of interest, when my wife's appointment was made I arranged for any matters affecting the interests of Littlewoods to be considered by the Parliamentary Under-Secretary of State Home Affairs, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth). This is in accordance with the Guidance for Ministers and precedent. No conflict of interest therefore arises.

INTERNATIONAL DEVELOPMENT

Tigers

Mr. Baker: To ask the Secretary of State for International Development what account she takes of the threats which exist to the future of the tiger population in India in deciding her Department's policy towards India. [22949]

Clare Short: Protection of the natural environment is one of the priorities for Department for International Development set out in the recent White Paper. All projects are screened for their environmental impact. We are supporting the Indian Government's efforts to save the tiger with a £50,000 grant to the Global Tiger Forum, £1 million to the Indira Gandhi Conservation Monitoring Centre (a non-governmental organisation), and contributions to multilateral agencies with global environmental agendas.

Bulgaria

Ann Clwyd: To ask the Secretary of State for International Development what assessment she has made about the levels of poverty in the former Eastern bloc states with particular reference to Bulgaria. [23015]

Clare Short: The transition to democratic systems of government and market economies in the Eastern bloc has undoubtedly been accompanied by an increase in the incidence of poverty, particularly in Bulgaria. Our future work will place increased emphasis on trying to ensure that support to transition takes full account of the need to protect poor and vulnerable groups and to spread more widely the benefits from economic development.

Ann Clwyd: To ask the Secretary of State for International Development if she will make a statement about British assistance towards development projects in Eastern Europe, with particular reference to Bulgaria. [23016]

Clare Short: Our assistance to Eastern Europe is directed through the Know How Fund, which supports transition to pluralist democracy and market economies. We are reshaping Know How Fund programmes to give greater emphasis to protecting the poorest and to enabling the widest number of people to share in the fruits of change, as described in our pamphlet "Support for Transition Countries: A New Strategy", a copy of which I am placing in the Library of the House. In Bulgaria, we shall support the encouraging reforms being pursued by the new government, paying particular attention to the needs of poor and vulnerable groups.

Ann Clwyd: To ask the Secretary of State for International Development what assessment she has made of the Bulgarian state orphanage system. [23017]

Clare Short: We have discussed this issue with UK-based agencies working with Bulgarian orphanages. We conclude that we should help relieve the very poor conditions found in orphanages, and also assist the Bulgarian authorities to investigate community-based alternatives to institutional care. We are funding a £250,000 project with this aim, to be managed by the Save the Children Fund (UK). We have provided a total of £359,000 to UK-based agencies and the Bulgarian Red Cross for relief programmes with vulnerable families and institutions and are supporting social homes and orphanages through small grants. We have also contributed about £2 million to the European Union's Emergency Social Assistance and Humanitarian Office Programmes in Bulgaria.

HEALTH

Adverse Incident Centre

Ann Clwyd: To ask the Secretary of State for Health if he will make a statement about the Adverse Incident Centre. [23012]

Ms Jowell: The Adverse Incident Centre is managed by the Medical Devices Agency. It is the first point of contact for reporting adverse incidents involving medical devices used in the National Health Service.

All reports are analysed and those involving death or serious injury, or with the potential to cause it, are investigated fully. Where appropriate, the agency issues a Hazard or Safety Notice to the NHS advising of hazardous products or unsafe procedures and the actions that should be taken.

In many other cases, the manufacturer is asked to investigate the incident. The agency reviews the manufacturer's response and, where appropriate, notifies the reporter of the outcome.

The agency publishes an annual survey of reported incidents as part of its efforts to increase awareness of the importance of reporting them.

The Adverse Incident Centre database holds over 32,000 incident records, dating back to 1987. Over 5300 adverse incident reports were received in 1997.

Travel Vaccinations

Mrs. Dunwoody: To ask the Secretary of State for Health what cost benefit analysis has been conducted into the privatisation of travel vaccinations for infectious diseases. [22906]

Ms Jowell: The non-availability or unreliability of data on travel vaccines given in the United Kingdom makes formal cost-benefit analysis difficult. We recognise that inconsistencies and ambiguities have arisen over the years in the arrangements for travel vaccines and the way they are interpreted and are seeking to resolve these anomalies as part of an ongoing, internal review.

Infertility Services

Mr. Syms: To ask the Secretary of State for Health what guidance he has given to health authorities to ensure a more consistent provision of infertility services across the country. [23913]

Ms Jowell: The White Paper "The New National Health Service" outlines a number of steps which the Government will be taking to improve the consistency of service provision throughout the National Health Service. We will challenge and address variations which are not based on the health needs and wishes of local people. We will aim for maximum consistency while still allowing appropriate local and individual responsiveness. We are currently considering what further advice the NHS should be given on infertility service provision.

Disabled People

Mr. Burstow: To ask the Secretary of State for Health if he will list the areas where his Department's report, Policy Research Programme: providing a knowledge base for health, public health and social care, has provided the basis for improvements in information to disabled people. [23357]

Ms Jowell: The Department of Health has funded improvements to information databases on disability equipment maintained by the Disabled Living Foundation and the Royal National Institute for the Blind. This followed evaluations in the Policy Research Programme suggesting that the European Union's Handynet system was not meeting the needs of users in the United Kingdom.

A range of other research is commissioned which relates to policy on physical disability, sensory impairment, learning disability and the health of older people. It covers a broad spectrum of acute care and continuing health and social care including work of community nurses and therapy professions. The broad aim of the research programme is to provide information that will assist in the policy formulation on integrated services to meet the needs of elderly, disabled or vulnerable people and to enable them to live in the community where possible.

Prescriptions

Mr. Baker: To ask the Secretary of State for Health what is his policy on the level of prescription charges and the availability of multiple prescriptions at discounted prices. [23395]

Mr. Milburn: All aspects of prescription charges are being examined as part of the Comprehensive Spending Review which will report in the summer. The Review in the Department of Health is being undertaken in the context of our manifesto commitment:

"if you are ill or injured there will be a national health service there to help; and access to it will be based on need and need alone—not on your ability to pay, or on who your general practitioner happens to be or on where you live".

Mr. Flynn: To ask the Secretary of State for Health what is his estimate of the proportion of medicinal drugs that are prescribed in order to counteract the consequences of other medicinal drugs. [23389]

Mr. Milburn: It is not possible to estimate the proportion of medicines prescribed to counteract the consequences of other medicinal drugs. However, medicinal drugs are often appropriately prescribed in combination, so that one drug may counteract the unwanted side-effects of another clinically necessary drug.

Body Piercing

Mr. Keetch: To ask the Secretary of State for Health if he will make a statement on the method of licensing for people performing ear-piercing and body piercing; and what plans he has to review the licensing procedure.[23318]

Ms Jowell: The current registration and licensing provisions for ear-piercing and cosmetic body piercing business provisions are described in "Regulation of Skin Piercing: a Consultation Paper" issued jointly by the Department of Health and the Welsh Office in October 1996. Copies are available in the Library.

This consultation paper reviewed the current legislation which gives local authorities powers to control skin piercing businesses.

We are considering our response to the consultation exercise.

TRADE AND INDUSTRY

Hawk Jet Sales (Indonesia)

Mr. Cohen: To ask the President of the Board of Trade if the delivery of Hawk Jets to Indonesia has been made; how much the Export Credits Guarantee Scheme has contributed to the sale; and, following the economic problems in Indonesia, what assessment he has made of the likelihood of full payment being received at the expected time. [23102]

Mrs. Roche: 16 of the 40 aircraft remain to be delivered.

ECGD has guaranteed two loans valued at US$530 million and £13.4 million for a contract for Hawk Aircraft made with the Indonesian Government in 1993 and one loan valued at £280 million in respect of a further contract made in 1996.

In view of the recent financial turbulence in Asia, ECGD is monitoring the situation closely. Payments under the above mentioned loans are up to date.

Credit Act

Mr. Colman: To ask the President of the Board of Trade if she will introduce legislation for a new Credit Act. [23331]

Mr. Nigel Griffiths: While I have no immediate plans to introduce legislation for a new Credit Act, I shall shortly issue a consultative paper on proposals for simplifying and clarifying aspects of Consumer Credit legislation.

Finance Director

Mr. Cousins: To ask the President of the Board of Trade if she will arrange for the Office of Fair Trading to place in the Library its evidence to the European Commission and the results of its survey of finance directors on the proposed merger of KPMG and Ernst and Young; and if she will make a statement. [23682]

Mr. Nigel Griffiths: Member States have a formal role in EC competition investigations. During an EC investigation, publication by the UK of views submitted to the Commission, or of the results of any surveys or work undertaken by the UK authorities, would compromise the effectiveness and integrity of that investigation. Such information could also be market sensitive.

Copyright and Consumer Protection

Mr. Maude: To ask the President of the Board of Trade what plans she has to ensure that on-line service and access providers, including telecommunications companies, take legal and administrative responsibility for ensuring that material which is transmitted or delivered by them does not infringe copyright or consumer protection legislation. [23575]

Mr. Ian McCartney: The general principle is that the law applies on-line in the same way that it does off-line. Under United Kingdom copyright law, on-line service or access providers are legally responsible for copyright infringement if they themselves incorporate copyright material into transmissions without the consent of copyright owners. Existing consumer law covers electronic commerce in the same way as it covers face to face transactions and other forms of distance communications (e.g. mail order).

Employment Tribunal Awards

Mr. Mitchell: To ask the President of the Board of Trade how many awards of over £50,000 were made by employment tribunals in cases of unfair dismissal in each of the last three years; and how many of these remain unpaid. [23462]

Mr. Ian McCartney: Awards for unfair dismissal are made up of two elements: a basic award and a compensatory award. The current maximum basic award for unfair dismissal case is £6,300, based on the statutory maximum of £210 per week, together with a maximum of £11,300 for the compensatory element. Section 125 of the Employment Rights Act 1996 provides for special awards in cases of unfair dismissal for Trade Union activities and in cases where the employer has failed to comply with an order for reinstatement. There have been no awards of over £50,000 in unfair dismissal cases in the last three years.

Mr. Mitchell: To ask the President of the Board of Trade what plans she has to make the payment of employment tribunal awards compulsory. [23461]

Mr. Ian McCartney: The payment of industrial tribunal awards is governed by similar procedures to other awards made by the civil courts. Employers who do not observe industrial tribunal monetary awards can be required to do so by court order.

Ministerial Travel (Trains)

Mr. Baker: To ask the President of the Board of Trade on what date she last used a train in the course of her official duties. [22926]

Mrs. Beckett *[holding answer 15 January 1998]:* I last used a train in the course of my official duties on Monday 8 December 1997 travelling to London following a regional visit to Nottingham and Lincoln.

Millennium Compliance

Mrs. Gillan: To ask the President of the Board of Trade what is her current estimate of the cost of millennium compliance to United Kingdom businesses. [23593]

Mrs. Roche *[holding answer 16 January 1998]:* I have made no such estimate. The cost will depend on many factors, including the extent to which businesses decide to fix, replace or abandon systems, and the speed with which they act. We believe that acting early will reduce the cost.

Mrs. Gillan: To ask the President of the Board of Trade if she will list the engagements she has undertaken directly in connection with millennium compliance issues since 1 November. [23591]

Mrs. Beckett *[holding answer 16 January 1998]:* Ministers in my Department have undertaken numerous engagements directly in connection with millennium compliance since 1 November. These include:

meetings with the Chairman of Action 2000;

meetings with industry;

speaking engagements;

press interviews;

the European Telecoms Council;

bi-laterals with European counterparts.

Mrs. Gillan: To ask the President of the Board of Trade if she will give details of the full staffing plan for Action 2000. [23630]

Mrs. Roche *[holding answer 16 January 1998]:* Action 2000's Chairman and Director will be supported by three Team Leaders and an office manager, together with suitable clerical and administrative support. Action 2000, under its Chairman and Acting Director, is already co-ordinating detailed work under way by a number of teams dealing with the "year 2000" problem.

Mrs. Gillan: To ask the President of the Board of Trade what assessment she has made of the impact on and cost to business of dealing with the date change problem and the introduction of the euro over the next two years. [23595]

Mrs. Roche *[holding answer 16 January 1998]:* In respect of the date change problem, I have made no estimate. The cost will depend on many factors, including the extent to which businesses decide to fix, replace or abandon systems, and the speed with which they act. We believe that acting early will reduce the cost. The cost to business of the introduction of the Euro over the next two years will depend on many factors including how quickly and widely the Euro is actually used by business in the EU.

Monopolies and Mergers Commission

Mr. Cox: To ask the President of the Board of Trade what are the issues currently being considered by the Monopolies and Mergers Commission. [23802]

Mr. Nigel Griffiths: The Monopolies and Mergers Commission (MMC) are currently considering three references which have been made to it. These are Underwriting Services, a monopoly reference, Bird's Eye Walls, a reference made under the Competition Act 1980, and Fresenius/Caremark, a merger reference.

Departmental Payments

Mr. Page: To ask the President of the Board of Trade when she intends to publish the latest payment times of Government Departments; and if she will list them against the previous figures. [23795]

Mrs. Roche: I refer the hon. Member to the reply I gave to the hon. Member for Chesham and Amersham (Mrs. Gillan) on 12 January 1998, *Official Report*, column *28-29*.

I will list the previous figures when I publish the payment performance figures for the financial year ending 31 March 1998.

Chief Engineering Adviser

Mrs. Curtis-Thomas: To ask the President of the Board of Trade what plans she has to appoint a government chief engineering adviser; and from whom Her Majesty's Government receive engineering-related advice at present. [23818]

Mr. Battle: The Government already have a Chief Scientific Adviser, Sir Robert May, whose responsibilities include fostering Science, Engineering and Technology throughout Whitehall. In addition, there are a number of officials and other bodies such as the Engineering and Physical Sciences Research Council whose responsibilities include the provision of engineering-related advice.

Information Technology

Mrs. Curtis-Thomas: To ask the President of the Board of Trade what plans she has to ensure that accountancy audits assess operational dependence on information systems. [23812]

Mr. Ian McCartney: It is the responsibility of the auditor in forming an opinion on whether a company's financial statements give a true and fair view to consider the entity's ability to continue as a going concern. This involves considering both the current and possible future circumstances of the business and the environment in which it operates.

In the context of potential systems failures caused by the Year 2000 problem, we are encouraging the profession to consider their role, and the Accounting Practices Board, which sets the standards for auditors, is on the point of issuing a bulletin providing preliminary guidance to auditors in respect of their consideration of the Year 2000 issue in the audit of financial statements. The Audit Faculty of the Institute of Chartered Accountants in England and Wales has already published a Technical Release providing guidance to its members, and the Urgent Issues Task Force of the Accounting Standards Board is also in the process of developing proposals in respect of some aspects of the Year 2000 problem.

Brazilian Mahogany

Mr. Alan Simpson: To ask the President of the Board of Trade how many cubic metres of Brazilian mahogany were imported into the United Kingdom from Brazil in *(a)* 1996 and *(b)* 1997. [23518]

Angela Eagle: I have been asked to reply.

According to statistics kept by my Department, 9,966 cubic metres of Brazilian mahogany (Swietenia macrophylla) were imported in 1996. We are still compiling the data for 1997.

WALES

Referendum

Mr. Evans: To ask the Secretary of State for Wales (1) what was his role in arranging meetings between the Chief Executive of Caerphilly County Council and others over the conduct of the count of the referendum vote in Caerphilly; [23741]

(2) what information he received, and at what time, in respect of the count relating to the Blackwood Box during the referendum on a Welsh Assembly. [23742]

Mr. Ron Davies: None.

NHS Trusts (Appointments)

Mr. Key: To ask the Secretary of State for Wales which section of which regulation provides the statutory basis for the appointment of a chief executive to an NHS trust in Wales. [23543]

Mr. Win Griffiths: Regulations 3, 4(1)(a) and 17 of the National Health Service Trusts (Membership and Procedure) Regulations 1990 (SI 1990 No. 2024), as amended, apply to the appointment of chief executives to NHS trusts in Wales.

PRIME MINISTER

Disablement Issues

Mr. Peter Bottomley: To ask the Prime Minister (1) if he will meet the all-party group on disablement issues to discuss the scope and possible outcomes of the official and ministerial reviews of disability allowances, benefits and income support; [22582]

(2) if he has read the notes of the ministerial meeting with officers and members of the parliamentary all-party group on disablement issues on Thursday 18 December 1997. [22581]

The Prime Minister: My right hon. Friend the Secretary of State for Social Security is in charge of the Comprehensive Spending Review for her Department. She met with representatives of the all party disablement group on 18 December 1997 to hear their views on welfare reform and has offered to meet them again. I am aware of the views expressed by the group.

Daniel arap Moi

Mr. Vaz: To ask the Prime Minister if he will make a statement on his discussions with President Daniel arap Moi. [22811]

Mr. Wilshire: To ask the Prime Minister what matters he discussed with President arap Moi of Kenya during his recent brief meeting. [22818]

The Prime Minister: I had a useful, private discussion with President Moi on 4 January 1998, which included the future challenges facing Kenya.

I made clear to the President that these challenges—which include constitutional review, action on corruption and other governance issues—should be addressed in an open and democratic framework.

Guidance for Ministers

Mr. Peter Bottomley: To ask the Prime Minister what plans he has to modify the code of conduct and guidance for Ministers. [23035]

The Prime Minister: None.

Public Appointments

Mr. Robert McCartney: To ask the Prime Minister what is his policy with respect to making appointments to quangos and other public bodies of those who do not support *(a)* current Government policy and *(b)* that of the body concerned. [23023]

The Prime Minister: Ministerial appointments to executive non-departmental public bodies and to NHS bodies are subject to the Code of Practice and guidance issued by the Commissioner for Public Appointments. His guidance makes it clear that appointments to public bodies should be made on the basis of merit and candidates are expected to subscribe to the objectives of the body on which they wish to serve. It states that political affiliation should not be a criterion for appointment (except where there is a statutory requirement or in the limited instances where the nature of the body makes it important that individual political parties are represented on it). These principles apply to all public appointments.

Banbridge Bomb Incident

Mr. Maginnis: To ask the Prime Minister what assessment he has made of the source, route in and component elements of the car bomb defused in Banbridge on 6 January; and if he will make a statement. [22911]

The Prime Minister: The RUC have advised that, at approximately 1900 hours on 6 January 1998, telephone calls were received by a radio station in Drogheda and the Samaritans in Newry warning that a bomb in a red Sierra car in the centre of Banbridge was due to explode in 20 minutes. The car was located in Newry Street, Banbridge and the area was cleared. Following a number of controlled explosions carried out by an Army Technical Officer, the device, which comprised approximately 500 lbs of home-made explosive, was declared safe.

Police investigations into who or which organisation was responsible are continuing but the RUC have established that the vehicle passed through the border crossing point on the main Dundalk to Newry Road, travelling towards Newry at around 1800 hours on 6 January 1998.

Unfortunately there are some in Northern Ireland not yet prepared to follow the path of peace and democracy and the RUC and Army remain alert to the possibility of

incidents such as this. They deserve great praise for clearing this device and preventing what could have been widespread damage, injuries and deaths.

Ministerial Travel (Trains)

Mr. Baker: To ask the Prime Minister if he will list the occasions since 1 May 1997 when he has used a train in the course of his official duties. [22923]

The Prime Minister *[holding answer 15 January 1998]:* I have made eight train journeys since 1 May 1997.

For reasons of practicality and security it is not always possible to travel by rail.

Mr. Baker: To ask the Prime Minister what steps he has taken to encourage the use of public transport by Ministers. [22939]

The Prime Minister *[holding answer 15 January 1998]:* All Government Departments have been asked to draw up and implement green transport plans with the objective of minimising the environmental impact of their Department's transport activities.

Ministers and Civil Servants will be expected to play their part to meet their objectives.

Minister without Portfolio

Mr. Baker: To ask the Prime Minister, pursuant to his answer to the hon. Member for Essex, North (Mr. Jenkin) of 18 December 1997, *Official Report,* columns *264–65,* concerning official functions at No. 10 Downing Street, on which occasions the Minister without Portfolio was present. [22915]

The Prime Minister *[holding answer 15 January 1998]:* My hon. Friend attended seven functions.

Mr. Redwood: To ask the Prime Minister if he will publish a revised list of responsibilities of the Minister without Portfolio. [23571]

The Prime Minister *[holding answer 16 January 1998]:* In addition to the responsibilities announced when he was first appointed, my hon. Friend has responsibility within Government for the Millennium Experience at Greenwich.

Death Penalty

Mr. McNamara: To ask the Prime Minister if he will introduce legislation to enable the United Kingdom to sign Protocol 6 of the European Convention of Human Rights on the abolition of the death penalty. [22635]

The Prime Minister *[holding answer 15 January 1998]:* The availability or otherwise of the death penalty is a matter for Parliament to decide on a free vote. We have no plans to sign Protocol 6 of the European Convention on Human Rights, which would deny Parliament the opportunity to consider the issue in the future.

The Government have supported international calls for the abolition of the death penalty because Parliament has consistently voted against re-introduction of capital punishment for murder.

Cabinet Members

Mr. Wilshire: To ask the Prime Minister if, when selecting members of his Cabinet, he took into account a candidate's private life. [23213]

The Prime Minister *[holding answer 15 January 1998]:* I considered a variety of factors when appointing the members of my Cabinet, the most important of which was their ability to carry out the official duties required of them effectively and well.

Millennium Compliance

Mrs. Gillan: To ask the Prime Minister if he will list his responsibilities for millennium compliance issues. [23530]

The Prime Minister *[holding answer 16 January 1998]:* The Government are acting to ensure that the national infrastructure is not damaged by the failure of electronic systems related to the year 2000 date change. We are working in partnership with business and through Action 2000 to alert business to the risks and what to do about them: every organisation must take responsibility for its own systems. We are undertaking a systematic appraisal of the electronic systems used by Government and their agencies. And we are taking the initiative with other Governments to tackle the problem on an international basis.

Ministerial Code

Mr. Loughton: To ask the Prime Minister if he will list the revisions to the Ministerial Code since its publication; and when they were published. [23721]

The Prime Minister: There has been none.

Whaling

Mr. Baker: To ask the Prime Minister if he raised the issue of whaling during his recent visit to Japan; and if he will make a statement. [23737]

The Prime Minister: I did not raise the issue of whaling with the Japanese Government during my visit to Tokyo. However, Government officials and the British Embassy in Tokyo are in regular contact with the Japanese on this important issue.

Lockerbie

Mr. Dalyell: To ask the Prime Minister when he now expects to meet the relatives of the victims who died on flight Pan Am 103 over Lockerbie. [24044]

The Prime Minister: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs intends to meet the relatives in the next few weeks. I will meet them thereafter. I look forward to hearing their views at first hand.

LORD CHANCELLOR'S DEPARTMENT

Scottish Devolution

Mr. Dalyell: To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions he has had with the Lord Advocate's Office on matters relating to Scottish devolution. [21482]

Mr. Hoon: My noble and learned Friend the Lord Chancellor regularly discusses a number of subjects with the Lord Advocate, and Scottish devolution has featured among these.

Civil Justice Reforms

39. **Mr. Dismore:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on progress on the implementation of the civil justice reforms. [21484]

Mr. Hoon: The preparation for implementation of the civil justice reforms announced by the Lord Chancellor on 18 October 1997 is progressing as anticipated. More detailed information can be found in the Department's bulletin, "Implementing the Civil Justice Reforms", a copy of which has been placed in the Library. I am pleased to say we are on target to implement the reforms in April 1999.

Legal Aid

40. **Ann Clwyd:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on his proposed reforms of the legal aid system. [21485]

Mr. Hoon: Legal aid is not helping many of those in most need nor is it providing as much help pound for pound as it could. That is offensive to taxpayers and unfair to the poor. Our proposed reforms, by giving us better control over prices and what the money is spent on, will tackle those fundamental flaws in the present scheme.

Magistrates Courts Service

Mr. Bill O'Brien: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representations he has received in support of his proposals for the future structure of the magistrates courts service; and if he will make a statement. [21477]

Mr. Hoon: I have received 15 written representations in specific support of the statement I made on 29 October 1997 concerning the future structure of the magistrates' courts service. In addition, I have received general support from a number of interested organisations.

Cycle Spaces

Mr. Brake: To ask the Parliamentary Secretary, Lord Chancellor's Department how many secure cycle spaces there are in his Department. [22686]

Mr. Hoon: The Lord Chancellor's Department has 15 secure cycle spaces in its Headquarters building in London and a further six in the Court Service Headquarters building, which are shared with other occupants. Outside London LCD Headquarters staff share buildings in Bristol and Leeds where two secure cycle spaces will shortly be available.

The Public Trust Office have ten secure cycle spaces in London. In the Court Service information about cycle spaces outside headquarters is not held centrally and could be obtained only at a disproportionate cost.

Small Claims Proceedings

Mr. Hill: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions in the last 12 months a claim has been made in small claims proceedings for the cost of legal advice under County Court rules Order 19 rule 4 (2) (aa); and what was the value of the average amount awarded in that period. [22486]

Mr. Hoon: This information is not held centrally and could be obtained only at a disproportionate cost.

Privacy Law

Mr. Clappison: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received about the law relating to privacy. [21483]

Mr. Hoon: My Department has received representations about the law relating to privacy from media interests and members of the public.

Social Security Appeals

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications for leave to appeal to the Social Security Commissioner have been *(a)* accepted and *(b)* refused by the Commissioner in each of the last 12 months. [23030]

Mr. Hoon: The number of appeals accepted and refused by the Commissioner in each of the last 12 months are as follows:

1997	*Accepted*	*Refused*
January	61	717
February	205	296
March	332	122
April	171	103
May	72	129
June	163	257
July	88	181
August	105	280
September	155	330
October	149	96
November	202	95
December	162	250
Totals	1,865	2,856

DUCHY OF LANCASTER

Crown Copyright

Dr. Whitehead: To ask the Chancellor of the Duchy of Lancaster when he expects to publish the Green Paper on the future of Crown copyright. [24422]

Dr. David Clark: A consultation paper, "Crown copyright in the Information Age", has been published today (Cm 3819). The Green Paper sets out a number of options for the future management of Crown copyright on which comments are invited by 31 March 1998. The Green Paper takes account of various representations received over the last year and meetings which officials have had with representatives of the UK Information Industries.

The Government believe there to be considerable scope for reform designed to provide a lead and act as a catalyst for enabling effective dissemination and distribution of official information; and to aid the development of our Information Industries.

The Government look forward to receiving comments on the options and questions aired in the Green Paper. At the end of the consultation period, the Government will announce their conclusions. It is our clear intention, however, to place the management of Crown copyright on a simplified and sure footing which will serve the citizen and user of government-originated material well. The demands of the Information Age, with electronic delivery increasingly substituting for print on paper, requires a new approach. This Green Paper provides the basis for devising that approach.

Freedom of Information

Mr. Willis: To ask the Chancellor of the Duchy of Lancaster what plans he has to introduce freedom of information legislation. [23361]

Dr. David Clark: The Government's plans for freedom of information legislation are set out in the White Paper "Your Right to Know" (Cm 3818) published on 11 December 1997.

DEFENCE

Nuclear Weapons

Mr. Corbyn: To ask the Secretary of State for Defence what are the annual running costs of nuclear weapons transportation. [21209]

Dr. Reid *[holding answer 17 December 1997]:* The annual cost of nuclear weapon transportation for financial year 1996–97 is in the order of £3 million. This figure represents the cost of maintaining and operating the convoys that transport the weapons, as well as the costs of personnel associated with this activity.

Recruitment

Mr. Mackinlay: To ask the Secretary of State for Defence what estimate he has made of the cost of training new recruits to armed forces to meet the rate of resignations as a percentage of each armed forces total salary bill; and if he will make a statement. [21650]

Dr. Reid *[holding answer 22 December 1997]:* The Armed Forces require about 25,000 new recruits each year to maintain the trained manpower requirement, and to meet the annual rate of outflow both in terms of resignations and natural wastage. The numbers of personnel who left the Armed Forces under Premature Voluntary Release (PVR) terms in 1996–97, and the numbers recruited from civil life by Service that year, are shown in the table:

Service (a)	*PVR exits (b)*	*Numbers recruited (c)*	*Comparison: ((b) as a percentage (c)) (d)*
Naval Service	2,013	3,959	'51%
Army	6,224	15,552	40%
RAF	1,718	2,684	'64%

' The comparison figures for the Naval Service and RAF are, to an extent, exaggerated because of the Defence Cost Study redundancy programmes, resulting in a lowering of the trained requirement. Recruits would not be needed to replace redundees in the same way that they would be to replace those leaving for other reasons.

The cost of initial recruit training in financial year 1996–97 for each Service was:

	£ million	*Per cent.*	*£ million*
Naval Service	56.5	x51=	28.82
Army	69.6	x40=	27.80
RAF	26.8	x64=	17.15
Total	152.8		73.77

The costs in the left hand column cover initial recruit training for all intakes; that is, to maintain the trained manpower requirement, and to meet the annual rate of outflow both in terms of resignations and natural wastage. Although there is no direct relationship between numbers recruited and resignations in any given year, the costs in the right hand column express the approximate cost of training an equivalent number of recruits to those leaving on resignation. The total of £73.77 million represents just over 1 per cent. of the overall cost of the Armed Forces salaries bill for 1996–97.

Military Personnel and Equipment (Private Use)

Sir Richard Body: To ask the Secretary of State for Defence if he will list those occasions since 1 May on which military personnel and equipment was hired out to private individuals or companies. [22618]

Dr. Reid: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Trawlers (Intelligence Gathering)

Mr. Mitchell: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Hull, West and Hessle (Mr. Johnson) of 17 December 1997, *Official Report,* column *214,* on intelligence gathered by trawlers, if he will name the trawlers; if he will indicate whether the Gaul was used for intelligence purposes and whether it was being so used at the time of its sinking; and if arrangements for using trawlers for intelligence work and collecting intelligence from crews of other trawlers operated at Grimsby. [22637]

Dr. Reid: The three trawlers used for specific intelligence gathering operations in the mid-60s and early 1970s were MV Arctic Galliard, MV Lord Nelson and MV Invincible. All were owned by Hull-based companies, and almost certainly operated from that port. The MV Gaul was not involved in any such activity either before or at the time of her loss in 1974.

More generally, personnel did occasionally embark on trawlers, during which time they were encouraged to report back any opportunity sightings of interest, as indeed were the trawlermen themselves. While we can assume that this did not necessarily centre on Hull-based vessels, there are no records to indicate whether trawlers or trawlermen from other ports were involved.

United Nations Training School

Mr. John D. Taylor: To ask the Secretary of State for Defence how many United Kingdom service personnel attended courses at the United Nations Training School in Ireland in each of the last three years. [22536]

Dr. Reid: The numbers of United Kingdom service personnel who have attended courses at the United Nations Training School in the Republic of Ireland in each of the last three years are as detailed:

1997: 2

1996: 2

1995: 2.

Republic of Ireland

Mr. John D. Taylor: To ask the Secretary of State for Defence how many personnel from the Republic of Ireland's defence forces received training at military establishments in the United Kingdom in each of the last three years. [22535]

Dr. Reid: It has been the practice of successive Administrations not to release details of military assistance provided to other countries on the grounds that this information has been considered confidential between Governments, and that disclosure would risk damaging our international relations. However, this practice is being reviewed against the background of the Government's commitment to openness, and I will write to the right hon. Gentleman once the review is complete.

Personnel (North Yorkshire)

Mr. Bayley: To ask the Secretary of State for Defence how many MOD *(a)* service and *(b)* civilian personnel were based in North Yorkshire at the latest date for which figures are available and in each of the previous 10 years; and if he will list those MOD units which were based in North Yorkshire 10 years ago, but have since been closed or moved elsewhere, indicating in each case the number of (i) service and (ii) civilian personnel employed 10 years ago. [23325]

Mr. Spellar: The detailed historic information requested is not held centrally, and could be provided only at disproportionate cost. Centrally held information is as follows:

Service and Civilian Personnel located in North Yorkshire

Date	*Service*	*Civilian*
30 June 1986	11,500	4,300
30 June 1987	11,100	4,200
30 June 1988	12,300	4,100
30 June 1989	12,300	4,100
30 June 1990	12,800	4,300
30 June 1991	12,600	4,300
1 July 1992	13,400	4,200
1 July 1993	11,800	3,800
1 July 1994	10,800	3,500
1 July 1995	10,600	3,100
1 July 1996	10,100	2,500
1 July 1997	n/a	2,200

n/a = Not available.

Civilian numbers are full time equivalents. Prior to 1 April 1995, part timers counted as half of full time; after 1 April 1995 they were counted by the proportion of conditioned hours worked.

Ministry of Defence site closures in North Yorkshire in the last ten years include:

Colburn Barracks, Catterick

District Workshops, Strensall

Driffield Camp, Nr Beverley

Uniacke Barracks, Harrogate

Hildebrande Barracks, Harrogate

RAF Elvington

AAC Harrogate (Army Apprentice Col. to reopen in September 1998 as Army Foundation College (Interim Solution)

RAF Harrogate

Government Buildings, Harrogate

Hessay Supply Depot

Scorton Storage Depot

RAF Catterick (became Marne Barracks)

Scarborough Training School

Escrick Storage Depot.

RAF Marston Moor

Mr. Gordon Prentice: To ask the Secretary of State for Defence what use is currently being made of the surviving structures at RAF Marston Moor. [23381]

Mr. Spellar: As far as can be ascertained from remaining records, the former RAF airfield at Marston Moor was disposed of in the 1960s. My Department retains no interest in the former airfield structures and is not aware of their current ownership or use.

Chapelcross Magnox Station

Mr. Baker: To ask the Secretary of State for Defence when his Department was first informed of the crack in the reactor at Chapelcross Magnox station. [23398]

Mr. Spellar: The Ministry of Defence was first made aware on 25 June 1997 that a crack had been discovered in a heat exchanger shell in Reactor 2 at BNFL's station at Chapelcross. The fault was discovered during a routine maintenance inspection.

Army Prosecuting Authority

Mr. Blunt: To ask the Secretary of State for Defence what is the administrative and judicial relationship between the Army Prosecuting Authority and the Lord Chancellor. [23730]

Mr. George Robertson: The post of Army Prosecuting Authority, which operates under the general superintendence of the Attorney-General, has no administrative, judicial or any other relationship with the Lord Chancellor. It is, of course, quite proper for the APA to give consideration to a legal issue which arises in any given case, whatever the source, including the Lord Chancellor, that alerts him to it.

Mr. Blunt: To ask the Secretary of State for Defence who is the current head of the Army Prosecuting Authority; and what are his other duties. [23732]

Mr. George Robertson: Major General Risius is, having been appointed by HM The Queen, the Prosecuting Authority for the Army. He is also the Director of Army Legal Services and, as such, is the most senior Army lawyer.

Mr. Blunt: To ask the Secretary of State for Defence to whom the Army Prosecuting Authority reports. [23731]

Mr. George Robertson: The Army Prosecuting Authority is subject to the general superintendence of the Attorney-General. The APA is independent of, and cannot be directed by, the military chain of command on cases he is asked to consider. The military authorities are informed on a case by case basis of decisions taken by the Army Prosecuting Authority.

Mr. Blunt: To ask the Secretary of State for Defence what account the Army Prosecuting Authority takes of the opinions of the Lord Chancellor in determining whether or not to conduct a prosecution. [23735]

Mr. George Robertson: The Army Prosecuting Authority operates under the general superintendence of the Attorney-General. The decision whether or not to prosecute a case referred to the Army Prosecuting Authority is made on the realistic prospect of obtaining a conviction based on the available evidence, and whether a prosecution is in the public and Service interest. These tests are essentially the same as those applied by the Crown Prosecution Service. It is of course, quite proper for the APA to give consideration to any legal issue which arises in a given case, whatever the source that alerts him to it.

Prosecutions (Disobeyed Orders)

Mr. Blunt: To ask the Secretary of State for Defence in what circumstances his Department will initiate a prosecution against a serviceman who disobeys an order not to speak to the media. [23736]

Mr. George Robertson: I refer the hon. Member to the answer I gave him on 12 January 1998, *Official Report*, column *4*, in which I explained the function and status of the Army Prosecuting Authority. The Prosecuting Authorities of all three Services operate in the same manner.

The decision whether to prosecute or not will depend on the specific circumstances of each case after an assessment has been made of all the pertinent legal, evidential and procedural issues. It is not possible to specify any particular circumstances which would apply.

Major Eric Joyce

Mr. Blunt: To ask the Secretary of State for Defence what press briefing his Department provided in respect of a letter to him from the Lord Chancellor concerning Major Eric Joyce. [23734]

Mr. George Robertson: None. Since correspondence between Ministers is confidential and not for publication, and is properly withheld under the Code of Practice on Access to Government Information, no press briefing material was either required or provided.

Mr. Blunt: To ask the Secretary of State for Defence what meetings Ministers held to discuss Major Eric Joyce's conduct; and what was the date of such meetings. [23733]

Mr. George Robertson: Defence Ministers have taken part in no meetings which discussed what disciplinary action, if any, should be taken against Major Joyce, or determined the course of any action in train. These are matters for the Army. The matter of Major Joyce's conduct has inevitably been the subject of discussion between Ministers, and between Ministers and officials, concerning the handling of the public and parliamentary business to which the case has given rise.

Seaton Barracks, Plymouth

Mr. Streeter: To ask the Secretary of State for Defence when the negotiations regarding the transfer of Seaton Barracks, Plymouth, to English Partnerships will be completed; and if he will make a statement about the reasons for the delay. [23952]

Mr. Spellar: Following complex and detailed negotiations a final draft valuation report has now been submitted to English Partnership (EP) by independent Valuers acting for the Ministry of Defence. A deadline of 30 January has been set to agree the final report.

Negotiations between the parties have become protracted due to the need to complete surveys and obtain detailed information and costings on a variety of infrastructure and planning issues including highways, utilities and playing fields. The requisite information has now been incorporated into the final draft valuation report.

Chemical and Biological Weapons

Mr. Livingstone: To ask the Secretary of State for Defence since when service personnel taking part in the service volunteers programme at the Chemical and Biological Defence Establishment Porton Down have been allowed to take away form the establishment copies of the written consent forms which they have signed. [22513]

Dr. Reid: This is a matter for the Chief Executive of the Defence evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Ken Livingstone, dated 19 January 1998:

I have been asked to reply to your question concerning the service volunteer programme at DERA's Chemical and Biological Defence Sector (CBD) at Porton Down.

Studies at Porton Down have always been conducted to the highest standard of ethical practice prevailing at the time and volunteers would have been required to give their informed consent to take part in a study. This may not, however, have been in the form of written consent as the written consent form used today has only been recently introduced.

The consent forms currently signed by service volunteers attending CBD Porton Down are kept with the records at Porton Down. As far as staff at Porton Down are aware, no volunteer has asked for a copy of his consent form in the past. There is, however, no reason why copies of signed consent forms cannot be given to volunteers should they request them.

I hope this is helpful.

Animal Experiments (Porton Down)

Mr. Baker: To ask the Secretary of State for Defence how many animals have been bred for use in experiments at Porton Down in each year from 1990 to 1997 to date; and how many of each year's total were subsequently killed without being so used. [22965]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 January 1998:

I am replying to your Question to the Secretary of State for Defence concerning the number of animals bred and used in animal experimentation at Porton Down in each year from 1990 to 1997 as this matter falls within my area of responsibility as Chief Executive of the Defence Evaluation and Research Agency.

The animal species currently bred at Porton Down are Rhesus monkeys, common marmosets, Porton strain mice, Porton strain Wistar rats and Large White pigs. These colonies must be maintained at levels sufficient to protect the genetic base of the species and to supply all of DERA's requirements in terms of numbers, sex, age, weight, timing and quality.

Table 1.

Year	Mice			Rats			Marmoset			Rhesus			Pigs		
	Weaned	Issued	Surplus cull	Weaned	Issued	Surplus cull	Weaned	Issued	Surplus cull	Weaned	Issued	Surplus cull	Weaned	Issued	Market sales
1990–91	4,800	1,468	3,056	13,596	5,314	9,348	227	104	0	39	19	0	54	46	20
1991–92	4,503	1,034	3,108	12,060	4,987	6,047	237	74	0	42	33	0	14	11	0
1992–93	4,886	857	3,710	11,663	2,797	7,677	221	72	0	44	40	0	69	48	10
1993–94	4,376	1,645	2,348	11,373	3,883	7,076	224	245	0	73	50	0	79	57	20
1994–95	10,669	3,867	5,959	9,009	2,499	7,188	202	12	94	59	37	0	61	52	15
1995–96	8,628	4,200	3,884	6,694	2,553	3,985	134	197	0	62	43	0	96	40	46
1996–97	8,412	3,225	4,690	5,716	3,138	2,072	129	149	0	49	38	0	81	45	29
1997–January 1998	3,835	923	3,167	4,344	724	2,504	91	49	0	42	48	0	44	42	9

Table 1 shows the number of animals weaned by the breeding unit at CBD, the number of animals issued from the unit and the number of animals culled by the Unit. This information is shown for the financial (not calendar) year. The numbers of animals (mice, rats, marmosets and Rhesus) issued represent those for scientific use at CBD and sales of surplus animals for scientific use at other establishments; the number of animals retained for replenishment of breeding stock is not shown in this table. Surplus pigs are sent to the local market; the figures do, however, include a small number kept for breeding at CBD. The number of animals weaned is not necessarily equal to the total of the number issued and the number of surplus stock culled in any one year. The discrepancies may be due to the occurrence of natural deaths or to the fact that animals, especially the Rhesus monkeys and marmosets, may not be issued until they are between 12 and 24 months old.

The number of rats and mice culled is high, but in line with commercial operation. This is due to stringent experimental requirements, such as the use of single sex or narrow weight ranges. However, with the exception of 1994–1995, no Rhesus monkeys or marmosets have been culled. The marmosets were culled due to a very low usage at CBD and an unexpected fall in demand elsewhere. Table 1 shows that the breeding of marmosets was, therefore, significantly reduced in subsequent years.

I hope this information is helpful.

Mr. Baker: To ask the Secretary of State for Defence what was the date of the last occasion on which he or his predecessor viewed *(a)* the conditions in which animals are kept at Porton Down and *(b)* an experiment to which an animal was subjected. [22967]

Mr. Spellar: Since 1 May 1997, no Minister from this Department has visited the Chemical and Biological Defence Sector at the Defence Evaluation and Research Agency, Porton Down. I intend to visit Porton Down myself in the next two or three months.

Mr. Baker: To ask the Secretary of State for Defence what measures he is taking to introduce alternatives to animal experimentation at Porton Down; and if he will list the initiatives in this area since 1995. [22962]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated January 1998:

As Chief Executive of the Defence Evaluation and Research Agency (DERA) I have been asked to reply to your question about the introduction of alternatives to animal experimentation at Porton Down.

The use of alternatives to living animals has always been a priority in designing and executing research programmes to address the MOD's requirements.

Alternatives must be fully considered when drawing up a project licence application. At CBD each project licence application is subjected to an internal peer group ethical review. The meeting is open to all members of staff, the details of the licence application are briefly presented and then the meeting is open to debate on both scientific and ethical concerns. One of the major aims is to ensure that the '3Rs' have been addressed, i.e., Reduction, Replacement and Refinement. The review can result in an application being completely rejected, held over subject to improvements being made or approved for submission to the Home Office.

The review procedure is in line with the outcome of a Home Office Supplementary Note 'Interim report on the review of operation of the Animals (Scientific Procedures) Act 1986' dated 6 November 1997 which emphasises the requirement that applicants for new project licences must demonstrate that they have sought alternatives before the use of animals is proposed.

With respect to initiatives since 1995, a new in vitro toxicology laboratory has been commissioned at CBD Porton. The use of in-vitro cell and tissue culture models allows innovative research to identify novel medical countermeasures and examine the potential hazards and the mechanism of action of chemical and non-chemical agents. Similar models are also used in research to investigate treatment regimes and prospective protective and decontaminating compounds for use in a chemical warfare environment.

Experiments using animals have also been essential for advances in the surgical management of injury. Another recent initiative has been the development of a variety of model systems for studies on the protection of personnel from physical injury and the identification of injury mechanisms. The model systems can be

grouped under three headings; animal cadaveric tissue; physical models; and computer models. They have either reduced or entirely replaced the use of living animals.

I hope this is helpful.

Mr. Baker: To ask the Secretary of State for Defence what external procedures exist to ensure that animals held at Porton Down are allowed so far as possible to follow normal behaviour patterns and that the are properly looked after. [22966]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 January 1998:

As Chief Executive of the Defence Evaluation and Research Agency (DERA), I have been asked to reply to your question about the way in which animals are cared for at Porton Down.

All work and housing involving animals at DERA's Chemical and Biological Defence Sector (CBD) at Porton Down are conducted strictly in accordance with the Home Office guidelines on the care and use of animals as defined within the Animals (Scientific Procedures) Act 1986 which is administered by the Home Office.

CBS adheres to and expands upon existing Home Office codes of practice and guidelines for the care and housing of animals involved in scientific procedures. There is an on-going programme of environmental enrichment for all species. In particular, CBD Porton has an established track record of innovative approaches to the housing of non-human primates used in scientific procedures.

Inspectors from the Home Office make both announced and unannounced visits to CBD Porton and have full access to all CBD animal facilities. As part of the Act the establishment must have a named veterinary surgeon and named animal care and welfare officers. At CBD these officers have formed and internal Animal Care and Use committee. The welfare of the animals is of paramount importance to Porton Down which has a world wide reputation for its excellent standards of husbandry and breeding of laboratory animals.

In addition to the statutory controls in place, the Ministry of Defence has established an independent animal welfare committee—Animal Welfare Advisory Committee—which reviews the arrangements for animal care and welfare at sites within DERA carrying out work with animals, and advises on best practice. The reports from this independent committee are made to the Chief Scientific Adviser to the Ministry of Defence and are published in the House of Commons Library.

I hope this is helpful.

Mr. Baker: To ask the Secretary of State for Defence if the terms of the Animals (Scientific Procedures) Act 1986 are applied to procedures carried out at Porton Down. [22961]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 January 1998:

As Chief Executive of the Defence Evaluation and Research Agency (DERA), I have been asked to reply to your question about the application of the terms of the Animal (Scientific Procedures) Act 1986 to procedures carried out at Porton Down.

All work involving animals at DERA's Chemical and Biological Defence Sector (CBD) at Porton Down is carried out strictly in accordance with the requirements of the Animals (Scientific Procedures) Act 1986 which is administered by the Home Office.

I hope this is helpful.

Mr. Baker: To ask the Secretary of State for Defence what steps he has taken to ensure that animal experiments undertaken at Porton Down do not breach the terms of the Protection of Animals Act 1911 in respect of the deliberate infliction of wanton physical cruelty. [22964]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 January 1998:

As Chief Executive of the Defence Evaluation and Research Agency (DERA) I have been asked to reply to your question about the steps taken to ensure that animal experiments at Porton Down do not breach the terms of the Protection of Animals Act 1911.

All work involving animals at DERA's Chemical and Biological Defence Sector (CBD) is carried out strictly in accordance with the requirements of the Animals (Scientific Procedures) Act 1986 which superseded the Cruelty to Animals Act (1876). The Act covers all experimental work involving the use of animals, and states: "A person guilty of an offence under section 1 of the Animals Act 1911 or section 1 of the Protection of Animals (Scotland) Act 1912 in respect of an animal at a designated establishment shall be liable to the penalties specified in subsection (1) above".

I hope this is helpful.

Mr. Baker: To ask the Secretary of State for Defence to what extent he shares information obtain from animal experimentation at Porton Down with other members of NATO; and to what extent he is provided with information obtained from animal experimentation carried out in other NATO countries. [22968]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 19 January 1998:

As Chief Executive of the Defence Evaluation Research Agency (DERA) I have been asked to reply to your question about the extent to which information gained from animal experimentation is shared among the members of NATO.

The UK government participates, whenever possible, in collaborative research programmes which involve a sharing of data and, indeed, results from the UK research programme have been shared with other NATO members. One of the considerations in planning collaborative programmes and sharing information is the reduction of animal use on an international basis.

I hope this is helpful.

Aircraft Requirements

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the competition for Tranche 2 of the Hercules Replacement Programme and the possibility of leasing C–17 aircraft. [23137]

Mr. Spellar: I refer my hon. Friend to the answer I gave on 5 November 1997, *Official Report*, column *255*. One of the aims of the Strategic Defence Review is to ensure that our Armed Forces are properly equipped to undertake the tasks asked of them. Our air transport requirement is therefore being scrutinised closely in the Strategic Defence Review.

Mr. Hoyle: To ask the Secretary of State for Defence when he plans to issue the invitation to tender for the RAF's Tranche 2 airlift requirements to Lockheed Martin and Boeing/McDonnell Douglas for a full competition. [23140]

Mr. Spellar: I refer my hon. Friend to the answer I gave on 5 November 1997, *Official Report*, column *255*. We are still considering with partners how a competition involving other aircraft might be organised.

Mr. Hoyle: To ask the Secretary of State for Defence what assessment he has made of the impact of discussion of C-17 leasing on efforts to integrate *(a)* European aerospace companies, and *(b)* the aerospace industry in general. [23143]

Mr. Spellar: One of the aims of the Strategic Defence Review is to ensure that our Armed Forces are properly equipped to undertake the tasks asked of them. Our air transport requirement is therefore being scrutinised closely in the Strategic Defence Review. Where appropriate, industrial and other implications will be taken into account in reaching decisions on the way ahead.

Mr. Hoyle: To ask the Secretary of State for Defence (1) what assessment he has made of the *(a)* cost, *(b)* viability and *(c)* acceptability to the Royal Air Force of the Royal Air Force operating three types of heavy-lift aircraft; [23136]

(2) what plans his Department has for a near-term lease of C-17 aircraft; [23138]

(3) when the Government will make a full public statement on his Department's requirement for an outsize cargo airlift capability within the SDR; [23141]

(4) what conclusions have so far been reached as part of the SDR in relation to the future of the FLA. [23139]

Mr. Spellar: One of the aims of the Strategic Defence Review is to ensure that the Armed Forces are properly equipped to undertake the tasks asked of them. Our air transport requirement is therefore being scrutinised closely in the Review. We will announce our conclusions in the White Paper to be published at the end of the Review.

Aerospace Industry (North-West)

Mr. Hoyle: To ask the Secretary of State for Defence what account will be taken of the importance of maintaining aerospace jobs in *(a)* Chorley and *(b)* other North-West Region constituencies in future airlift planning. [23142]

Mr. Spellar: Any decision on our future airlift capability will take account of all industrial and employment issues, as well as all other relevant factors.

Meat Procurement

Mr. Key: To ask the Secretary of State for Defence if he will list the criteria which Booker Foodservice are required to apply in meeting the best value for money terms under their contract to supply meat to the armed forces; and if he will make a statement. [23974]

Mr. Spellar: The Department's food supply contractor is bound to seek best market prices for meat. All purchasers are required to conform with quality specifications which, together with statutory requirements, ensure that only meat of an acceptable standard is supplied.

Mr. Key: To ask the Secretary of State for Defence what are the contract terms which require Booker Foodservice to give full consideration to British products in procuring meat for the armed forces; and if he will make a statement. [23973]

Mr. Spellar: The Department has specifically asked Booker Foodservice to ensure that it gives full consideration to the supply of British meat where this would meet the contract specifications and provide best value for money.

Mr. Key: To ask the Secretary of State for Defence if all meat and all meat products procured for the Armed Forces comply with *(a)* Council Directive 64/433/EEC, *(b)* the Fresh Meat (Beef Controls) (No. 2) Regulations 1996 and *(c)* the UK specified risk material controls; and if he will make a statement. [23976]

Mr. Spellar: Yes. Meat and meat products for the Armed Forces are obtained from contractors who obtain their supplies on the open market and those suppliers are required to meet all the statutory regulations.

Eurofighter

Mr. Laurence Robertson: To ask the Secretary of State for Defence how much the United Kingdom is contributing to the total cost of the Eurofighter; what percentage this represents of the total; what percentage of the work on the building and maintenance of the Eurofighter is to be carried out in the United Kingdom; and how many jobs will be created in the United Kingdom as a result of the project. [23388]

Mr. George Robertson: The latest estimated procurement cost of the Eurofighter programme is £42.8 billion, £15.9 billion of which is the estimated cost to the UK. This is some 37 per cent. of the total. For the Production phase, UK work share will be approximately 37.5 per cent. This is based on the number of aircraft we are buying in relation to the other nations. Present plans are for each nation to be responsible for the maintenance of their respective aircraft and we therefore expect the majority of maintenance work on the RAF's aircraft to be conducted in the UK. Currently, there are about 6,000 high technology jobs sustained by the development phase of the Eurofighter programme in the UK. This figure is expected to rise to about 14,000 at the peak of production.

NORTHERN IRELAND

Minimum Wage

Mr. Colman: To ask the Secretary of State for Northern Ireland what research her Department has commissioned on the impact of minimum wages in Northern Ireland. [20780]

Mr. Ingram: None. The Government have appointed the Low Pay Commission to gather evidence and make recommendations in relation to the national minimum wage. To that end, the Commission visited Northern

Ireland on 31 October, and my Department is contributing fully to the evidence which the Government are soon to present to the Commission.

Plastic Baton Rounds

Ann Clwyd: To ask the Secretary of State for Northern Ireland if she will publish the full tender for baton training referred to in the letter from the Home Office Minister of State to the hon. Member for Cynon Valley, dated 18 August. [20013]

Mr. Ingram: No; publication of the tenders for the provision of equipment for training purposes for the RUC would not be in the interests of national security.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Northern Ireland if she will list all overseas visits made since 1 May 1997 on which she or any other Minister in her Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her and *(b)* the cost to public funds of each such visit. [23266]

Marjorie Mowlam *[holding answer 15 January 1998]:* No overseas visits have taken place where Rule 83 of the Ministerial Code applies.

Holmes Cash and Carry (Robbery)

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what were the circumstances relating to the arrest and preferring of charges against eight men in connection with a robbery at Holmes Cash and Carry at Boucher road, Belfast in February 1996; how many juries were selected and how many trials took place; what was the cost of the entire judicial process; for what reason this case was descheduled; and if she will make a statement regarding its conduct and outcome. [23385]

Mr. Ingram *[holding answer 16 January 1998]:* On 12 February 1996, the RUC, acting on information received, went to the premises of Holmes Cash and Carry at Boucher road, Belfast and arrested seven men in the premises and one additional man a short distance away. All eight men were arrested under provisions of section 14(1)(b) of the Prevention of Terrorism (Temporary Provisions) Act 1986 and conveyed to Castlereagh Holding Centre for interview. Charges were subsequently preferred for the offences of Armed Robbery and Unlawful Imprisonment.

During the following court proceedings six juries were involved. There were six trials, two of which reached conclusion.

The then Attorney-General certified that the charges in this case were not to be treated as scheduled offences. He has asked me to say that he did so because he formed the erroneous view that they were not connected with the emergency.

It is not possible to provide the cost of this entire judicial process without incurring disproportionate cost.

The Secretary of State does not intend to make a statement about the conduct and outcome of this case.

CULTURE, MEDIA AND SPORT

Team Sports

11. **Mr. Gray:** To ask the Secretary of State for Culture, Media and Sport what steps his Department takes to encourage competitive team sports. [21451]

Mr. Banks: Our sport for all policy is dedicated to providing excellence at all levels and improving sporting performance, while increasing sporting opportunities for the many, not the few. It encompasses all sports including competitive team sports.

Sport (Women)

12. **Lorna Fitzsimons:** To ask the Secretary of State for Culture, Media and Sport what measures he intends to take to encourage more women to participate in sport. [21452]

Mr. Banks: I am determined to improve opportunities for women of all ages and at all levels in sport. That goes for participants, competitors, coaches and administrators.

The UK and Home Country Sports Councils actively encourage women to get involved in all sports. They are underlining the significant achievement of women in sport and helping improve levels of participation.

Arts Council

14. **Mr. Steen:** To ask the Secretary of State for Culture, Media and Sport what plans he has to review his relationship with the Arts Council. [21455]

Mr. Fisher: My Department, in common with all others, is currently undertaking a fundamental review of expenditure. The review involves a re-evaluation of all the activities in the sectors covered by the department and its sponsored bodies, and of the relationships between them. The terms of reference for the review were published on 24 July and copies are available in the Library of the House.

Millennium Commission

15. **Mr. Borrow:** To ask the Secretary of State for Culture, Media and Sport what is *(a)* the number and *(b)* the cost of projects funded by the Millennium Commission to date. [21457]

Mr. Chris Smith: The Millennium Commission has offered grant to 186 capital projects at 3,008 locations across the United Kingdom and through the Millennium Awards scheme has made 14,500 grants to individuals. It has also made a grant of £450 million to the Experience at Greenwich.

The total amount offered to capital projects is £1,235,308,558. The total cost of these projects is £2,969,141,000. Awards to individuals currently total £39 million.

19. **Ms Hewitt:** To ask the Secretary of State for Culture, Media and Sport what plans he has to ensure that projects funded by the Millennium Commission continue after 2000. [21461]

Mr. Chris Smith: The Millennium Commission has provided £1.24 billion in grant for 185 projects across the country. It is a condition of grant that projects show they can meet their revenue costs for the foreseeable future.

United Kingdom Sports Institute

16. **Dr. Gibson:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on how the new United Kingdom Sports Institute will help British sportsmen and women excel in international competitions. [21458]

Mr. Banks: The United Kingdom Sports Institute will have the very best experts and facilities available. British sports men and women will be able to tap into the best advice on sports science, sports medicine and technology to assess how their training programme can be augmented and enhanced.

The Institute will make a major contribution to providing support to the various sports Governing Bodies to achieve their aspirations of winning more medals and championships in international competitions.

British-produced Films

17. **Ms Moran:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to increase the number of British-produced films shown *(a)* domestically and *(b)* internationally. [21459]

Mr. Tom Clarke: I refer my hon. Friend to the reply I gave earlier today to my hon. Friends the Members for Leyton and Wanstead (Mr. Cohen) and Coventry, South (Mr. Cunningham).

Sport (Ticket Touts)

20. **Mr. Blizzard:** To ask the Secretary of State for Culture, Media and Sport what representations he has received on the impact of the activities of ticket touts on sports funding. [21463]

Mr. Banks: My right hon. Friend the Minister of State for Home Affairs and I met the CCPR recently to discuss the issue of ticket touts generally. The Government are looking at the extent of the problem and what practical solutions are available.

Tourism (Training and Qualifications)

21. **Mr. Lepper:** To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage the improvement of training and qualifications in the tourism industry. [21464]

Mr. Tom Clarke: The development of a skilled, world class workforce is vital if the tourism, hospitality and leisure industry is to provide the excellent service that customers demand. A working group of the Tourism Advisory Forum is looking specifically at training, qualifications and quality of employment and will feed into the new tourism strategy which we will publish next summer.

Non-league Football

22. **Mr. Ronnie Campbell:** To ask the Secretary of State for Culture, Media and Sport what plans he has for the future of non-league football. [21465]

Mr. Banks: I recognise the importance of having a healthy structure of non-league football. I was pleased to be able to announce last June that £20 million will be available to the Football Trust over the next four years

from the Football Association and the National Lottery to support football at all levels, including the non-league game. I am also pleased that the Lottery is having such a positive impact on football generally with this sport being the second largest beneficiary of awards to date.

Classical Music

23. **Mr. Dismore:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on Government support for classical music. [21467]

Mr. Fisher: Britain has an unrivalled and historic tradition of high quality classical music. My Department funds the BBC and the Arts Council of England, each of which invests significant sums in support of propagating and developing classical music. Local authorities also invest significant sums in support of the arts and classical music, and the British Council represents the best of British artistic talent abroad.

National Lottery

24. **Dr. Julian Lewis:** To ask the Secretary of State for Culture, Media and Sport what plans he has to change the lottery operator in 2001. [21468]

Mr. Chris Smith: The appointment of the next National Lottery operator is a matter for the Director General of the National Lottery. Subject to the approval of Parliament, the National Lottery Bill provides that the Director General will be assisted in the selection process by an advisory panel.

Mr. Touhig: To ask the Secretary of State for Culture, Media and Sport what plans he has to make national lottery funding simpler for small community organisations in Wales. [21448]

Mr. Fisher: The National Lottery Bill will help to ensure that more Lottery money goes to small scale projects in local communities. It will allow distributors to make application processes simpler and to move decision making to the grass roots.

Mrs. Anne Campbell: To ask the Secretary of State for Culture, Media and Sport what are his plans for revenue funding to support capital projects funded from the National Lottery. [21453]

Mr. Banks: Lottery distributors may already provide revenue grants or endowments alongside capital grants if they believe it is a sensible use of Lottery funds. We have made clear our view that, over time, the focus of Lottery funding should shift from buildings to people. I intend to give the distributors greater flexibility in their strategies to shift the balance from capital to revenue support without entering into long-term commitments which will prevent them from meeting new needs.

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what percentage of heritage lottery applications have been turned down *(a)* in 1996 and *(b)* since the recent decision to establish health and education funds to be supported by the lottery, in respect of (i) the North West Region and (ii) the United Kingdom. [23366]

Mr. Banks: Twenty-four per cent. of applications considered by the Heritage Lottery Fund (HLF) in 1996 for projects in the North West were rejected. The equivalent figure for the whole of the UK was 27 per cent. Plans to establish the New Opportunities Fund, the new good cause for health, education and the environment, were announced in the White Paper "The People's Lottery" in July 1997. Since then, the HLF has rejected 26 per cent. of applications for projects in the North West and 31 per cent. of applications for the UK as a whole.

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the decision of the Heritage Lottery Board to reject the application from Southport Pier Trust for funding of the renovation. [23376]

Mr. Banks: Decisions on heritage Lottery applications are made independently of Government by the Trustees of the National Heritage Memorial Fund, the body responsible for the Heritage Lottery Fund. My right hon. Friend does not intervene in the process or comment on decisions made.

Football (Racism)

25. **Mr. Peter Bradley:** To ask the Secretary of State for Culture, Media and Sport what plans he has to help combat racism in football. [21469]

Mr. Banks: The Government are committed to stamping out racism in all areas of sport. One of the primary tasks for the Government's Football Task Force is to examine ways in which racism can be eliminated from the game, and to encourage wider participation by ethnic minorities, in playing and spectating. The Task Force will be making its recommendations to me shortly.

Music Industry (Piracy)

Dr. Whitehead: To ask the Secretary of State for Culture, Media and Sport what plans he has to combat piracy in the music industry. [21460]

Mr. Fisher: The Government work closely with the music industry in identifying areas where piracy is a problem, and in taking action to deal with it.

Public Appointments

Mr. Cousins: To ask the Secretary of State for Culture, Media and Sport, pursuant to his Answer to the hon. Member for Leicester, East of 22 December 1997, *Official Report*, columns *410–13*, on public appointments, if he will list the region or nation of home residence for each of the appointees. [23009]

Mr. Chris Smith: The information requested is listed in the table and notes the region/nation of residence at the time of appointment:

Sponsored Body	*Role*	*Name*	*Region*
Advisory Committee on the Government Art Collection	Member	Mary Rose Beaumont	London
Advisory Council on Libraries	Member	Mrs. Grace Kempster	South East
Architectural Heritage Fund	Council Member	Mr. William Cadell	Scotland
Architectural Heritage Fund	Council Member	Ms Jane Sharman	London
Arts Council of England	Member	Mr. Rod Natkiel	West Midlands

Sponsored Body	*Role*	*Name*	*Region*
Arts Council of England	Member	Mr. Christopher Price	Yorks and Humberside
Arts Council of England	Member	Mr. David Brierley	South West
Arts Council of England	Member	Mr. Trevor Phillips	London
British Film Institute	Chairman	Mr. Alan Parker	USA/London
British Film Institute	Governor	Ms Joan Bakewell	London
British Film Institute	Governor	Mr. Alan Howden	London
British Film Institute	Governor	Lord Dafydd Elis-Thomas	Wales
British Film Institute	Governor	Mr. Tony Elliott	London
British Film Institute	Governor	Mr. Ronnie Kells	Northern Ireland
British Film Institute	Governor	Mr. Gus McDonald	Scotland
British Film Institute	Governor	Mr. Simon Olswang	London
British Film Institute	Governor	Mr. Eric Senat	London
British Library Board	Member	Prof. Michael Anderson	Scotland
British Tourist Authority	Member	Mr. John Jarvis	South East
British Tourist Authority	Member	Mr. Alan Britten	South East
British Tourist Authority	Member	Mr. Des Wilson	London
Crafts Council	Member	Mrs. Janice Tchalenko	London
Crafts Council	Member	Mr. David Davis	London
Crafts Council	Member	Mr. John Buston	East Midlands
Crafts Council	Member	Ms Jennie Moncur	London
English Heritage	Commissioner	Mr. Loyd Grossman	London
English Heritage	Commissioner	Miss Susan Underwood	North East
English Tourist Board	Member	Mr. David Lunn	South East
English Tourist Board	Member	Ms Jennifer Robson	North East
Horniman Museum	Trustee	Professor Sir Ghillean Prance	South East
Horniman Museum	Trustee	Professor Kenneth Gregory	London
Independent Television Commission	Member	Sir Michael Checkland	South East
Library and Information Commission	Member	Professor Judith Elkin	West Midlands
Library and Information Commission	Member	Dr. Robert McKee	West Midlands
Library and Information Commission	Member	Sir Peter Swinnerton-Dyer	Eastern
Library and Information Commission	Member	Dr. Sandra Ward	Eastern
Library and Information Commission	Member	Mrs. Grace Kempster	South East
Museum of Science and Industry in Manchester	Trustee	Ms Rajkumari Williamson	North West
National Film and Television School	Governor	Mr. Roger Bolton	South East
National Film and Television School	Governor	Mr. John McVay	Scotland
National Film and Television School	Governor	Mr. Tim Bevan	London
National Lottery Charities Board	Chairman	The Hon. David Sieff	London
National Lottery Charities Board	Member	Sir Adam Ridley	London
National Lottery Charities Board	Member	Mrs. Stella Clarke	South West
National Lottery Charities Board	Member	Mrs. Amanda Jordan	London
National Museums and Galleries on Merseyside	Chairman	Mr. David McDonnell	North West
National Museums and Galleries on Merseyside	Trustee	Professor Preston King	London
National Museums and Galleries on Merseyside	Trustee	Mrs. Vorrey Braithwaite	North West
National Museums and Galleries on Merseyside	Trustee	Mr. Barrie Marsh	North West
National Museums and Galleries on Merseyside	Trustee	Ms Janet Kear	South West
National Museums and Galleries on Merseyside	Trustee	Councillor Frank Prendergast	North West
Public Lending Right Advisory Committee	Chairman	Mr. Michael Holroyd	London
Public Lending Right Advisory Committee	Member	Ms Hilary Mantel	South East
Public Lending Right Advisory Committee	Member	Mrs. Claire Tomalin	London
Radio Authority	Deputy Chairman	Mr. Michael Moriarty	South East
Reviewing Committee on the Exports of Works of Art	Member	Mr. Ian Gow	Scotland
Royal National Theatre	Member	Ms Joan Bakewell	London
Royal National Theatre	Member	Ms Sue McGregor	London
Royal National Theatre	Member	Sir Ian McKellen	London
Royal National Theatre	Member	Mr. James Oliver	London
S4C	Chairman	Mr. Ifan Prys-Edwards	Wales
Treasure Valuation Committee	Member	Mr. David Jordan	Eastern
Treasure Valuation Committee	Member	Lord Stewartby	London
Treasure Valuation Committee	Member	Professor Norman Palmer	East Midlands
Treasure Valuation Committee	Member	Mr. Patrick Finn	North West
Treasure Valuation Committee	Member	Mr. Jack Ogden	Eastern
Treasure Valuation Committee	Member	Mr. John Casey	North East

Sporting Championships

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what campaigns he is involved in to bring major sporting championships to the United Kingdom in addition to the World Cup 2006. [23097]

Mr. Banks: In addition to providing full Government backing for England's bid to host the 2006 World Cup, we are fully committed to work to bring the Olympics and other major international sporting events to the UK. I am working closely with the British Olympic Association and the UK Sports Council to ensure that we have the best possible chance of success. Lottery funds have been earmarked, through the World Class Events Programme, specifically to attract major events to this country.

Military Heritage

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport if he will compile a register of historic military airfields; and if he will take steps to ensure their preservation. [23001]

Mr. Banks: My right hon. Friend has a statutory duty to compile lists of buildings of special architectural or historic interest. English Heritage, his statutory advisers on listing, are currently undertaking a thematic study of military airfields and will be making recommendations to me later this year on buildings and structures at such sites which merit listing. Consent is required before any works can be undertaken to a listed building which would affect its special interest. In addition, the Defence of Britain Project, co-ordinated by the Council for British Archaeology, is compiling a record of 20th Century military sites and structures in the UK, although inclusion on the record will not attract any additional statutory protection.

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport if he will list the historic battlefields which have been lost since 1967 through development or whose setting has been damaged. [22999]

Mr. Banks: On the evidence of research conducted by English Heritage in preparing their Register of Historic Battlefields, the only important battlefield site in England lost through development since 1967 is Newark (1644).

Of the 43 surviving battlefields included on the Register, the following are considered by English Heritage to have been significantly damaged by development since 1967, although not to the point of extinction:

Adwalton Moor (1643)
Naseby (1645)
Neville's Cross (1346)
Newbury I (1643)
Northampton (1460)
Stamford Bridge (1066)
Tewkesbury (1471)
Worcester/Powick Bridge (1651).

The following battlefields are considered to have suffered significant damage to their settings since 1967:

Chalgrove (1643)
Shrewsbury (1403).

Church Buildings

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what financial assistance the Government provide for church building repairs; and what total funds it provided in each of the last five years. [23099]

Mr. Banks: The reply relates to England only. Government financial assistance for the repair of historic religious buildings in use is channelled principally via English Heritage's church and cathedral grant schemes. Funding for historic places of worship is also available from the Heritage Lottery Fund. In addition, my Department provides 70 per cent. of the funding of the Churches Conservation Trust, which preserves outstanding Anglican churches no longer in use for worship, and contributes (both directly and by way of English Heritage) to the costs of the Historic Chapels Trust, which cares for a number of non-Anglican buildings.

Funding offered under these schemes in each of the last five years is as follows:

£ million

1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
English Heritage church grant offers:				
12.50	14.10	11.00	9.90	[1]10.00
English Heritage cathedral grant offers:				
4.70	0.30	3.00	3.00	[2]3.00
Heritage Lottery Fund grant offers:				
—	—	1.56	16.14	[1]15.82
Churches Conservation Trust:				
1.92	2.17	2.51	2.51	2.48
Historic Chapels Trust:				*£000*
[3]29,100	[3]28,782	[3]35,125	[3]44,471	[3]50,552

[1] For 1997–98 English Heritage and the Heritage Lottery Fund are collaborating on a joint application scheme for places of worship in England, for which both organisations have allocated £10 million. The figure for Heritage Lottery Funding includes an additional amount for funding outside the joint scheme.
[2] Allocation.
[3] Figures are £ thousand.

TREASURY

Outdoor Advertising

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will make a statement on the measures being taken by *(a)* the Valuation Office and *(b)* the Valuation Office in the Bristol area to reduce the avoidance of business rates on outdoor advertising sites. [22173]

Dawn Primarolo: Valuation Officers in England and Wales are responsible for including all rateable business uses in local rating lists and have been reviewing the position with outdoor advertising sites for some months. In the Bristol area, the review has been under way for some time similarly and a number of missing sites have been identified and will be assessed for rates by the Valuation Officer accordingly.

Social Security Benefits

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer if he will make a statement on his Department's policy towards the taxation of social security benefits. [22121]

Mr. Darling *[holding answer 22 December 1997]:* At present, some social security benefits are taxable (including widow's benefit, retirement pension, jobseeker's allowance and incapacity benefit), while some are not (income-related benefits such as income support, housing benefit, council tax benefit, child benefit, disability living allowance/attendance allowance). In addition, incapacity benefit for all new cases since 1995 has been taxable.

Employment Statistics

Mr. David Heath: To ask the Chancellor of the Exchequer how many people are currently employed in the United Kingdom by foreign-owned companies, broken down by country of ownership. [22894]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Heath, dated 19 January 1998:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics (ONS), to your recent question on employment in the United Kingdom by foreign owned companies.

The attached table provides data for all foreign owned businesses in the UK. It has been split to show each country within the EU, but for non-EU only 6 countries have been illustrated with the remainder grouped. This is in line with similar data that was produced in an article in the ONS publication *Economic Trends*, entitled 'Globalisation: Scope, Issues & Statistics'—Table 9 in No. 528 November 1997. That data was however based on agriculture, manufacturing and distribution rather than whole economy.

The table represents enterprises on the Inter Departmental Business Register (IDBR). An article giving further explanation on the IDBR is in *Economic Trends* No. 505 November 1995. Information relating to country of ownership details for UK enterprises is provided to the ONS by the market information firm Dun & Bradstreet.

The analyses are based on an employment size measure (employees plus working proprietors). The primary source of employees data on the IDBR is the ONS inquiry, Annual Employment Survey.

Copies of *Economic Trends* are available in the House of Commons Library.

Analysis of foreign owned enterprises in the UK for the whole economy

Country of ownership	*Employment*
Austria	2,032
Belgium	10,067
Denmark	159,721
Finland	10,323
France	131,332
Germany	142,496
Ireland	45,747
Italy	20,638
Luxembourg	6,701
Netherlands	92,150
Sweden	42,090
Other EU (Greece, Portugal and Spain)	1,489
EU sub-total	664,786
Australia	56,000
Canada	53,101
Japan	108,124
Norway	22,131
Switzerland	79,135
USA	749,892
Other	64,006
Non EU sub-total	1,132,389
Total	1,797,175

Source:
Inter Departmental Business Register (ONS).

Pensions Mis-selling

Mr. Fallon: To ask the Chancellor of the Exchequer if he will instruct the Personal Investment Authority to reimburse independent financial advisers who were fined for relying on computer-based records in the period up to the decision of the Personal Investment Authority to accept computer records as evidence of work done; and if he will make a statement. [22887]

Mrs. Liddell: The Treasury has no such power.

Population Statistics

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the numbers and percentage of the population *(a)* in general and *(b)* over 60 years old, who are (i) over 75, (ii) over 80 and (iii) over 85 years in each region of the United Kingdom. [23670]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Jim Cousins, dated 19 January 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics, to reply to your recent question asking for an estimate of the numbers and percentage of the population (a) in general and (b) over 60 years old, who are (i) over 75, (ii) over 80 and (iii) over 85 years in each region and nation of the United Kingdom.

The most recent data available are the mid-1996 population estimates. The attached table provides the information by the ages requested.

Table 1: Mid-1996 resident population of the United Kingdom and its constituent countries and the percentage of all persons in the region who are aged 75+, 80+ and 85+

	Thousand				*Percentage*		
	All ages (a)	*Age 75 and over (i)*	*Age 80 and over (ii)*	*Age 85 and over (iii)*	*Aged 75 and over of all persons*	*Aged 80 and over of all persons*	*Aged 85 and over of all persons*
United Kingdom	58,801.5	4,192.5	2,368.7	1,067.2	7.1	4.0	1.8
England and Wales	52,010.2	3,769.1	2,138.3	969.5	7.2	4.1	1.9
England	49,089.1	3,542.0	2,013.3	913.1	7.2	4.1	1.9
North-East	2,600.5	174.8	94.2	41.8	6.7	3.6	1.6
North West and Merseyside	6,891.3	484.5	272.9	123.3	7.0	4.0	1.8
North West	5,470.8	383.2	215.7	97.7	7.0	3.9	1.8
Merseyside	1,420.4	101.3	57.2	25.7	7.1	4.0	1.8
Yorkshire and Humberside	5,035.5	360.6	203.4	91.6	7.2	4.0	1.8
East Midlands	4,141.5	292.3	162.0	72.4	7.1	3.9	1.7
West Midlands	5,316.6	363.0	198.2	86.5	6.8	3.7	1.6

Table 1: Mid-1996 resident population of the United Kingdom and its constituent countries and the percentage of all persons in the region who are aged 75+, 80+ and 85+

	Thousand				Percentage		
	All ages (a)	Age 75 and over (i)	Age 80 and over (ii)	Age 85 and over (iii)	Aged 75 and over of all persons	Aged 80 and over of all persons	Aged 85 and over of all persons
Eastern	5,292.6	386.5	218.5	97.8	7.3	4.1	1.8
London	7,074.3	439.9	258.4	118.7	6.2	3.7	1.7
South-East	7,895.3	610.5	356.1	165.2	7.7	4.5	2.1
South-West	4,841.5	429.9	249.5	115.8	8.9	5.2	2.4
Wales	2,921.1	227.0	125.0	56.4	7.8	4.3	1.9
Scotland	5,128.0	333.6	183.1	78.7	6.5	3.6	1.5
Northern Ireland	1,663.3	89.9	47.3	19.0	5.4	2.8	1.1

Table 2: Mid-1996 resident population of the United Kingdom and its constituent countries and the percentage of all persons aged 60+ in the region who are aged 75+, 80+ and 85+

	Thousand				Percentage		
	Age 60 and over (a)	Age 75 and over(i)	Age 80 and over (ii)	Age 85 and over (iii)	Aged 75 and over of persons aged 60+	Aged 80 and over of persons aged 60+	Aged 85 and over of persons aged 60+
United Kingdom	12,023.0	4,192.5	2,368.7	1,067.2	34.9	19.7	8.9
England and Wales	10,705.6	3,769.1	2,138.3	969.5	35.2	20.0	9.1
England	10,051.3	3,542.0	2,013.3	913.1	35.2	20.0	9.1
North-East	545.4	174.8	94.2	41.8	32.1	17.3	7.7
North-West and Merseyside	1,414.8	484.5	272.9	123.3	34.2	19.3	8.7
North-West	1,113.6	383.2	215.7	97.7	34.4	19.4	8.8
Merseyside	301.2	101.3	57.2	25.7	33.6	19.0	8.5
Yorkshire and Humberside	1,039.2	360.6	203.4	91.6	34.7	19.6	8.8
East Midlands	854.1	292.3	162.0	72.4	34.2	19.0	8.5
West Midlands	1,083.1	363.0	198.2	86.5	33.5	18.3	8.0
Eastern	1,100.0	386.5	218.5	97.8	35.1	19.9	8.9
London	1,222.4	439.9	258.4	118.7	36.0	21.1	9.7
South-East	1,651.2	610.5	356.1	165.2	37.0	21.6	10.0
South-West	1,141.0	429.9	249.5	115.8	37.7	21.9	10.1
Wales	654.3	227.0	125.0	56.4	34.7	19.1	8.6
Scotland	1,035.6	333.6	183.1	78.7	32.2	17.7	7.6
Northern Ireland	281.8	89.9	47.3	19.0	31.9	16.8	6.7

Employment Statistics

Mr. Cousins: To ask the Chancellor of the Exchequer if he will place in the Library tables showing the distribution of men and women, distinguishing between part-time and full-time workers and, between industries and services as in Table 3 of the *Labour Market Gazette*, November 1996, page 491, for each local authority in Tyne and Wear. [23668]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office of National Statistics. I have asked him to arrange a reply to be given.

Letter from Tim Holt to Mr. Jim Cousins, dated 19 January 1998:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics, to your recent question on employment in Tyne and Wear.

Data for every sector listed in Table 3 of *Labour Market Trends* are available on the NOMIS database, which is accessible through the House of Commons Library. However, to represent the confidentiality of individual businesses, many of the figures would be suppressed. I suggest instead that you refer to the data for each of the five local authorities which make up Tyne and Wear at SIC92 section level. At this level of aggregation none of the data are suppressed.

Earnings

Mr. Cox: To ask the Chancellor of the Exchequer what is the estimated number of *(a)* men and *(b)* women who are earning less than £2.00 per hour in the United Kingdom. [23287]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Tom Cox dated 19 January 1998:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics, to your recent question on earnings.

The available information from the Labour Force Survey (LFS), Summer (June 1997–August 1997) is shown below. The LFS provides earnings data for Great Britain and not the United Kingdom and is regarded as the most appropriate source for low pay data.

Estimated numbers of men and women earning less than £2 per hour in Great Britain

Men 220,000

Women 283,000.

Retail Prices Index

Mrs. Lait: To ask the Chancellor of the Exchequer if he will alter the constituent elements of the RPI to reflect current spending on services and goods. [23573]

Mrs. Liddell: The ONS recalculates weights for the constituent elements of the Retail Prices Index (RPI) at the start of each year using the latest available figures from the Family Expenditure Survey (FES). For example, from February 1998, the RPI weights will use information from the FES for the period July 1996 to June 1997. This allows the ONS to reflect the most up to date spending patterns available and to introduce new goods and services into the index.

Single Currency

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what discussions he has had with his German counterpart about the implications for the introduction of the euro of the challenge in the German Constitutional Court concerning the alleged failure of Germany to meet the Maastricht criteria for entry into a single currency; and if he will make a statement. [23294]

Mrs. Liddell: The Chancellor meets his German counterpart on a regular basis, including at ECOFIN where a range of issues are discussed. However, it would not be right for me to comment on the internal matters of other EU Member States.

London Art Market

Mr. Green: To ask the Chancellor of the Exchequer if he will make a statement on the impact of VAT harmonisation in the EU on London's art market. [21466]

Dawn Primarolo: Goods imported into the UK normally bear VAT at the standard rate (17.5 per cent.). Under the terms of EC law introduced in 1995, certain works of art, antiques and collector's pieces imported into the UK are eligible until 30 June 1999 for an effective rate of VAT at importation of 2.5 per cent. After that date, the UK should increase the VAT rate to at least the normal minimum effective reduced rate of 5 per cent.

During 1998, the EC Commission is expected to review the effects of the relevant EC legislation on the competitiveness of the Community art markets compared to third countries' art markets. The relevant Government Departments are working closely with art trade bodies to evaluate those effects, and to ensure that the position of the UK's fine art market will be properly represented in that review.

CABINET OFFICE

Millennium Experience

28. **Mr. Page:** To ask the Minister without Portfolio how much public money he estimates will be spent on the millennium experience. [21472]

Mr. Mandelson: No taxpayers' money is being spent on the project other than that already committed by English Partnerships to prepare the site for development. The New Millennium Experience Company is receiving a Lottery grant of £399 million (net) from the Millennium Commission. A further £359 million of income will be raised from sponsorship, commercial activities, visitor revenue and disposal income.

30. **Mr. Loughton:** To ask the Minister without Portfolio how much of the Greenwich millennium experience's budget will be raised through ticket sales. [21474]

Mr. Mandelson: The New Millennium Experience Company currently estimates that around £168 million of the budget will be raised from visitor revenue including ticketing and merchandising.

Mr. Maude: To ask the Minister without Portfolio if he will make a statement on the role that Christianity will play in the Millennium Experience. [23229]

Mr. Vaz: To ask the Minister without Portfolio what is the Government's policy in respect of the religious content of the Millennium Dome. [23576]

Mr. Mandelson: I refer the right hon. Member and my hon. Friend to the answer I gave to the hon. Member for Ceredigion (Mr. Dafis) on 24 November 1997, *Official Report*, column *388*.

Mr. Dalyell: To ask the Minister without Portfolio, pursuant to his oral answer of 8 December 1997, *Official Report*, column 660, if he will make a statement on his ticketing and transport arrangements for people from Scotland and the north of England. [21607]

Mr. Mandelson: The New Millennium Experience Company (NMEC) is continuing to develop its ticketing strategy. The Company's aim is to set prices which are as low as possible and therefore are affordable to the maximum number of people whilst achieving the revenue required by the budget.

NMEC will work closely with all public transport providers, especially coach and rail operators, and with the travel trade, with the aim of ensuring that travel tickets can be sold together with Millennium Experience tickets and that the transport providers offer keenly priced fares.

29. **Mr. Robathan:** To ask the Minister without Portfolio if he will make a statement on the future uses of the millennium dome after 2000. [21473]

Mr. Mandelson: I refer the hon. Member to the answer I gave to the hon. Member for Selby (Mr. Grogan) on 1 December 1997, *Official Report*, columns *2–3*.

Public Appointments

Mr. Vaz: To ask the Minister without Portfolio if he will list the names of the public appointments he has made since 1 May 1997; and which of those appointees receive remuneration. [23208]

Mr. Mandelson: The information requested is listed in the following table.

Sponsored Body	*Role*	*Name*	*Remuneration*
New Millennium Experience Company	Deputy Chairman	Sam Chisholm	None
New Millennium Experience Company	Board Member	Sir Alan Cockshaw	None
New Millennium Experience Company	Board Member	Michael Grade CBE	None
New Millennium Experience Company	Board Member	Ruth MacKenzie	None

FOREIGN AND COMMONWEALTH AFFAIRS

China

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Chinese authorities in respect of the conditions within Chinese orphanages. [22627]

Mr. Fatchett *[holding answer 12 January 1998]:* Orphanages were most recently discussed with the Chinese authorities at the expert level EU/China human rights meeting in Peking on 1–2 December 1997. We participated as a member of the EU Troika. At that meeting the EU agreed a package of technical assistance including projects for the protection of orphans.

Amsterdam Treaty

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs if paragraph 3 of the Subsidiary Protocol of the Treaty of Amsterdam permits the repatriation of acquis communautaire. [22615]

Mr. Doug Henderson: The Maastricht Treaty introduced as an objective of the European Union "to maintain in full the acquis communautaire" (Article B). The acquis communautaire is not an immutable body of law. Community agreements and legislation may be repealed or become obsolete. In the past the Commission has withdrawn legislative proposals on subsidiarity grounds. This option is made explicit in the Subsidiarity Protocol of the Treaty of Amsterdam, paragraph 3 of which states that subsidiarity

"allows Community action within the limits of its powers to be expanded where circumstances so require, and conversely, to be restricted or discontinued where it is no longer justified".

European Commission Directorates

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Tooting (Mr. Cox) of 9 December 1997, *Official Report*, column *498*, what percentage of total staff working at A grade the figure for British nationals represents for each directorate of the European Commission. [22658]

Mr. Doug Henderson: The answer I gave to my hon. Friend the Member for Tooting (Mr. Cox) on 9 December 1997, *Official Report*, column *498*, was based on information from the European Commission dated July 1997. Since then, the Commission has supplied new information based on December 1997 figures.

According to this updated information, the number of British nationals working at A grades in each Directorate General of the Commission is as follows:

Directorate General	*Number of British officials at A grade*	*British officials as percentage of total staff at A grade*
I	37	17.0
1A	48	13.5
IB	26	12.4
2	11	8.5
3	15	7.4
4	15	8.2
5	23	11.1
6	28	8.2
7	15	16.1
8	46	11.6
9	9	6.3
10	14	8.8
11	23	14.8
12	6	9.1
13	19	14.3
14	4	1.4
15	19	12.4
16	18	12.3
17	22	13.3
19	7	8.4
20	8	10.4
21	14	13.2
22	10	8.9
23	9	12.3
24	8	9.1

Cycle Spaces

Mr. Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs how many secure cycle spaces there are in his Department. [22687]

Mr. Fatchett: This Department has 166 secure cycling spaces—84 in London and 82 at Hanslope Park, near Milton Keynes.

Travel Insurance

Mrs. Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the number of United Kingdom citizens who travelled abroad without travel insurance in (i) 1995, (ii) 1996 and (iii) 1997; and if he will make a statement. [22598]

Mr. Fatchett: We have no accurate way of measuring this. For our own purposes we estimate that 10 per cent. to 15 per cent. of Britons still do not take out travel insurance when they travel abroad. Our estimates for 1995, 1996 and 1997 are similar. We strongly advise that all travellers take out insurance.

Immigration (Cubans)

Mr. Laxton: To ask the Secretary of State for Foreign and Commonwealth Affairs how many visitor visas for entry into the United Kingdom from Cuban nationals have been turned down in each of the last two years. [22497]

Mr. Fatchett: The number of visit visa applications from Cuban nationals refused in Havana in the last two years was: 65 (5.1 per cent.) in 1995; 63 (4.5 per cent.) in 1996 and 99 (5.4 per cent.) in the first 11 months of 1997. Records are not kept of applications from Cuban nationals applying in other countries.

Mr. Laxton: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications in each of the last two years for visitor visas have been from Cuban nationals. [22496]

Mr. Fatchett: The number of visit visa applications from Cuban nationals in Havana in the last two years was: 1,975 in 1995; 1,420 in 1996 and 1,822 in the first 11 months of 1997. Records are not kept of applications from Cuban nationals applying in other countries.

Arms Control Disarmament Research Unit

Mr. Livingstone: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the annual budget for his Department's Arms Control Disarmament Research Unit in the last two years. [22507]

Mr. Tony Lloyd: There is no specific budget for the two staff of the Arms Control and Disarmament Research Unit. Their costs are included in the overall budget of the FCO's Non-Proliferation Department. For much of financial year 1996–97, there was an additional part-timer member of the Unit; the costs for that year totalled approximately £125,000. In financial year 1997–98, costs to date total approximately £80,000.

Arms Control Treaties

Mr. Livingstone: To ask the Secretary of State for Foreign and Commonwealth Affairs what work his Department is currently carrying out to support and implement arms control treaties in the fields of *(a)* chemical weapons and *(b)* nuclear weapons; and if he will make a statement. [22508]

Mr. Tony Lloyd: This Department works closely with the Department of Trade and Industry and the Ministry of Defence to ensure that the UK remains in full compliance with its obligations under the Chemical Weapons Convention (CWC), which the United Kingdom ratified in 1996, and to promote the universality and effective implementation of the Treaty. This involves coordinating and preparing positions for, and leading the UK Delegation at, the periodic Conferences of States Parties of the Organisation for the Prohibition of Chemical Weapons (OPCW) in The Hague; and preparation for and attendance at the regular meetings of the OPCW's Executive Council.

The UK is a Depositary State for and a leading member of the Nuclear Non-Proliferation Treaty (NPT). This Department leads and co-ordinates UK participation in the review process for the treaty, which includes a Review Conference every five years and Preparatory Committee meetings in the three years preceding each Conference. The FCO is also sponsoring legislation to enable the UK to ratify the Comprehensive Test Ban Treaty (CTBT).

The UK is also a member of the Australia Group and Nuclear Suppliers Group, which formulate and implement export controls for materials, equipment and technology relevant to chemical weapons and nuclear programmes respectively. The UK will become chair of the Nuclear Suppliers Group in April 1998.

This Department also leads on a range of actions in other multilateral fora (e.g. the European Union, NATO) and in bilateral action with individual states in support of the objectives of these treaties and bodies.

Biological and Toxin Weapons Convention

Mr. Livingstone: To ask the Secretary of State for Foreign and Commonwealth Affairs what work is being carried out by his Department to support the negotiations to strengthen the 1972 Biological and Toxin Weapons Convention. [22509]

Mr. Tony Lloyd: This Department is working closely with the Ministry of Defence and the Department of Trade and Industry in support of international efforts to establish a legally binding Protocol to strengthen compliance with the 1972 Biological and Toxin Weapons Convention. Our officials lead the UK delegation at these negotiations in Geneva and chair the key sessions on compliance measures. They also pay a key role in consultation within the European Union on these issues. One of the priorities for our EU Presidency is to promote decisive progress in the negotiations in 1998.

Israeli-Palestinian Goods

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's policy on Israeli requests to the EU to extend the scope of the EU-Israeli Association Agreement to include jointly produced Israeli-Palestinian goods in exemption to customs duties. [22546]

Mr. Doug Henderson: We strongly support efforts by Israeli and the Palestinian Authority to establish cumulation of rules of origin under the EC/PLO and EC/Israel agreements. This would allow goods jointly produced in Israel and the Palestinian Authority preferential accession to EU markets. To allow such cumulation, both sides must harmonise their rules of origin. The European Commission has held technical talks with both sides to assist them in this task.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated value of goods jointly produced by Israel and Palestine and imported by the EU; and what proportion have been imported at zero tariff. [22547]

Mr. Doug Henderson: No statistics are available for imports of goods jointly produced in Israel and the Palestinian Authority.

Iraq

Mr. Cohen : To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of *(a)* the total amount received by Iraq under oil sale-related agreements and *(b)* the amount taken as reparations. [23042]

Mr. Fatchett: Since December 1996 when Iraq accepted the "oil for food" scheme, Iraq has been permitted to sell US dollars 4 billion worth of oil. UNSCR 1143, which renewed the scheme in November 1997, allows for the sale of a further US dollars 2 billion worth of Iraqi oil. Thirty per cent. of the proceeds from Iraqi oil goes to the UN compensation fund which pays compensation claims from individuals, corporations and governments who suffered direct loss, damage or injury as a result of Iraq's unlawful invasion and occupation of Kuwait in 1990.

Land Mines

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs when Her Majesty's Government plans to incorporate the Ottawa Landmine Treaty into United Kingdom law; and what steps it is taking to persuade other countries to ratify the treaty. [23611]

Mr. Tony Lloyd: We intend to introduce legislation as soon as the parliamentary timetable allows. We shall continue to take every opportunity to urge as many

countries as possible to sign the Ottawa Convention and to encourage those that have signed to ratify the Convention as quickly as possible.

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government intend to ratify the land mines treaty; and if he will make a statement. [23298]

Mr. Tony Lloyd: We intend to ratify the Convention as soon as the necessary legislation is in place. We shall continue to take every opportunity to urge as many countries as possible to sign the Ottawa Convention and will press for complementary action to promote a global ban on anti-personnel landmines in international fora, including the Conference on Disarmament in Geneva.

Turkey

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on how, at what level and when the human rights problem in Turkey is being raised with the Turkish government. [23574]

Mr. Doug Henderson: We regularly raise human rights in our Ministerial and official level contacts with the Turkish authorities.

I raised this issue with the Turkish Minister for Human Rights in Ankara in October 1997. My right hon. Friend the Foreign Secretary has had a number of discussions on the subject with the Turkish Foreign Minister. My right hon. Friend the Prime Minister raised the matter during his meeting with the Turkish Prime Minister in December.

The Turkish authorities recognise that this is an area in which they need to make progress. Our objective is to encourage them along that path.

Kenya

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the ill-treatment and torture of children in Kenya; and if he will make a statement. [23464]

Mr. Tony Lloyd: We are concerned by reports of incidents involving police brutality in Kenya, particularly those where young children appear to be involved. We shall be raising the cases highlighted by Amnesty International with the Kenyan authorities. More generally we continue to raise with the Government of Kenya our concerns about human rights abuses in that country and our desire to see police officers guilty of such offences brought to justice.

Algeria

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy towards Algeria. [23562]

Mr. Fatchett: We share the widespread revulsion at the barbaric massacres in Algeria and continue to condemn the violence. Following close consultation with our EU Partners, the Algerian Government has agreed to our proposal, as EU Presidency for a Troika Ministerial visit to Algeria, from 19 to 20 January 1998. I will lead the mission and will continue the political dialogue between the EU and Algeria which was established at the time of the Algerian Foreign Minister's talks in Luxembourg in November 1997.

Mrs. Gaynor Regan

Mr. Gray: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions on which Mrs. Gaynor Regan has accompanied him at public expense since 2 May; and if he will make a statement. [23533]

Mr. Robin Cook *[holding answer 16 January 1998]:* There have been no such occasions.

Mr. Grieve: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the cost to public funds of each occasion on which Mrs. Gaynor Regan has accompanied him on his official duties. [23488]

Mr. Robin Cook *[holding answer 16 January 1998]:* There has been no cost to public funds.

Mr. Letwin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he sought the advice of his Permanent Under-Secretary of State about the participation of Mrs. Gaynor Regan on official visits organised by his Department. [23487]

Mr. Robin Cook *[holding answer 16 January]:* Yes.

Ministerial Travel

Mr. Viggers: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the purpose of his return to the United Kingdom from the Indian sub-continent during Her Majesty the Queen's visit to Pakistan and India; and what was the cost of the travel involved. [23625]

Mr. Robin Cook *[holding answer 16 January 1998]:* It was agreed with Buckingham Palace that I should accompany Her Majesty on her State Visits while she was in the capital cities of both countries and calling on members of their central governments. I was therefore in Islamabad on 7 and 8 October and in Delhi on 13 and 14 October, and not in attendance in the intervening period. It would not have been an effective use of the time of myself or my officials to stay on when I had no official business. These arrangements were agreed in July, long before the State Visit. The travel costs for myself and two officials for Pakistan were £4,211 and for India £11,547. On the outward journey to Pakistan we travelled on The Queen's aircraft.

Mr. Viggers: To ask the Secretary of State for Foreign and Commonwealth Affairs if the journeys overseas by the spouse or partner accompanying him since 1 May were in every case authorised in advance by the Prime Minister. [23572]

Mr. Loughton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he sought the permission of the Prime Minister in accordance with paragraph 69(a) of the Ministerial Code for Mrs. Gaynor Regan to accompany him on overseas visits at public expense. [23723]

Mr. Brady: To ask the Secretary of State for Foreign and Commonwealth Affairs if he sought the Prime Minister's prior assent for each overseas visit made by Mrs. Gaynor Regan when accompanying him at public expense. [23382]

Mr. Robin Cook *[holding answer 16 January 1998]:* Yes, except when Ms Gaynor Regan accompanied me to Dublin on 3 November when there was no cost to public funds.

Tigers

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had since 1 May 1997 with representatives of the Indian government in respect of the threats to the tiger population in that country; and what were the outcomes of those decisions. [22950]

Mr. Fatchett: I met the Indian Environment Minister during my visit to India in June last year and expressed my support for the work of the Global Tiger Forum which stemmed from an Indian initiative. We continue to maintain close links with the Forum and will invite the Secretary General to the next meeting of the CITES Standing Committee to be held in London in March, where the plight of the tiger will be a major item on the agenda.

Hong Kong

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the income from the sale of land occupied by GCHQ in Hong Kong; and where that money has been deployed. [23396]

Mr. Fatchett: After deduction of sales costs, a total of £12,451,316.54 was transferred to the Treasury from the sale of property owned by Her Majesty's Government and used by GCHQ in Hong Kong. The property consisted of 20 houses purchased by the British Government to accommodate GCHQ staff at Hong Lok Yuen.

Immigration

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when the application for entry clearance made by Zia Ul Haq at Karachi, reference KA 173579 will be determined. [24008]

Mr. Fatchett: We have asked our High Commission in Karachi to provide a detailed account. My noble Friend the Parliamentary Under-Secretary of State, will write to the hon. Member within one week of receiving that account.

EDUCATION AND EMPLOYMENT

School Inspections

Helen Jones: To ask the Secretary of State for Education and Employment what guidance he has given to Ofsted on the frequency with which school inspections should be carried out. [23314]

Mr. Byers *[holding answer 16 January 1998]:* HM Chief Inspector of Schools was given a legal duty to secure the inspection of all maintained schools in the four-year period ending on 31 July 1997 in respect of secondary schools and 31 July 1998 in respect of primary and other schools. Thereafter, the Education (School Inspection) Regulations 1997 provide for schools to be inspected at intervals of no more than six years from the end of the school year in which their previous inspection took place. In the case of failing schools and schools with serious weaknesses, HM Chief Inspector secures more frequent inspections.

Literacy

Mr. Bercow: To ask the Secretary of State for Education and Employment for what reasons schools taking part in the literacy summer schools project are not required to use standardised tests of reading before and after the project takes place. [22796]

Mr. Byers *[holding answer 16 January 1998]:* The Department carried out a full evaluation of last year's scheme using National Curriculum Key Stage 2 tests, and also a qualitative survey of participants. A summary report of the evaluation is available in the Library. The Department is considering how best to evaluate this year's expanded scheme.

Teachers

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the number of trained teachers who qualified in *(a)* Australia, *(b)* New Zealand, *(c)* Canada and *(d)* South Africa who were teaching in maintained schools in London on (i) 1 January 1997 and (ii) 30 September 1997. [23610]

Mr. Byers *[holding answer 16 January 1998]:* The information requested is not available.

Grammar Schools

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the percentage of the intake for each maintained grammar school from outside the boundary of the local authority in which it was situated in *(a)* 1995, *(b)* 1996 and *(c)* 1997. [23609]

Mr. Byers *[holding answer 16 January 1998]:* The information requested is not held centrally.

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the percentage of the intake from maintained primary schools at each maintained grammar school in *(a)* 1995, *(b)* 1996 and *(c)* 1997; and if he will make a statement. [23607]

Mr. Byers *[holding answer 16 January 1998]:* The information requested is not collected centrally.

Net Year

Mrs. Gillan: To ask the Secretary of State for Education and Employment what criteria will be used to assess the success of Net Year. [24006]

Dr. Howells: UK Net Year is a private sector initiative developed and funded by industry, and it is not for the Government to set criteria to judge its success. The Government does, however, welcome the contribution of UK Net Year to promoting progress towards the targets outlined in its consultation paper "Connecting the Learning Society".

Mrs. Gillan: To ask the Secretary of State for Education and Employment what budget his Department has allocated to Net Year and what proportion of the total budget for Net Year will be covered by *(a)* public and *(b)* private funds. [24005]

Dr. Howells: UK Net Year is a private sector initiative funded by industry with no Departmental funding. As with numerous other private sector projects, it is planned to be complementary to the Government's National Grid for Learning initiative.

Disability Discrimination Act

Mr. Burstow: To ask the Secretary of State for Education and Employment if he will legislate to abolish the threshold exempting employees from the employment provision of the Disability Discrimination Act 1995. [23765]

Mr. Alan Howarth: I refer the hon. Member to the reply I gave him on the review of the exemption provisions on 9 December 1997, *Official Report*, column *519*. The threshold cannot be abolished by regulation, but could be lowered to two. We will be considering whether to lower it and, if so, to what level following the outcome of our consultations and review.

The Government have no plans for primary legislation to abolish the threshold. We will await the recommendations of the Disability Task Force before considering what form of primary legislation may be necessary to secure comprehensive, enforceable civil rights for disabled people.

Mr. Burstow: To ask the Secretary of State for Education and Employment if he will list the regulation-making process of the Disability Discrimination Act 1995 that the Government *(a)* are currently using and *(b)* have plans to use and to improve the effectiveness of the Act. [23617]

Mr. Alan Howarth: Regulations have been already been made in exercise of the following powers of the Disability Discrimination Act 1995 (DDA):

sections 3(9), 5(6) and (7), 6(8)(a), (c) to (g) and (10), 12(3), 8(6) and (7), 16(3), 19(5)(c), 20(7) and (8), 24(5), 50(8), 54(6), 52(8), 56(2) and (4), 60(6), 62(2), 67, 68(1) and 70(3) and paragraphs 1(2), 2(4), 3(2) and (3), 4(2)(a) and 5(a) of Schedule 1, 3(a) and (b) and 4 of Schedule 4, and 4(4) and 7 of Schedule 5.

Section 30(3) of Part IV of the DDA amends the Further and Higher Education Act 1992 and regulations have been made under sections 5 (7A) and (7B) and 89 (4) of that Act. Regulations have been made under sections 30 (7) and (8) of Part IV of the DDA. Those sections have been repealed but consolidated into section 528 of the Education Act 1996.

Regulations have been made under sections 30 and 32 of the Industrial Tribunals Act 1996. Section 63(2) of the DDA has been replaced by section 32 (2) of that Act.

A regulation would be needed under section 7(2) if, following the current review of the threshold exempting small employers from the employment provisions in Part II of the Act, it is decided to lower the threshold.

Regulations are expected to be needed under the powers in section 15 when it is decided to implement the duty on trade organisations to make reasonable adjustments. Proposals for regulations would be subject to consultation.

A number of regulations are expected to be needed to help clarify the operation of the remaining rights of access to goods and services under Part III of the Disability Discrimination Act. Proposals for regulations will be subject to consultation in due course.

The Government will be using their powers under Part V of the DDA to require that in future buses, coaches and trains and taxis are fully accessible to disabled people including those who need to travel in their wheelchair. The first stage of the consultation on taxis was completed at the end of November 1997. Consultation on the proposals for buses and coaches is now under way and will be followed by consultation on the draft regulations for rail vehicles.

Regional Development Funds

Mr. Keetch: To ask the Secretary of State for Education and Employment how much interest was accrued on funds received from the European Social Fund under Objective 5b, before they were distributed to projects via the regional Government Offices in *(a)* 1994, *(b)* 1995, *(c)* 1996, *(d)* 1997 and *(e)* 1998. [23855]

Mr. Andrew Smith: The funds received under the European Social Fund are not held in interest bearing accounts and therefore do not accrue any interest; like other Government cash balances they reduce the interest payable on total Government debt.

SCOTLAND

Road Bridge Tolls

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what estimate he has made of the annual cost of abolishing all trunk road bridge tolls in Scotland. [19795]

Mr. Dewar *[holding answer 12 December 1997]:* As this matter is not under consideration, no estimate of the cost of abolition has been made. Such costs in respect of the Erskine and Skye Bridges, the only tolled bridges on trunk roads in Scotland, would be calculated in terms of the contracts that exist between The Scottish Office and the operators of the bridges. The Scottish Office would also incur the on-going costs of maintaining the bridges.

EU Agriculture Council

Mr. Denzil Davies: To ask the Secretary of State for Scotland how many meetings of the Council of Agriculture Ministers of the European Union he has attended. [23584]

Mr. Macdonald: My noble Friend the Minister with responsibility for agriculture, the environment and fisheries in Scotland has attended two meetings of the Agriculture Council.

Feudal System

Mr. Dalyell: To ask the Secretary of State for Scotland (1) what estimate he has made of the financial resources and compensation required to abolish feudal superiors' rights; [23537]

(2) pursuant to his oral statement on 12 January 1998, *Official Report*, column 22, what is his estimate of the financial resources required to abolish the feudal system; and what are the public expenditure consequences. [23312]

Mr. McLeish *[holding answer 16 January 1998]:* Until the Scottish Law Commission formulates its final recommendations, it is not possible to estimate what, if any, financial resources will be required to abolish the feudal system or what will be the public expenditure consequences. Similarly, it is not possible to estimate what, if any, financial resources and compensation will be required to abolish feudal superiors' rights until the Commission has come to a view on this matter and until Ministers have had an opportunity to consider the Commission's recommendations.

Forestry

Mr. Paice: To ask the Secretary of State for Scotland what discussions he has had with ministerial colleagues on the apportionment of Forest Enterprise's assets; what agreement has been reached on the apportionment; and if he will make a statement. [23485]

Mr. Macdonald *[holding answer 16 January 1998]:* Land managed by Forest Enterprise is owned by the three Forestry Ministers (the Secretaries of State for Scotland and for Wales and the Minister of Agriculture, Fisheries and Food). After devolution, it is proposed that, in Scotland and Wales, such land will be transferred to the Scottish Ministers and the Welsh Assembly respectively.

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what plans he has to authorise sales of standing timber belonging to the Forestry Commission prior to the Scottish Parliament taking responsibility for this matter. [23743]

Mr. Macdonald: The Forestry Commission fells and restocks areas of woodland as part of the sustainable management of its estate. About half the trees which are felled are sold standing, and the purchasers make their own arrangements to fell and market them. This routine forestry practice does not require specific authorisation by Ministers.

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what plans he has to authorise further sales of Forestry Commission land prior to the Scottish Parliament taking responsibility for this matter. [23764]

Mr. Macdonald: Last May, we imposed a moratorium on the sale of forest land managed by the Forestry Commission. This moratorium is still in place. We are currently considering the Commission's future activities as part of its Comprehensive Spending Review. We will announce our conclusions in due course.

Chapelcross Nuclear Reactor

Mr. Baker: To ask the Secretary of State for Scotland (1) when his Department was first informed of the crack in the reactor at Chapelcross Magnox station; [23397]

(2) to what extend the age of the nuclear reactor at Chapelcross was a contributory factor to the crack which was publicised by BNFL in December. [23399]

Mr. Wilson: The existence of a defect in a weld in a heat exchanger in reactor two at Chapelcross was detected during the reactor's annual refuelling, maintenance and inspection shutdown. It was reported to the Scottish Office on 26 June 1997.

In accordance with normal procedures, details of the weld defect were contained in the Chapelcross newsletters, dated 3 July and 11 December 1997, copies of which are available in the Library of the House. Details were also contained in the Health and Safety Executive's Quarterly Statements of Incidents at Nuclear Installations, published on 30 September 1997.

I understand that the age of the reactor at Chapelcross was not a factor in the defect which has been in place since the original manufacture of the vessel concerned. The preferred option for repair has been discussed between BNFL and the NII which will involve the isolation of the affected heat exchanger. In the meantime, the NII has given approval for the reactor to operate.

Mr. Gorrie: To ask the Secretary of State for Scotland if he will place in the Library the reports by consultants on the various aspects of the competing sites for a Scottish Parliament. [23539]

Mr. McLeish: The design feasibility studies for each of the four sites were placed in the Library on 12 January along with a summary of the Comparative Transport and Environmental Assessment.

I have today placed in the Library copies of the full Comparative Transport and Environmental Assessment report and copies of a draft working brief for the design of the Scottish Parliament building.

Arable Aid Payments

Mr. Maclennan: To ask the Secretary of State for Scotland when he expects to complete payment of the 1997 arable aid payments. [23950]

Mr. Macdonald: Subject to the continuing co-operation of farmers on matching every field on their claims against the Field Identification System (FIS), i.e. the new register of unique field identifiers, we aim to make most final payments under the 1997 Arable Area Payments Scheme (AAPS) by 31 March 1998.

Northern Ireland Electricity Interconnector

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what assessment he has made of the plans of Northern Ireland Electricity to lay the undersea portion of the Scotland to Northern Ireland electricity interconnector. [23724]

Mr. Macdonald: The plans of Northern Ireland Electricity have been examined in detail. The undersea portion of the proposed Scotland-Northern Ireland interconnector is planned to pass to the north of the Beaufort's Dyke explosives disposal area. Consideration has been given to the detailed seabed surveys undertaken on behalf of Northern Ireland Electricity which have allowed the planned cable route to be optimised in order to avoid a wide range of natural obstructions and dumped

munitions. A number of unidentified objects have been located electronically and Northern Ireland Electricity is confident that the proposed method of installation by water jetting will allow these objects to be avoided. The Government have therefore accepted Northern Ireland Electricity's conclusion that the risk of disturbance is minimal.

SOCIAL SECURITY

Disability Living Allowance

Mrs. Browning: To ask the Secretary of State for Social Security how many staff making personal visits to people in receipt of disability living allowance as part of the Integrity Project have a recognised medical qualification. [21098]

Mr. Denham: One our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. We need to focus on those who are properly entitled to benefit. This is why we have set up the Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mrs. Angela Browning, dated 15 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding how many staff making personal visits to people in receipt of Disability Living Allowance (DLA) as part of the Integrity Project have a recognised medical qualification.

The role of staff visiting DLA recipients as part of the Benefit Integrity Project (BIP) is to obtain an up to date statement about the needs of those people who have a DLA award at the higher rate of mobility combined with the highest rate of care. The visiting officers do not make decisions on entitlement to benefit either at the visit or subsequently.

The visiting officers are administrative staff. All BIP visiting officers receive a detailed 5 day training course which covers all aspects of visiting technique. The course also includes a special session on disability awareness, written and delivered by the Disablement Income Group.

In cases where information gathered indicates that there may have been a change in circumstances since the award was made, an Adjudication Officer may decide to review the award. In such cases they may refer the case to the Benefit Agency Medical Services (BAMS) for advice, approach the General Practitioner or some other medical professional, for a factual report, or ask BAMS to arrange for a report from an Examining Medical Practitioner.

I hope you find this reply helpful.

Income Support (Basildon)

Angela Smith: To ask the Secretary of State for Social Security how many claimants of family credit there are in the Basildon constituency; and how many people in the Basildon constituency are in receipt of income support. [22831]

Mr. Keith Bradley: The administration of Family Credit and Income Support is a matter for Peter Mathison, Chief Executive of Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Angela Smith, dated 16 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many families in Basildon are in receipt of Family Credit (FC), and how many are in receipt of Income Support (IS).

The information is not available in the format requested. The FC Unit produces statistics which show the number of families in receipt of FC within individual Benefits Agency (BA) office areas. IS produces information which relates to the number of families in receipt within a BA District.

The BA's Essex South West District includes offices at Basildon, Grays and Harlow.

The number of families in receipt of FC, in the BA office at Basildon, was 2,088 as at September 1997. The number of families in receipt of IS, in the Essex South West District, was 33,865 as at November 1997. These figures are provisional and subject to change. The information serves as a "snap-shot" of the position at the date of the scan and does not provide details of the number of families in receipt of benefit annually.

I hope you find this reply useful.

Incapacity Benefit

Dr. Lynne Jones: To ask the Secretary of State for Social Security (1) what plans she has to change the all work test; [23145]

(2) what research she has *(a)* commissioned and *(b)* evaluated on the effectiveness of the current all work test in making decisions to meet individual needs; and if she will make a statement. [23146]

Mr. Denham: Our Comprehensive Spending Review is looking at all aspects of provision for sick and disabled people including the appropriateness of the all work test. Our aim is to ensure that the emphasis is placed on people's capacity for work and not their incapacity; their ability and not their disability. The evaluation of the all work test published in February 1997[1] and the results of the survey of people leaving Incapacity Benefit[2] will inform our thinking. We are currently considering our research requirements for 1998 and details of our programme will be published in due course.

Source:

[1] "Evaluation of the Incapacity Benefit Medical Test"—In-house Report 26 (DSS February 1997).

Note:

[2] As part of the evaluation of Incapacity Benefit the Policy Studies Institute is carrying out a major survey of people leaving Incapacity Benefit. The report is expected to be available later this year.

Social Security System

Mr. Webb: To ask the Secretary of State for Social Security if she will list the most serious problems currently facing the social security system in order of priority. [23848]

Mr. Field: Our aim is to build a Welfare State fit for the 21st century, which extends opportunity and security to all.

Our core principles are that:

Society has a responsibility to help people in genuine need, who are unable to look after themselves;

Individuals have a responsibility to help provide for themselves when they can do;

Work is the best route out of poverty for people who are able to work;

Fraud and abuse should be minimised and rooted out wherever found.

We are currently examining where the current system ails to meet these core principles.

New Deal (Warrington)

Helen Jones: To ask the Secretary of State for Social ecurity what estimate she has made of the number of eople in the Warrington, North constituency who will enefit from the New Deal. [23851]

Mr. Keith Bradley: The New Deal for Lone Parents lfils the Government's commitment to provide practical elp and advice to lone parents on Income Support who ant to work. One of the eight areas in which the rogramme is already available is the Benefits Agency istrict of North Cheshire, which covers the Warrington orth Parliamentary Constituency. The New Deal for one Parents will be available to all lone parents who ake a new claim for Income Support from April 1998, nd will be extended to cover existing claimants from ctober 1998.

Estimates are not available by Parliamentary onstituency for the number of people who might benefit om the New Deal for Lone Parents. It is, however, timated that there are around 3,000 lone parents ceiving Income Support in the Warrington Local uthority District and who could therefore take advantage the services already on offer through this programme.

The New Deal for Young People will give work, ucation and other opportunities to those aged 18 to 24 no have been unemployed for over six months. This ogramme will begin in 12 pathfinder offices this month d will be introduced nationally in April 1998. It is timated that, in 1998–99, 1,700 people would become gible for the New Deal for the Young Unemployed in e Halton and Warrington unit of delivery, which mprises the areas covered by the Runcorn Bridgewater, ncorn Rutland, Warrington and Widnes Employment rvice Jobcentres.

The New Deal for Young People will be followed in ne 1998 by the New Deal for the long-term employed, which will provide subsidies to employers £75 per week for six months if they take on those ople aged 25 or over who have been unemployed for o years or more. The latest available data indicate that re are around 1,000 people in this category in the lton and Warrington unit of delivery.

The number of people in the Warrington area who will nefit from the New Deal for people with a disability or g-term health problem is not yet known. A tendering rcise is currently underway for innovative schemes, l plans for introducing personal advisers for this group ll be announced later this year.

Residential Care Allowance

Mr. Burstow: To ask the Secretary of State for Social curity when she plans to announce her proposals to orm the residential care allowance. [23766]

Mr. Keith Bradley: The Government are undertaking a number of reviews of key policy areas, including a review of the funding of long-term care. The future payment of the Income Support Residential Allowance is included in these reviews.

It is too early in the review process to be able to give a firm commitment on when we will be ready to announce the outcome.

Low Pay

Mrs. Ballard: To ask the Secretary of State for Social Security what percentage of working women earn less than the national insurance contributions ceiling. [23951]

Mr. Denham: In 1995–96 an estimated 94 per cent. of female employees earned less than the Class 1 National Insurance contributions Upper Earnings Limit.

Source: 1995–96 Family Resources Survey.

Appeals

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what changes in policy there have been since 1 May concerning the granting of leave to appeal to the Social Security Commissioner. [23031]

Mr. Keith Bradley: There has been no change in policy regarding appeals to the Social Security Commissioner since May 1997. The Social Security Bill paves the way for modernising the delivery of Social Security. It includes measures which will improve the arrangements for handling appeals from tribunals to Commissioners. The Bill had its second reading in the House of Lords on 15 January.

AGRICULTURE, FISHERIES AND FOOD

Beef

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food what percentage of beef sold in the United Kingdom is sourced from cattle born after 1 August 1996; and if he will make a statement. [21599]

Mr. Rooker *[holding answer 18 December 1997]:* Information on the percentage of beef sold in the United Kingdom sourced from cattle born after 1 August 1996 is not readily available but so far few animals of this age will have been slaughtered. In time the age of an increasing number of slaughtered animals will be known as a system of cattle passports, which record birth and death details, was introduced in Great Britain on 1 July 1996.

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what assessment the European Commission has made of the advantages of banning beef exports from countries which have detected BSE in their cattle. [23360]

Mr. Rooker: The European Commission has banned exports of beef from the UK, but has not banned exports from other Member States which have reported cases of BSE. The Commission takes advice on BSE related issues from the Scientific Steering Committee. Summaries of the proceedings of that Committee are published on the Internet at: http://europa.eu.int/en/comm/dg24/scientif/ncomm0/index.html

Live Animal Exports

Dr. Palmer: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answers of 18 November 1997, *Official Report*, column *117* and 4 December 1997, *Official Report*, column *355*, if he will provide a breakdown of the numbers of pigs exported for breeding to each country concerned from January to October. [22613]

Mr. Rooker: Computer records up-dated since my previous answer indicate that the number of breeding pigs certified for export from the United Kingdom between January and October 1997 inclusive is as follows:

Country	*Number*
Belgium	36,438
Canada	600
Czech Republic	559
China	795
Denmark	974
Falkland Islands	25
France	26,573
Germany	40,595
Greece	661
Republic of Ireland	1,080
Italy	8,837
Japan	248
Latvia	102
Malaysia (Peninsula)	338
Mexico	709
Netherlands	13,344
Nigeria	46
Philippines	164
Poland	80
Portugal	83
Romania	217
Slovakia	87
South Korea	538
Spain	19,372
Taiwan	70
Thailand	482
Russia	350
United States of America	122
Total	153,489

This information is provisional and subject to change.

It is common practice for export health certificates to be issued in anticipation of exports which do not then take place. The central computer system is updated periodically to remove details of withdrawn export consignments from the records but we cannot guarantee that this information is complete. Confirmation of the actual numbers of animals exported could be obtained only at disproportionate cost.

Cattle Identification Scheme

Mr. Willis: To ask the Minister of Agriculture, Fisheries and Food what consultations he has had, and with whom, concerning the adoption of a secondary button tag on cattle, and what decision he has made. [22988]

Mr. Rooker: Consultations have been held with the Joint Industry/Government Working Group on animal identification, with individual UK eartag manufacturers and the relevant services of the European Commission. Guidance will be provided to cattle keepers once a decision has been taken on which eartags will be approved for use in the UK for identifying cattle. In the meantime, all eartags on the current approved list can be used.

Mr. Willis: To ask the Minister of Agriculture, Fisheries and Food if he plans to use the plastic secondary tag on cattle as a means of electronic identification. [23038]

Mr. Rooker: EU legislation on identification of cattle requires visual identification through the use of approved eartags and does not require compulsory electronic tagging of animals. However, there are no obstacles to preclude eartags being adapted to incorporate electronic devices and the Government welcome such initiatives by the Industry.

Spongiform Encephalopathy Advisory Committee (Funding)

Mrs. Gorman: To ask the Minister of Agriculture, Fisheries and Food what was the total research funding to SEAC, from *(a)* United Kingdom Government sources and *(b)* European Union Sources in (i) 1994, (ii) 1995, (iii) 1996 and (iv) 1997. [23186]

Mr. Rooker: SEAC is an advisory body. It does not, itself, carry out any research and is therefore not in receipt of research funding from any source.

Livestock Support

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will give the levels of *(a)* suckler cow, *(b)* ewe premium and *(c)* HLCA payments for beef and sheep per animal in cash prices and at 1997 prices for each of the last five years and his proposals for 1998–99. [23484]

Mr. Rooker *[holding answer 16 January 1998]:* The information requested is set out in the tables. The proposed rates for 1998–99 are not yet available.

Payment rates (£ per head)—Sheep annual premium scheme, suckler cow premium scheme, hill livestock compensatory allowances

	Sheep annual premium				*Suckler cow premium*			
	Including LFA supplement Cash prices	*Excluding LFA supplied 1997 prices*	*Including extensification premia Cash prices*	*Excluding extensification premia 1997 prices*	*Cash prices*	*1997 prices*	*Cash prices*	*1997 prices*
1993	24.41	27.32	19.25	21.55	93.90	105.12	65.73	73.58
1994	22.21	24.28	16.96	18.45	115.12	125.83	87.49	95.63
1995	26.95	28.47	21.26	22.46	143.04	151.10	114.43	120.88
1996	19.04	19.64	13.66	14.09	155.15	160.03	124.12	128.02
1997	n/a	n/a	n/a	n/a	[1]159.48 [2]146.52	[1]159.48 [2]146.52	117.36	117.36

Hill livestock compensatory allowances

	SDA Beef cow		*DA Beef cow*		*SDA High rate ewe*		*SDA Lower rate ewe*		*DA Ewe rate*	
	Cash prices	*1997 prices*	*Cash prices*	*1997 prices*	*Cash prices*	*1997 prices*	*Cash prices*	*1997 prices*	*Cash prices*	*1997 prices*
1993	63.30	70.86	31.65	35.43	6.50	7.28	3.60	4.03	2.86	3.20
1994	47.50	51.92	23.75	25.96	5.75	6.28	3.00	3.28	2.44	2.67
1995	47.50	50.18	23.75	25.09	5.75	6.07	3.00	3.17	2.44	2.58
1996	47.50	48.99	23.75	24.50	5.75	5.93	3.00	3.09	2.65	2.73
1997	[3]97.50	97.50	[4]69.75	69.75	5.75	5.75	3.00	3.00	2.65	2.65

[1] Rate less than 1 livestock unit per hectare.
[2] Rate greater than 1 livestock unit and less 1.4 livestock units per hectare.
[3] Includes beef special aid of £50.00.
[4] Includes beef special aid of £46.00.
LFA = Less Favoured Area.
n/a = Not available.
SDA = Severely Disadvantaged Area.
DA = Disadvantaged Area.
Final Sheep Annual Premium rate for 1997 not yet fixed.

Beef (Subsidies)

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what subsidies are paid to beef farmers in *(a)* the United Kingdom and *(b)* other European Union countries. [23358]

Mr. Rooker: Beef farmers in all EU Member States, including the UK, may apply for subsidies under two EU-funded headage Schemes. The Suckler Cow Premium (SCP) Scheme provides an annual payment in respect of female breeding animals, while the Beef Special Premium (BSP) Scheme provides either one or two payments in respect of each male animal fattened for slaughter. Automatic "extensification" payments are made under both schemes to claimants with stocking rates below set levels. Additional EU-funded SCP payments are made to producers in geographical areas within the Union, including Northern Ireland, which meet certain economic and agricultural criteria. Limited nationally funded SCP payments are also made in some Member States. A Deseasonalisation Premium, designed to encourage a more even pattern of slaughterings throughout the year, may also be paid to producers in Member States where concentration of slaughtering in a certain time frame has historically proved a problem. All EU producers in Less Favoured Areas may additionally claim under national schemes (part-EU funded) designed to offset the structural handicap they face. In the UK, payments are made per head of eligible breeding cow under the Hill Livestock Compensatory Allowances scheme.

Genetically Modified Foods

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the United States Government in respect of the possible segregation of genetically modified foods; and if he will make a statement. [23405]

Mr. Rooker: The Department has close working contact with US Government officials on food issues including genetically modified foods and segregation. However, World Trade Organisation rules do not permit Governments to demand the segregation of crops that have been approved as safe.

Genetically Modified Crops

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if measures to require segregation of genetically modified crops would constitute a breach of World Trade Organisation agreements; and if he will make a statement. [23406]

Mr. Rooker: I refer the hon. Member to the reply given to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) on 17 July 1997, *Official Report*, column *504*.

Beef Imports (Argentina)

Mr. Key: To ask the Minister of Agriculture, Fisheries and Food what concessionary tariff arrangements are available on beef imported from Argentina; and if he will make a statement. [23977]

Mr. Rooker: Argentina, along with certain other named countries, is able to benefit from the following concessionary tariff arrangements for imports of beef into the European Community:

28,000 tonnes under the high quality ("Hilton") fresh, chilled and frozen import quota (as part of an overall total of 58,100 tonnes);

700 tonnes of frozen thin skirt (as part of an overall total of 1,500 tonnes).

In addition, such countries may export beef under concessionary import tariff arrangements which are open to all exporting countries. Under these concessionary import tariff arrangements, beef may enter the Community at reduced or zero levy.

Concessionary import arrangements are made under World Trade Organisation Agreements, to the proper observance of which the UK Government are deeply committed. The volume of imports allowed under these concessionary schemes amount to only 5 per cent. of total community production.

Written Answers to Questions

Tuesday 20 January 1998

WALES

NHS Expenditure

Mr. Denzil Davies: To ask the Secretary of State for Wales (1) what was the *(a)* net surplus/deficit, *(b)* the total remuneration of the Chief Executive and *(c)* the resident population of the Morgannwy Health Authority for the year ended 31 March 1997; [23601]

(2) what was the *(a)* net surplus/deficit, *(b)* the total remuneration of the Chief Executive and *(c)* the resident population of the Dyfed Powys Health Authority for the year ended 31 March 1997. [23600]

Mr. Win Griffiths: The information is in the following table.

	Morgannwg HA	*Dyfed Powys HA*
(a) Net surplus/(deficit) (£000)	785	(1,913)
(b) Total remuneration of Chief Executive (£000)	70	87
(c) Resident population (thousands)	499.7	476.7

Sources:
(a) and *(b)* Annual Accounts of Morgannwg and Dyfed Powys Health Authorities 1966–97; *(c)* ONS Mid year estimate for 1996.

Health Trusts (Appointments)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the qualifications required of appointees to non-executive posts on health trusts and authorities in Wales. [20727]

Mr. Win Griffiths: Strong links with the area served by the Trust or Health Authority are required together with relevant experience such as one or more of the following: the Voluntary Sector; the Public Sector or Business, at a senior level; previous NHS employment/experience.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Coastguard

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will request the Coastguard Agency to publish its five-year plan. [22845]

Ms Glenda Jackson: I announced on 17 November 1997, *Official Report*, columns *9–10*, a proposed five-year strategy for Her Majesty's Coastguard and it was agreed that the Coastguard Agency would issue a document for consultation. This document is being published today and copies have been placed in the Library.

Coroner's Service

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what are his functions in relation to the Coroner's Service. [23180]

Ms Armstrong: My right hon. Friend has no responsibilities for the Coroner's Service.

Untreated Sewage

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how much untreated sewage was disposed of on or in agricultural land in each year since 1991; and what assessment he has made of the impact of the Environmental Protection Act 1990 on these figures. [22865]

Angela Eagle: Sewage may be spread on agricultural land under the terms of a waste management licence issued by the Environment Agency under Part II of the Environmental Protection Act 1990. The objective of the licensing system is to ensure that waste is recovered or disposed of in ways which protect the environment and human health.

The Environment Agency does not maintain a central record that distinguishes the licensed spreading of sewage from the licensed spreading of other wastes. It is not possible, therefore, to make an assessment of the impact of the 1990 Act on the quantities of sewage which are spread. However, the Department and the Environment Agency have commissioned the Water Research Council and the Agricultural Development and Advisory Service (ADAS) to develop further the criteria that determine the circumstances in which the spreading of wastes is of benefit to agriculture. The research project is expected to be completed by the end of March 1998.

Road Gritting

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines exist for local authorities for the gritting of roads in the event of sub-zero temperatures. [23194]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Keith Vaz, dated 20 January 1998:

The Parliamentary Under Secretary of State has asked me to reply to your recent question as to what guidelines exist for local authorities for the gritting of roads in the event of sub-zero temperatures.

The Highways Agency are responsible for motorways and all-purpose trunk roads in England. For these roads, the Agency provides a winter maintenance service which assists the safe movement of traffic and keeps to a minimum delays and accidents caused by adverse weather conditions.

An extensive network of sensors placed in the roads measure road temperatures, moisture and salt content, wind speeds and precipitation. These together with weather forecasting services assist Maintenance Agents to carry out preventative treatment before road conditions become hazardous. They do not use grit for this treatment but use rock salt or, in special cases, deicing chemicals.

The Highways Agency's Maintenance Agents, including Local Authorities, undertake the operational maintenance of the winter maintenance service in accordance with guidelines set out in Volume 2 Part 3 of a document titled. The Trunk Road Maintenance

Manual. A copy of the document can be made available for inspection if you would like to contact Mike Garnham at this office on 0171 921 4220.

For the roads for which Local Authorities are responsible, they define their own treatments. Many use the guidelines of the County Surveyors Society or adapt them to their own circumstances and needs. Most Local Authorities also publish their own winter maintenance plans which define roads to be treated, together with treatment times and priorities.

Polegate Bypass

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions how many written representations his Department has received from *(a)* organisations and *(b)* members of the public about the Polegate Bypass in the last three months. [22996]

Ms Glenda Jackson: We have received a considerable number of representations about the Polegate Bypass. We are unable to give a breakdown covering the last three months; however, since the start of the Roads Review consultation exercise in July 1997, we have received 96 representations from organisations and businesses, and 2,689 from members of the public, of which 699 were letters; 1,768 were local press campaign coupons; and 222 were in the form of petitions.

Leasehold Reform

Mr. Colman: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to simplify the rules governing the purchase of freeholds by leaseholders; and what plans he has to introduce a new commonhold form of tenure. [23327]

Ms Armstrong: We are committed to simplifying the rules governing the purchase of freeholds by leaseholders and we intend to bring forward a new package of reforms to assist leaseholders. We are currently considering the scope and practicability of possible new measures. We expect to make an announcement about our proposals and invite comments from interested parties in the Spring.

The introduction of Commonhold is a matter for the Lord Chancellor. However, I understand that his Department are currently considering the best way to handle the various proposals which have been made about commonhold schemes in the recent past.

Local Government Finance

Mr. Healey: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many local authorities in all classes have been awarded a provisional SSA settlement for 1998–99 for the education block of less than a 5.7 per cent. increase; and if he will list these authorities with their respective figures; [23293]

(2) how many Metropolitan district authorities have been awarded a provisional SSA settlement for 1998–99 for the education block which is less than a 5.7 per cent. increase; and if he will list these authorities with their respective figures. [23292]

Ms Armstrong: Eighty four local education authorities have been awarded a provisional SSA settlement for 1998–99 for the education block of less than a 5.7 per cent. increase. Of these, eighteen are metropolitan district authorities. The authorities are listed in the table.

Education standard spending assessment change—adjusted 1997–98 to consultation 1998–99

Local authority	*Adjusted 1997–98 Education SSA (£ million)*	*Consultation 1998–99 Education SSA (£ million)*	*SSA Change (per cent.)*
Greater London			
City of London	0.877	0.818	-6.7
Camden	81.386	83.841	3.0
Greenwich	115.354	120.621	4.6
Hackney	96.311	99.145	2.9
Hammersmith and Fulham	57.530	60.115	4.5
Islington	83.299	87.978	5.6
Lambeth	100.611	105.060	4.4
Southwark	111.181	116.858	5.1
Wandsworth	91.681	93.739	2.2
Westminster	60.952	62.933	3.3
Barnet	122.305	128.973	5.5
Brent	113.327	117.836	4.0
Haringey	98.795	103.651	4.9
Harrow	74.287	77.969	5.0
Hillingdon	97.883	102.688	4.9
Hounslow	98.522	102.119	3.7
Kingston upon Thames	48.814	50.913	4.3
Merton	60.425	63.347	4.8
Richmond upon Thames	48.089	49.857	3.7
Sutton	70.654	74.468	5.4
Waltham Forest	99.516	104.442	4.9
Greater Manchester			
Oldham	98.466	103.665	5.3
Trafford	80.841	84.861	5.0
Wigan	113.230	119.463	5.5
Merseyside			
Knowsley	77.161	81.506	5.6
Wirral	135.458	142.389	5.1
South Yorkshire			
Barnsley	79.127	83.310	5.3
Rotherham	105.402	109.939	4.3
Sheffield	174.938	184.605	5.5
Tyne and Wear			
Gateshead	71.781	75.100	4.6
Newcastle upon Tyne	101.361	106.520	5.1
North Tyneside	70.464	74.457	5.7
Sunderland	117.965	123.893	5.0
West Midlands			
Birmingham	458.879	484.482	5.6
Coventry	123.607	130.488	5.6
Walsall	112.742	118.205	4.8
Wolverhampton	101.401	106.549	5.1
West Yorkshire			
Bradford	215.623	225.110	4.4
Calderdale	79.504	83.537	5.1
All Purpose Authorities			
Blackburn	64.883	68.166	5.1
Bournemouth	50.588	52.705	4.2
Bracknell Forest	38.489	39.684	3.1
Bristol	122.005	127.784	4.7
Derby	87.194	91.878	5.4
Halton	54.651	57.018	4.3
Kingston upon Hull	105.033	110.027	4.8
Leicester	125.196	129.804	3.7
Luton	80.479	83.584	3.9
Medway Towns	107.290	112.366	4.7
Middlesbrough	62.787	65.583	4.5
Milton Keynes	85.526	88.693	3.7
Newbury	55.021	57.620	4.7
North East Lincolnshire	66.563	70.101	5.3
North Somerset	61.234	64.601	5.5
Nottingham	106.722	111.057	4.1
Peterborough	73.070	76.663	4.9
Plymouth	99.020	102.180	3.2
Poole	45.175	46.932	3.9
Reading	43.654	45.559	4.4
Rutland	10.916	11.246	3.0

Education standard spending assessment change—adjusted 1997–98 to consultation 1998–99

Local authority	*Adjusted 1997–98 Education SSA (£ million)*	*Consultation 1998–99 Education SSA (£ million)*	*SSA Change (per cent.)*
Stockton on Tees	74.022	77.854	5.2
The Wrekin	59.219	62.565	5.6
Torbay	44.248	46.710	5.6
Windsor and Maidenhead	47.071	48.951	4.0
Wokingham	53.150	55.573	4.6
Isles of Scilly	1.156	1.200	3.8
Shire counties			
Bedfordshire	146.083	154.038	5.4
Buckinghamshire	175.930	183.785	4.5
Cambridgeshire	170.782	180.209	5.5
Cornwall	171.300	179.349	4.7
Cumbria	176.084	186.094	5.7
Derbyshire	244.681	257.662	5.3
Durham	184.515	194.500	5.4
Leicestershire	204.883	215.263	5.1
Norfolk	257.396	270.332	5.0
Northumberland	118.090	123.316	4.4
Nottinghamshire	268.254	280.511	4.6
Oxfordshire	199.130	207.934	4.4
Shropshire	91.113	95.362	4.7
Suffolk	226.258	237.019	4.8
Surrey	320.831	338.100	5.4
West Sussex	241.347	254.553	5.5
Wiltshire	142.019	149.402	5.2
Worcestershire	180.787	188.027	4.0

Water

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 June 1997, *Official Report*, column *36*, what progress has been made by the Drinking Water Inspectorate in considering prosecution in the alleged cryptosporidium incident at Bingley in June 1993; and if he will make a statement. [23475]

Angela Eagle: The Drinking Water Inspectorate has completed its investigation of this incident involving an outbreak of cryptosporidiois. On 14 January 1998, it wrote to Yorkshire Water Services Limited informing the Company of its conclusions and recommendations arising from the incident. A copy of this letter has been sent to the health authority, local authority and the Yorkshire Customer Service Committee. I have arranged for a copy of the letter to be sent to the hon. Member and for copies to be placed in the library of the House.

The main conclusions of the Inspectorate were that:

(i) the epidemiological study carried out by the Bradford Health Authority provided strong grounds for suspecting that water unfit for human consumption was supplied;

(ii) the Company would not have had a defence of due diligence due to deficiencies in the management of the catchment and the operation of Gilstead Water Treatment Works; and

(iii) in view of the decision by the Judge in the prosecution of South West Water about an incident involving an outbreak of cryptosporidiosis in Torbay, not to admit as evidence the report of the epidemiological study, a prosecution cannot be mounted against the Company under Section 70 of the Water Industry Act 1991.

The Inspectorate's investigations uncovered some serious deficiencies in the Company's operations. Although Gilstead Water Treatment Works has since been closed, the Inspectorate considers it vital that the Company demonstrates that it has improved its operational procedures and performance in order to protect public health and therefore it has asked for an urgent reply from the Company to its recommendations.

In the light of the judgment in the Torbay case and the Inspectorate's conclusions on this incident, I have asked the Inspectorate to advise on what steps, including changes to the legislation, can be taken to secure successful prosecution when it is believed that water unfit for human consumption has been supplied.

Concorde

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what recent inspections have been conducted to establish the air worthiness of Concorde. [23375]

Ms Glenda Jackson: There are seven Concorde aircraft on the UK register, all operated by British Airways. They are all subject to regular airworthiness inspections under the British Airways Concorde Maintenance Schedule, which is approved by the Civil Aviation Authority.

Storm Damage

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the cost to public funds of the storms of early January. [23560]

Ms Armstrong: None. The information is not collected centrally. Local authorities have statutory powers to deal with emergencies and are expected to budget accordingly. They may apply for additional financial assistance where there is a case for doing so under existing rules.

Ferry Safety

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the advantages of introducing guidelines for safe ferry departures from port in inclement weather independently of the captains of the ships concerned. [23321]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency, Mr. Robin Bradley, to write to my hon. Friend.

Letter from R. M. Bradley to Dr. Alan Whitehead, dated 20 January 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your Question about guidelines for safe ferry departures.

The decision to sail should always lie with the master of the vessel. He is best placed to make such a decision on account of his knowledge of the ship and its area of operation, his experience and professional judgement, and in the exercise of his responsibilities. The importance of the master's discretion for safe navigation has been recognised in recent amendments to the SOLAS Convention, prompted by the ESTONIA disaster. These require that the master is not constrained by commercial pressures from shipowners and charters from taking decisions necessary for the safe navigation of his ship.

New regulations require that all limitations on the operation of the ship are readily available to the master on board the ship. These limitations must include any restrictions on areas of operation, weather restrictions, sea state restrictions, and restrictions on speed and permissible loads. In addition, early implementation of the

provisions of the International Safety Management Code on all passenger ferries operating in Europe requires a proper assessment to be made of actual and expected weather conditions, using both official forecast and direction observation, before the ship sails.

I am satisfied that adequate information is available to the master to allow him to decide if his ship should set sail and may navigate safely, that in the interest of safe operation the decision must rest with the master, and that there are safeguards to protect his discretion.

Employment (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for the Environment, Transport and the Regions how many people were employed by Northumberland County Council *(a)* full time and *(b)* part time, excluding teachers in each year since 1992. [23991]

Ms Armstrong: The numbers of people employed by Northumberland County Council (excluding lecturers and teachers), at June of each year, from 1992 to date are:

	Full-time	*Part-time*
1992	n/a	n/a
1993	3,263	5,722
1994	3,256	5,972
1995	3,744	5,218
1996	3,646	5,533
1997	3,478	5,363

Source:

Joint Staffing Watch. The introduction of a new survey form in June 1995 changed the way in which staff are recorded so that where an employee is doing two or more jobs in an authority, each job is counted separately. As a result, figures for 1995 and later years are on a different basis from previous years.

Classic Cars

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to allow the continued use of classic cars when leaded petrol is withdrawn from general sale. [23827]

Ms Glenda Jackson: To meet concerns raised by owners of classic car owners about supplies of leaded petrol from 1 January 2000, when the proposed EU ban comes into effect, the Government have negotiated a derogation to allow continued supply to a limit of 0.5 per cent. of total petrol sales to be distributed through "specialist interest groups". For widespread use of many older, non-classic, cars whose owners currently use leaded petrol, the British Standards Institution are consulting on a specification for unleaded petrol containing a non-toxic lead replacement additive.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions what assurances he has sought from the Civil Aviation Authority that the air traffic control system in the United Kingdom will be fully millennium compliant. [24249]

Ms Glenda Jackson: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) on 19 June 1997, *Official Report*, column 277.

Bus Employees Superannuation Trust

Mr. Lock: To ask the Secretary of State for the Environment, Transport and the Regions if the Statement of Claim has been received by his Department in the legal claim brought by the Trustee of the Bus Employees Superannuation Trust against his Department; what legal advice he has taken on the merits of the claim; what future action he proposes in respect of this matter; and if he will make a statement. [24126]

Ms Glenda Jackson: The Statement of Claim has been received. The advice of Counsel has been obtained and Ministers are currently considering next steps on this matter in the light of that advice.

Marine Safety

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many shipments and how much plutonium was transported via United Kingdom destinations on roll-on roll-off ferries between 22 December and 12 January; and what advice he has received from marine safety experts on this transport. [24091]

Ms Glenda Jackson: One such notifiable shipment took place carrying 42.809kg of plutonium. I am advised that the ship used carried the usual certification and a document of compliance under the International Maritime Organisation's *Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes in Flasks on Board Ships* (INF Code) and the packages used were approved by my Department in accordance with the International Maritime Dangerous Goods Code.

Air Routes

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the relationship between effective competition on routes between *(a)* Heathrow and European destinations and *(b)* Heathrow and North American destinations. [24263]

Ms Glenda Jackson: None. If the question is referring to the competition analysis of the proposed British Airways/American Airlines alliance, and whether this should include an assessment of European routes from Heathrow, it is a matter for the relevant competition authorities, not my Department.

Dangerous Chemicals (Rail Transport)

Mr. John Smith: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to publish new guidelines on the transportation of dangerous chemicals by rail through residential areas. [24247]

Ms Glenda Jackson: An extensive study, *Major Hazard Aspects of the Transport of Dangerous Substances: Report of the Sub-committee of the Advisory Committee on Dangerous Substances* (HSC, ISBN 0 11 885676 6), published in 1991, found that the risks of such transport were tolerable. Regulations Approved Requirements and Guidance on the transport of dangerous goods are regularly reviewed in the light of technical developments and lessons learned from reported incidents.

Additionally, the Carriage of Dangerous Goods by Rail Regulations 1996 will soon be revised in accordance with Commission Directive 96/87/EC to apply the latest provisions of the COTIF regulations concerning the international carriage of dangerous goods by rail (RID).

Mr. John Smith: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the current guidelines for governing the transportation of dangerous chemicals by rail through residential areas; [24254]

(2) if he will list the safety responsibilities of *(a)* Railtrack, *(b)* English, Welsh and Scottish Railways and *(c)* European Vinyls Corporation Ltd., as they relate to the transportation of vinyl chloride monomer by rail in the Vale of Glamorgan; [24257]

(3) if he will list *(a)* voluntary and *(b)* statutory procedures governing the de-canting of vinyl chloride monomer from a freight tanker which has (i) been de-railed, (ii) tipped on its side and (iii) collapsed the bogey and cannot be safely lifted back on to the rail track; [24258]

(4) if he will list the current codes of practice governing the transportation of dangerous chemicals by rail through hazardous industrial areas; [24259]

(5) if he will list the current regulations governing the transportation of dangerous chemicals by rail through residential areas; [24260]

(6) if he will list the current regulations governing the transportation of dangerous chemicals through hazardous industrial areas; [24261]

(7) if he will list the current guidance notes governing the transportation of dangerous chemicals by rail through hazardous industrial areas. [24262]

Ms Glenda Jackson: The current regulations, which apply to transport throughout Great Britain, are as follows:

The Carriage of Dangerous Goods By Rail Regulations 1996 (SI 1996/2089)

The Carriage of Dangerous Goods (Classification, Packaging and Labelling and Use of Transportable Pressure Receptacles Regulations 1996 (SI 1996/2092).

The Regulations set out the duties and responsibilities on all parties concerned with the transport and dangerous goods including vinyl chloride monomer. These are supported by the following Approved Requirements and Guidance:

Approved Tank Requirements—The provisions for bottom loading and vapour recovery systems of mobile containers carrying petrol;

Approved Carriage List—Information approved for the carriage of dangerous goods by road and rail other than explosives and radioactive material;

Approved Requirements and test methods for the classification and packaging of dangerous goods for carriage;

Carriage of Dangerous Goods Explained Part 1—Guidance for Consignors of dangerous goods by road and rail, packaging, labelling and provision of information;

Carriage of Dangerous Goods Explained Part 3—Guidance for rail operators, and others involved in the carriage of dangerous goods by rail.

Regulation 23 of Carriage of Dangerous Goods by Rail Regulation 1996 requires train operators, facility owners and infrastructure controllers to establish and follow safety systems and procedures which enable them to deal with incidents safely. The details are set out in Railway Group Standards which are produced and published by Railtrack plc, following industry consultation, and which are enforceable through the Railway (Safety Case) Regulations 1994.

In addition, all parties operating on the railways must comply with the general provisions of the Health and Safety at Work, etc. Act 1974 and other related regulations. In particular, in relation to the transportation of dangerous goods by rail in the Vale of Glamorgan, Railtrack plc is responsible for:

control of the movement of trains on its network;

maintenance of the railway infrastructure;

complying with the terms of its Railway Safety Case (accepted by the Health and Safety Executive under the Railways (Safety Case) Regulations 1994);

accepting and monitoring compliance with the Railway Safety Case of train operating companies;

establishing standards to ensure safe operation and emergency arrangements on its network; and

compliance with those aspects of the CDG Rail which apply to an infrastructure controller.

Similarly English Welsh and Scottish Railways Ltd. is responsible for:

the safe operation of its trains;

compliance with its own Railway Safety Case and any relevant Railway Group Standards; and

compliance with those aspects of CDG Rail applicable to a train operator.

European Vinyls Corporation Ltd., must comply with its responsibilities as consignor under CDG Rail.

There are separate requirements for the transport of radioactive material and for the transport of explosives.

Mr. John Smith: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the terms of reference of the Railway Inspectorate's inquiry into the Cadoxton derailment in the Vale of Glamorgan on 27 December 1997; [24248]

(2) what steps he will take to ensure that the inquiry undertaken by the Railway Inspectorate into the Cadoxton train de-railment will consider *(a)* the underlying and *(b)* the systems causes of the incident; [24251]

(3) if he will make a statement on the scope of the inquiry by the Railway Inspectorate into the Cadoxton de-railment on 27 December 1997; [24253]

(4) if he will publish in full the report of the inquiry undertaken by the Railway Inspectorate into the Cadoxton derailment in the Vale of Glamorgan. [24245]

Ms Glenda Jackson: There are no terms of reference for the investigation by the Health and Safety Executive's (HSE's) Railway Inspectorate into the incident at Cadoxton, South Wales. Following HSE's normal practice, the inspectorate will conduct a thorough investigation with a view to establishing both the immediate and any underlying causes, including systems failures; learning any lessons and taking any action which appears necessary to prevent a recurrence or to improve

the way any future incidents are handled. The HSE have advised that the findings (and any recommendations) of HM Railway Inspectorate's investigation will be published by HSE.

Front Door Steps

Mr. Soames: To ask the Secretary of State for the Environment, Transport and the Regions what account he has taken in respect of flooding when drafting regulations in respect of front door steps. [24173]

Angela Eagle: The risk of water ingress at front door steps, including flooding, is one of the considerations being taken into account in considering what guidance might be reasonable to make front doors accessible for disabled people, in the event of regulations being made to improve the accessibility of new housing for disabled people. It is hoped that it will be possible to make a fuller statement on this shortly.

Green Belt

Mr. Soames: To ask the Secretary of State for the Environment, Transport and the Regions what are the objectives of the Government's policies for the Green Belt. [24172]

Mr. Prescott: The Government are committed to the Green Belt and our policy remains as set out in Planning Policy Guidance note 2 (PPG2). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open for as far ahead as can reasonably be foreseen. The protection of Green Belts must be maintained as far as can be seen ahead, although local planning authorities may propose alterations to Green Belt boundaries in exceptional circumstances.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23552]

Mr. Prescott: Officials from my department and the Scottish Office are discussing the need for a non-statutory agreement between the Department of the Environment, Transport and the Regions and the Scottish Executive covering the exchange of information, advance notification and joint working in line with the principles set out in the White Paper "Scotland's Parliament".

Dereliction (Planning Powers)

Mr. Miller: To ask the Secretary of State for the Environment, Transport and the Regions if he will issue guidance to local planning authorities on how they can use their planning powers to help prevent dereliction. [24523]

Mr. Caborn: We have, today, published Circular (02/98) which provides guidance to local planning authorities on the practical measures that they can take to help prevent land in their areas from becoming derelict.

The Circular also brings local planning authority's attention to new Regulations, the Town and Country Planning (Amendment) Regulations 1997(SI 1997/3006). These give powers to local planning authorities to place a charge on land in order to help them recover the costs incurred in clearing sites under the derelict land provisions of the Town and Country Planning Act 1990.

I believe that local authorities and developers will welcome these Regulations and the advice in the Circular as positive measures to help prevent and tidy up derelict sites.

FOREIGN AND COMMONWEALTH AFFAIRS

Schengen Agreement

Mr. Brazier: To ask the Secretary of State for Foreign and Commonwealth Affairs if the voting arrangement for admitting opt-out Schengen states applying to join Schengen were discussed at any point during the treaty negotiations at Amsterdam in the presence of United Kingdom delegates after the private meeting had taken place between the Dutch Presidency and the Spanish delegation. [23223]

Mr. Doug Henderson: I refer the hon. Member to previous statements made on this subject, in particular my reply to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), 12 December 1997, *Official Report*, column *710*.

Mr. Brazier: To ask the Secretary of State for Foreign and Commonwealth Affairs at what hour *(a)* the Protocol integrating the Schengen Acquis into the Framework of the European Union *(b)* the protocol on the position of the United Kingdom and Ireland pertaining to Schengen and *(c)* Declaration 45 on Article 4 of the Protocol integrating the Schengen Acquis into the framework of the European Union, were noted as agreed during the course of the Amsterdam negotiations by the Presidency. [23224]

Mr. Doug Henderson: The Presidency did not single out either the Protocol integrating the Schengen Acquis into the framework of the European Union or the Protocol on the Application of Certain Aspects of Article 7A of the Treaty Establishing the European Community to the United Kingdom and to Ireland as having been agreed separate from other elements of the text. Declaration 45 was agreed after the Amsterdam European Council by all Member States in the light of the differences of view over Article 4 of the Schengen Protocol and included in the final version of the Treaty signed by all Member States on 2 October 1997.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 11 December 1997, *Official Report*, column *649*, what official response followed the letter of the Permanent Representative of the Netherlands to the United Kingdom Permanent Representative of 16 July last. [23612]

Mr. Doug Henderson *[holding answer 16 January 1998]:* The official response was in the form of a letter from the UK Permanent Representative to the Permanent Representative of the Netherlands.

Turkey

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Turkish government as to the continuing imprisonment of elected members of the Turkish National Assembly; and if he will make a statement. [23801]

Mr. Doug Henderson: We have raised the imprisonment of the four former Democracy Party (DEP) MPs with the Turkish government on a number of occasions. We have made it clear to the Turkish authorities that the imprisonment of democratically elected politicians for the non-violent expression of their views can only damage Turkey internationally.

Mr. Boswell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on compliance by Turkey with judgments under international conventions in respect of human rights. [23767]

Mr. Doug Henderson: Turkey is a State Party to the European Convention for the Protection of Human Rights and Fundamental Freedoms and is therefore under an obligation to comply with the judgments of the European Court of Human Rights. Responsibility for supervising the execution of the Court's judgments lies with the Committee of Ministers of the Council of Europe. We welcome the undertaking given by the Government of Turkey that they will honour their obligations in respect of the Convention and the judgments of the Court.

Afghanistan

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the level of civil and political rights afforded to women in Afghanistan. [23820]

Mr. Fatchett: There is little respect shown for civil and political rights in general in Afghanistan. Women and girls have suffered particularly in Taliban-held areas by being prevented from working and receiving education. We have urged all factions to respect human rights, especially the rights of women. We subscribe to a common donor position which ensures that support goes only to aid programmes which actively attempt to promote the equitable participation of both men and women.

Mrs. Dunwoody: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the nature and extent of the United Kingdom's diplomatic contact with Afghanistan. [23821]

Mr. Fatchett: No UK diplomats are based in Afghanistan. UK diplomats based in London and at the High Commission in Islamabad regularly meet representatives of all the Afghan factions to raise human rights and other concerns. Afghanistan is represented in the UK by a Chargé D'Affaires with whom we have working level contact.

US-UK Mutual Defence Agreement

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he raised with Vice-President Gore, in this meeting on 15 January, the further joint release of official documents concerning the 1958 United States/United Kingdom Mutual Defence Agreement on Atomic Energy Matters. [23799]

Mr. Tony Lloyd: My right hon. Friend the Foreign Secretary did not meet Vice-President Gore and did not raise this issue in his other meetings.

Multilateral Disarmament

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the record of the vote at the United Nations General Assembly on 9 December 1997 on the resolution on multilateral disarmament, indicating how the United Kingdom voted, and the reasons for its vote. [23838]

Mr. Tony Lloyd: The United Nations General Assembly did not adopt a resolution on "multilateral disarmament" as such on 9 December 1997. The United Kingdom did, however, support resolutions tabled by Japan on the ultimate elimination of nuclear weapons, tabled by the USA and Russia on bilateral arms negotiations, and resolutions on Nuclear Weapon Free Zones in Central and South Asia, Latin America, the Middle East and Africa.

The United Kingdom also supported resolutions on anti-personnel land mines, small arms, the consolidation of peace through practical disarmament measures, conventional arms control at regional and sub-regional level, and regional confidence-building measures. For the reasons given in my reply to the my hon. Friend the Member for Greenock and Inverclyde (Mr. Godman) on 24 November 1997, *Official Report*, column *398*, the United Kingdom voted against a Malaysian resolution on the Advisory Opinion of the International Court of Justice on the Threat or Use of Nuclear Weapons.

Hong Kong

Mr. Healey: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to publish the second of the reports to Parliament on Hong Kong and the implementation of the Joint Declaration. [24719]

Mr. Fatchett: The second report in this series, covering the period July-December 1997, was published today and a copy of the report has been placed in the libraries of the House. The report includes a foreword written by my right hon. Friend the Foreign Secretary. I commend the report to the House.

Ireland

Mr. Healey: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made on the potential areas for co-operation between the Republic of Ireland and the United Kingdom identified in the joint statement by the Prime Minister and the Taoiseach in the margins of the European Council at Noordwijk on 23 May 1997. [24720]

Mr. Robin Cook: My right hon. Friend the Prime Minister and the Taoiseach discussed progress in the margins of the European summit in Luxembourg on 13 December. Copies of their joint statement and report summarising progress since the European Council in May have been placed in the libraries of the House.

Human Rights

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the recommendations of the UN Committee on Social, Cultural

and Economic Rights following its deliberations on the most recent United Kingdom Periodic Report; what response the Government will make to each; and to which Government departments, agencies and other bodies these recommendations have been, or will be, communicated. [24090]

Mr. Tony Lloyd: The Committee's written Observations in United Nations document E/C.12/1/Add.19 are currently being edited. When finalised, they will be available on the Internet. An unedited version has been placed in the libraries of the House.

Copies have been sent to the Departments involved in preparing the United Kingdom's report: the DfEE; DTI; Department of Health; DETR; DSS; Home Office; Northern Ireland Office; Scottish Office; Welsh Office; DfID; Office of Science and Technology; MAFF and DCMS. We will consider the Committee's Observations and will report on progress under them in our fourth periodic report in June 1999.

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice he has received on measures required to take account of General Comment 5 on Article 4 of the International Covenant on Civil and Political Rights adopted by the UN Human Rights Committee. [24089]

Mr. Tony Lloyd: We are aware of the views of the Human Rights Committee as set out in their 1981 General Comment Number 5.

My right hon. Friend the Home Secretary has made it clear that the introduction of a judicial element into the process for extending detention will be one of the matters considered in the forthcoming consultation paper on counter-terrorism.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23548]

Mr. Doug Henderson: Officials from his Department and the Scottish office are discussing the need for a non-statutory agreement between the FCO and the Scottish Executive covering the exchange of information, advance notification and joint working in line with the principles set out in the White Paper "Scotland's Parliament".

Ethics and Morality (Policy)

Mr. Viggers: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his holding answer of 15 January 1998, on the role of ethics and morality of his foreign policy, for what reasons he was not able to give a substantive answer on the day named. [24380]

Mr. Tony Lloyd: It is accepted practice to issue holding replies where circumstances merit it.

Correspondence

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what correspondence with *(a)* the Commission, *(b)* the General Secretariat of the European Council and *(c)* foreign ministries of European Union states has occurred as a consequence of the matters leading to the letter of the Permanent Representative of The Netherlands to the United Kingdom Permanent Representative of 16 July; and if he will make a statement. [23582]

Mr. Doug Henderson: Although there were contacts with a number of member States, the Council Secretariat and the Commission, correspondence in writing was with The Netherlands, which held the Presidency at the time of the Amsterdam European Council.

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs when the hon. Member for Walsall, North will receive a reply to his letter dated 9 December 1997, concerning the husband of a constituent, reference IMM/D2969, and appeal reference TH/2894/96; and for what reason no acknowledgement was sent. [24109]

Mr. Fatchett: My noble Friend the Under–Secretary sent a letter to my hon. Friend about this application on 19 January.

Letters from Members have been acknowledged by a card since mid-November. My hon. Friend should have received such a card and I am sorry if this was not the case.

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs what powers of electronic intercept Europol will possess under the Treaty of Amsterdam; and if he will make a statement. [22672]

Mr. Michael *[holding answer 12 January 1998]:* I have been asked to reply.

Europol will have no such powers. It will be a central co-ordinating body within the European Union for the exchange and analysis of criminal intelligence. It will have no operational powers and its staff will have no executive policing functions. The Amsterdam Treaty envisages a developing role for Europol, but one centred on facilitation of and support for the operations of the member states' law enforcement agencies.

Immigration (Cubans)

Mr. Laxton: To ask the Secretary of State for Foreign and Commonwealth Affairs how many Cuban nationals granted entry visas in the past two years have exceeded the period of time in the United Kingdom specified in their visa. [22566]

Mr. Mike O'Brien: I have been asked to reply.

I regret that comprehensive information on the number of persons who overstay their period of leave is not available. Data are, however, available on the number of persons issued with a notice of intention to deport on the grounds that they have overstayed. No more than two Cuban nationals were issued with such a notice between 1 January 1996 and 31 December 1997. These data are provisional.

CULTURE, MEDIA AND SPORT

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23545]

Mr. Chris Smith: I have not yet had such discussions. However, they will take place as necessary in due course.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Culture, Media and Sport if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him *(b)* the cost to public funds of each such visit. [23261]

Mr. Chris Smith *[holding answer 15 January 1998]:* There have been no overseas visits on which I or Ministers in my Department have been accompanied under rule 83 of the Ministerial Code.

TRADE AND INDUSTRY

Competitiveness White Paper

Mr. Hanson: To ask the President of the Board of Trade if she will make a statement on her dialogue with business in preparation for the Competitiveness White Paper. [24652]

Mrs. Beckett: This Government recognise that business itself is often best placed to advise on what it needs to prosper. That is why I am committed to forging a strong partnership with business to raise national prosperity.

The White Paper on Competitiveness, to be published later this year, will be a key element of that process, not least because, for the first time, it will be a White Paper drawn up in partnership and in consultation with business. The White Paper will set out the Government's policy towards business for the long term—based on promoting strong markets, modern companies and an enterprising nation.

The work of preparing for the White Paper is being carried forward through six business-led groups. They are looking respectively at how Government and business can work together to improve investment performance, encourage innovation, use best practice, adapt to the Information Age, and ensure that EU policies best serve our competitiveness needs.

The Working Parties comprise around ninety people. Their membership reflects the different strands and diversity of business in Britain today: people drawn from small business as well as large; people from different sectors, backgrounds and experience; people who have in the past had few opportunities to influence policy development; but above all people who can contribute practical ideas.

I have placed details of the membership of the Competitiveness Working Parities in the House of Commons Library.

Millennium Dome

Mrs. Gillan: To ask the President of the Board of Trade if the Minister with responsibility for science and technology has invited (i) British scientists, (ii) scientific organisations and (iii) companies to contribute to the content of the Millennium Dome. [24374]

Mr. Battle: My officials have put specific proposals to the New Millennium Experience Company reflecting the view of companies, the science base and Foresight Panels that the Experience should be a showcase for British creativity, excellence in leading edge science and world class products and services. The Department is also promoting and funding the Millennium Products Awards Scheme to identify state of the art products and service, of which 200 will feature in the Dome.

Business Angels

Mr. David Heath: To ask the President of the Board of Trade what plans she has to encourage business angels to invest in small private companies. [23553]

Mrs. Roche: My Department continues to look at ways of encouraging business angel activity in the UK. It is important to raise awareness of business angel finance and to provide effective mechanisms for bringing together business angels and businesses seeking this type of investment. My officials are working closely with business angel networks, clearing banks and others to encourage greater co-operation.

Coral

Mr. Salmond: To ask the President of the Board of Trade what discussions she has had with the Office of Fair Trading with regard to the purchase of Coral by the Ladbroke Group. [24368]

Mr. Nigel Griffiths: My right hon. Friend the President of the Board of Trade has had no discussions with the Office of Fair Trading concerning this merger.

Mr. Salmond: To ask the President of the Board of Trade what she expects the Office of Fair Trading to announce its decision on referral to the Monopolies and Mergers Commission to Ladbroke Group with regard to their purchase of Coral. [24369]

Mr. Nigel Griffiths: It is for the Director General of Fair Trading to advise my right hon. Friend the President of the Board of Trade on whether or not the merger should be referred to the Monopolies and Mergers Commission. He will advise in time to allow a decision to be taken by the statutory deadline of 30 April 1998.

Mr. Salmond: To ask the President of the Board of Trade if she will make a statement on her Department's policy on the purchase of Coral by the Ladbroke Group. [24370]

Mr. Nigel Griffiths: My right hon. Friend the President of the Board of Trade will take a decision whether or not to refer the purchase of Coral by Ladbroke in the light of the advice of the Director General of Fair Trading.

My right hon. Friend has stated that her general policy will be to consider each case of its merits and to refer mergers to the Monopolies and Mergers Commission primarily on competition grounds.

Overseas Visits

Mr. Wilshire: To ask the President of the Board of Trade if she will list all overseas visits made since 1 May 1997 on which she or any other Minister in her Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her and *(b)* the cost to public funds of each such visit. [23265]

Mrs. Beckett *[holding answer 15 January 1998]:* Since 1 May, DTI Ministers have been accompanied at public expense on the following overseas visits:

The President of the Board of Trade was accompanied by Mr. Lionel Beckett.

		Cost £
15–22 November 1997	India and Australia	7,000
10–21 January 1998	China, Hong Kong and Pakistan	5,600

The Minister for Trade was accompanied by Lady Clinton-Davis.

		Cost £
21–29 September 1997	Korea and Japan	6,130

Indonesia

Ann Clwyd: To ask the President of the Board of Trade, pursuant to her answer of 21 July 1997, *Official Report,* column *451,* if the four licence applications for the export of sub-machine guns and other automatic weapons to Indonesia have been granted; how many weapons these applications cover; who they were destined for; and which company supplied them. [23050]

Mrs. Roche *[holding answer 15 January 1998]:* Of these four applications, three have been refused and one is still pending a final decision. Inquiries are being made under the non-statutory Code of Practice on Access to Government Information as regards the disclosure of further information. I will write to my hon. Friend as soon as possible and place a copy of that letter in the Library of the House.

Directory Inquiries

Mr. Gordon Prentice: To ask the President of the Board of Trade what assessment he has made of the benefits and disbenefits to the consumer of BT's monopoly of directory inquiries. [23380]

Mrs. Roche: The regulation of directory inquiries is a matter for OFTEL. OFTEL is currently carrying out a review of telecoms directory services and products. In September, OFTEL issued a consultative document which assesses customers' needs and privacy concerns, whether these needs are met by current arrangements, whether they would be better met by introducing competition into this market, and what the barriers to competition are. The document sets out proposed remedies to address these barriers so that competitors can enter the market. OFTEL is due to issue a Statement on directory information services and products this year and the Department will consider it at that time.

Minimum Wage

Dr. Gibson: To ask the President of the Board of Trade what representations she has received on the effects of the minimum wage on the pay of women in East Anglia. [23284]

Mr. Ian McCartney: I have received representations on the effect of the national minimum wage on women's pay from a number of organisations who share the Government's view that women throughout the United Kingdom will benefit from its introduction.

Aviation Industry

Ms Osborne: To ask the President of the Board of Trade if she will make a statement on Government investment in the aviation industry in Scotland, including air traffic control. [24124]

Ms Glenda Jackson: I have been asked to reply.

As my hon. Friend is aware, the major new air traffic control project in Scotland is the New Scottish Air Traffic Control Centre at Prestwick. This is being developed under the Private Finance Initiative, and will not involve Government investment, but will nonetheless provide a state of the art service, with the capacity to deal with increasing levels of air traffic well into the next century. The Government have also approved more than £30 million of projects in connection with the New Scottish Centre; these projects will connect the Centre with the rest of the UK's air traffic control network, and allow it to realise its full potential.

Financial support to the aviation industry is also made available by the Scottish Office in the 1997–98 financial year as follows:

(i) Up to £7 million to Highlands and Islands Airports Ltd.; and

(ii) £350,000 in support of lifeline air services currently operated by Loganair Ltd.

The Department of Trade and Industry's Civil Aircraft Research and Technical Demonstration programme and Launch Aid scheme also provide support to companies throughout the UK that meet the criteria.

London Art Market

Mr. Swayne: To ask the President of the Board of Trade if she will make a statement on the state of the London art market. [21462]

Mr. Nigel Griffiths *[holding answer 19 January 1998]:* My Department has received representations about the Commission's proposals to harmonise artists' resale right in the EU, and the liberalisation of auctioneering services in France.

TREASURY

Budget Date

Mr. Hammond: To ask the Chancellor of the Exchequer what account he took of *(a)* public holidays in any part of the United Kingdom in fixing the date of his Budget and *(b)* the relevant precedents. [24170]

Mr. Gordon Brown: A number of factors are taken into account in deciding the date of the Budget. These include the availability of economic data; international meetings; the timetable for developing budgetary policy and national events including public holidays. On balance, I decided that 17 March would be the most suitable day for this year's Budget. The Budget was also held on 17 March in 1987.

Minimum Wage

Mr. Redwood: To ask the Chancellor of the Exchequer (1) what increase in national average earnings would result from a national minimum wage at one half of average earnings with *(a)* full restoration of differentials, *(b)* half restoration of differentials and *(c)* one-quarter restoration of differentials; [24413]

(2) what increase in national average earnings would result from a national minimum wage at 40 per cent. of average earnings with *(a)* full restoration of differentials, *(b)* half restoration of differentials and *(c)* one quarter restoration of differentials. [24412]

Mr. Geoffrey Robinson: The effect of the minimum wage on national average earnings will depend on a number of factors, including the level it is set at, its coverage, and the state of the labour market when it is introduced. The terms of reference of the Low Pay Commission ask it to take into account the wider effects on the economy, including the effects on inflation and employment, in making its recommendations on the minimum wage.

Mr. Redwood: To ask the Chancellor of the Exchequer (1) if the Government will exempt earnings up to the level of the minimum wage from income tax; [24298]

(2) if he will raise tax thresholds to a level which ensures that no-one pays income tax on pay up to the minimum wage level. [24297]

Mr. Geoffrey Robinson: Decisions on tax are a matter for my right hon. Friend the Chancellor of the Exchequer in his Budget statement.

Retail Prices Index

Mr. Baker: To ask the Chancellor of the Exchequer what plans he has to change the basis for the calculation of the Retail Prices Index. [23394]

Mrs. Liddell *[holding answer 19 January 1998]:* The Director of the Office for National Statistics (ONS) advises me on methodological questions concerning the Retail Prices Index (RPI) and also services an RPI Advisory Committee (RPIAC) to which I refer major methodological issues. The RPIAC is convened if and when required.

The ONS recalculates weights for the constituent elements of the RPI at the start of each year using the latest available figures from the Family Expenditure Survey (FES). For example, from February 1998, the RPI weights will use information from the FES for the period July 1996 to June 1997. This allows the ONS to reflect the most up to date spending patterns available and to introduce new goods and services into the index.

Ministerial Travel (Trains)

Mr. Baker: To ask the Chancellor of the Exchequer on what date he last used a train in the course of his official duties. [22936]

Mr. Gordon Brown *[holding answer 15 January 1998]:* I last used a train in the course of my official duties on 10 November 1997, when I travelled to Birmingham for the CBI Conference.

Advance Corporation Tax

Mr. Gibb: To ask the Chancellor of the Exchequer what assessment his Department made of the likely changes to the capital structure of companies arising as a result of the abolition of repayable tax credits on dividends received by pension funds and from the abolition of advance corporation tax prior to these changes being introduced. [22893]

Mr. Geoffrey Robinson: The capital structure of companies depends on many factors. The changes in company taxation announced in the July 1997 Budget and the proposals made in the Pre-Budget report in November are unlikely to have a significant impact in the short term. Longer term effects are expected to reflect the benefits to the economy and to companies of deciding their capital structure under a more neutral tax system.

Mr. Gibb: To ask the Chancellor of the Exchequer what is his Department's estimate of the corporation tax revenue consequences arising from the change to the capital structure of companies resulting from the abolition of repayable tax credits on dividends received by pension funds and from the abolition of advance corporation tax. [22889]

Mr. Geoffrey Robinson: The current view remains that any change in capital structure would not significantly affect the published estimates of corporation tax revenues.

Mr. Gibb: To ask the Chancellor of the Exchequer what estimate his Department made of the corporation tax revenue consequences arising from the change to the capital structure of companies resulting from the abolition of repayable tax credits on dividends received by pension funds and from the abolition of advance corporation tax at the time of making these changes. [22890]

Mr. Geoffrey Robinson: Any change in capital structure would not significantly affect the published estimates of corporation tax revenues.

Publicly Financed Bodies

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will take steps to ensure that all publicly financed bodies comply with accounting standards on off-balance sheet transactions. [23459]

Mr. Geoffrey Robinson: The relevant accounting standard for dealing with off-balance sheet transactions is Financial Reporting Standard 5 "Reporting the substance of transactions", which forms part of Generally Accepted Accounting Practice (GAAP) in the UK.

The Treasury already requires departments, agencies and non-departmental public bodies to prepare their accounts and public expenditure returns in accordance with GAAP, to the extent that it is meaningful and appropriate in the public sector context. It is the duty of the responsible Accounting Officer to ensure that this requirement is adhered to.

Insurance Premium Tax

Mrs. Ewing: To ask the Chancellor of the Exchequer what estimates he has for the anticipated revenue from *(a)* insurance premium tax and *(b)* higher rate insurance premium tax for the year 1997–98. [22620]

Dawn Primarolo: The latest estimate for receipts of insurance premium tax in 1997–98 is £1.1 billion. No separate estimate is available for receipts at the higher rate.

Mrs. Ewing: To ask the Chancellor of the Exchequer what representations he has received regarding the number of jobs lost in the *(a)* travel agency sector and *(b)* retail sector since the introduction of higher rate insurance premium tax. [22622]

Dawn Primarolo: I have received a number of representations from the travel agency and retail sector about this tax measure, some of which express concerns about the possibility of consequential job losses. I have not received any representations about actual job loss which can be attributed to this measure.

Mrs. Ewing: To ask the Chancellor of the Exchequer what assessment he has made of the *(a)* benefits and *(b)* disadvantages of reintroducing a single rate of insurance premium tax to remedy distortions in the insurance market. [22624]

Dawn Primarolo: The higher rate of insurance premium tax, set at the same rate as the standard rate of VAT, has prevented the tax loss (and distortion of trade) previously suffered where suppliers of taxable goods and services switched margins into ancillary sales of VAT exempt insurance. To return to a single, low rate of insurance premium tax would re-open this tax loophole and there are therefore no plans to go down this path. However, the impact of this tax measure is being kept under review.

DEFENCE

Arms Sales

Mr. Cohen: To ask the Secretary of State for Defence if he will provide a breakdown of arms sales to the Philippines in each of the last five years. [22995]

Mr. Spellar: The estimated value of UK defence sales, including services, to the Philippines in each year since 1993 is as follows in £ million:

1993: 0.85
1994: 0.05
1995: 83.71
1996: 3.34
1997: 0.65.

These figures are based on voluntary returns from industry, are expressed in current prices, and relate to new contracts signed rather than to financial receipts or actual deliveries.

The figure for 1997 may not be complete as full final quarter information will not be available until April of this year.

Mr. Rowlands: To ask the Secretary of State for Defence what estimate he has made of the value of arms sales by each member of the European Union in each year since 1990. [22809]

Mr. Spellar: The value of UK defence exports in each year since 1990, in £ billion, is estimated at:

1990: 4.8
1991: 3.6
1992: 5.3
1993: 7.1
1994: 4.5
1995: 5.0
1996: 5.1
1997: 5.2

These figures are expressed in current prices and relate to contracts signed rather than to receipts or actual deliveries, and are based on voluntary returns from industry.

Other EU countries publish export figures on various bases, but no consistent and comprehensive official figures for EU-wide exports have been published. The World Military Expenditures and Arms Transfer, published by the US Arms Control and Disarmament Agency, provides details on world defence equipment deliveries.

Eurofighter

Mr. Cousins: To ask the Secretary of State for Defence what expenditure, in which financial years, was committed by the recent signing of the Memorandum of Understanding on the European Fighter Aircraft project; what proportion of the total estimated expenditure on EFA this represents; whether such expenditures will be subject to exchange rate variations, and what is the present estimated unit cost of each of the 232 EFAs. [22983]

Mr. Spellar: Signature of the Memoranda of Understanding (MOU) on 22 December 1997 committed the UK and its collaborative partners to the Production Investment (PI), Production and Support phases of the Eurofighter programme. We estimate the cost to the UK of PI/Production and initial support will be approximately £11.5 billion (at 1997 prices) which is some 72 per cent. of the total procurement cost. Contractual negotiations are currently being finalised with the aim of signing the relevant contracts in the coming weeks. Expenditure will occur during the period 1998 to 2014 when the last aircraft is scheduled to be delivered to the Royal Air Force. Aircraft will be ordered in three tranches and, with a few exceptions, the underlying funding principle is that each nation will pay for the work carried out in its own country. The extent of expenditure which will be subject

to exchange rate variation, therefore, will be relatively small. The Unit Production Cost of each aircraft is some £40.2 million at 1997 prices.

Fighter Aircraft

Mr. Hancock: To ask the Secretary of State for Defence what is the projected maximum *(a)* offensive payload, *(b)* range and *(c)* cost of (i) the Joint Strike Fighter and (ii) the Sea Harrier. [22895]

Mr. Spellar: US Department of Defence projections for the Short Take Off, Vertical Landing variant of the Joint Strike Fighter include a maximum offensive payload in excess of 15,700 lbs, a range of at least 550 miles and a unit production cost of $35 million (£21.6 million) at 1994 prices. Comparable figures for the Sea Harrier F/A2 are 5,000 lbs, 300 miles and £14.5 million.

MV Gaul

Mr. Mitchell: To ask the Secretary of State for Defence if any naval personnel were on the fishing vessel Gaul on its final fishing trip; whether any had sailed on her on earlier trips in the 1970s; and whether any of his Department's equipment was installed on her. [23529]

Dr. Reid: No Royal Naval personnel were on board during the Gaul's last voyage. There is no evidence that personnel or equipment had been embarked on the vessel at any time.

Poor People

Mr. Pond: To ask the Secretary of State for Defence if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23334]

Dr. Reid: We have no plans to do so. The Department carries out assessments of the impact of its policies in terms of overall value for money and upon the defence industries and regional employment. Such assessments do not attempt to separate the effects upon the poorest 30 per cent. of the population, or any other sub-division of the population by income.

Helicopter Pilots

Mrs. Ballard: To ask the Secretary of State for Defence in what circumstances the instrument flying qualifications of Army helicopter pilots are recognised by the Civil Aviation Authority. [23942]

Dr. Reid: The CAA recognises the training given to Service helicopter pilots, which, after qualification, permits military helicopters to fly in most civil controlled zones. Once they have left the Services, helicopter pilots who wish to obtain a civil licence, must re-test to gain the appropriate CAA qualification.

Mrs. Ballard: To ask the Secretary of State for Defence what training to fly, using instruments in bad weather conditions, helicopter pilots receive. [23937]

Dr. Reid: Instrument flying training for potential helicopter pilots starts at the Joint Elementary Flying Training School where about five and one half hours of instrument training is given. Helicopter pilots then receive 23 hours of theoretical, simulator and flying training at the Defence Helicopter Flying School, RAF Shawbury. After instrument flying qualification, helicopter pilots receive further instrument training on particular helicopter types at respective Service training squadrons. Indicative examples are as follows:

	Simulator	*Actual flying*
Royal Navy Sea King ASW	9 hours	9 hours 15 mins
Army Lynx	7 hours	6 hours 12 mins
Royal Air Force Chinook	11 hours	3 hours 30 mins

Thereafter, all military helicopter pilots undertake regular further training and are tested every 12 to 13 months on a common tri-Service instrument rating.

Intelligence Gathering

Mr. Alan Johnson: To ask the Secretary of State for Defence how many Hull Trawlermen signed the Official Secrets Act in the 1970s. [23944]

Dr. Reid: This information is not available.

Mr. Alan Johnson: To ask the Secretary of State for Defence, pursuant to his answer of 17 December 1997, *Official Report,* column *214,* concerning intelligence gathering by trawlers, which three Hull trawlers were used for specific intelligence gathering; on what date in 1973 these operations ceased; and how many trawlers were used in non-specific intelligence gathering. [23948]

Dr. Reid: MV Arctic Galliard, MV Lord Nelson and MV Invincible were used for specific intelligence gathering on a combined total of five occasions in the 1960s and 1970s. The last such use was in September 1973.

Incidental intelligence gathering occurred throughout the Cold War period as trawlers went about their normal business of fishing. No records have been found of the names of the trawlers concerned.

Trident

Mrs. Ewing: To ask the Secretary of State for Defence what amount was allocated from the Trident *(a)* procurement and *(b)* operating budget towards the cost of the order for Trident-related equipment placed with the United States of America for US fiscal year 1998. [23978]

Mr. George Robertson: Trident procurement orders for the UK during US fiscal year 1998, which include the seven missile bodies announced last October, are currently expected to cost up to $157 million over the duration of the various contracts. Orders placed this year by the US in respect of the operation of the UK Trident programme are expected to take the total up to some $260 million, but such costs are in support of the programme at large and are not tied to an individual year's procurement.

"The Armed Services Forum"

Mr. Keith Simpson: To ask the Secretary of State for Defence what editorial independence will be granted to the editor of the journal "The Armed Services Forum". [24095]

Dr. Reid: No constraints, other than those laid down in Queen's Regulations, will be placed on the independence of the editor of the Armed Services Forum by the Ministry of Defence.

Mr. Keith Simpson: To ask the Secretary of State for Defence which serving officer or civil servant gave permission to Major Eric Joyce to publish the journal "The Armed Services Forum". [24093]

Dr. Reid: Individual Service personnel do not need formal authority to publish such a journal. All Army personnel are entitled to publish any magazine, journal or periodical provided publication does not contravene Queen's Regulations.

Mr. Keith Simpson: To ask the Secretary of State for Defence what costs to his Department will be incurred by the publication of the journal "The Armed Services Forum". [24096]

Dr. Reid: The proposed publication of the Armed Services Forum will be an entirely private venture. No additional costs will accrue to the Department.

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will list the members of the editorial board of the journal "The Armed Services Forum". [24094]

Dr. Reid: The proposed publication of the journal "The Armed Services Forum" is a private venture and the composition of the editorial board will be a matter for the publisher.

Mr. Keith Simpson: To ask the Secretary of State for Defence what ministerial responsibility he had for the decision to give permission to Major Eric Joyce to publish the journal "The Armed Services Forum". [24097]

Dr. Reid: Major Joyce does not need formal authority to publish his journal "The Armed Services Forum". His request was clearly a matter for the Military authorities and was dealt with in the normal way, without consulting Ministers. All Army personnel are entitled to publish any magazine, journal or periodical provided publication does not contravene Queen's Regulations.

Journals and Magazines

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will publish the guidance given to serving officers who edit journals or magazines about current British defence policy and the organisation and culture of the armed forces. [24098]

Dr. Reid: No specific guidance exists for serving officers who produce defence related journals or magazines on defence related subjects. Queen's Regulations cover the requirement for clearance before publication. A copy of QRs is in the Library of the House.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Defence what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23549]

Mr. George Robertson: My right hon. Friend and I have agreed that there is likely to be a need for a non-statutory agreement between the Ministry of Defence and the Scottish Executive covering the exchange of information, advance notification and joint working in line with the principles set out in the White Paper "Scotland's Parliament".

NORTHERN IRELAND

Museums

Mr. Godman: To ask the Secretary of State for Northern Ireland if she will make a statement on the arrangements applying to the merger and reorganisation of museums in Northern Ireland. [22737]

Mr. Worthington: I refer my hon. Friend to the draft Museums and Galleries (Northern Ireland) Order 1997 which is currently before Parliament for consideration. The draft Order was considered by the House of Commons Standing Committee on 10 December 1997 and is due to be considered in another place in the near future. The Museums will shortly announce the appointment of a Director-Designate and, following the recent public advertisement, the Government are moving towards the appointment of the Trustees of the merged institution, in accordance with the public appointment procedures.

Maze Prison

Mr. Soames: To ask the Secretary of State for Northern Ireland if she relaxed the search regime for visitors to HMP Maze between 1 May and 25 December 1997. [24372]

Mr. Ingram: No.

Mr. Soames: To ask the Secretary of State for Northern Ireland how many head counts took place in each block of HMP Maze between 1 May and 25 December 1997. [24371]

Mr. Ingram: Each day there are two formal head counts a.m. and p.m. These took place on every day during the period in question except for four occasions when non co-operation by prisoners resulted in sanctions being applied by management.

Royal Ulster Constabulary

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many times she has *(a)* visited RUC headquarters and *(b)* met the Chief Constable of the RUC. [22176]

Marjorie Mowlam: Since I took office I have met the Chief Constable on 40 occasions at different locations. I have not yet visited RUC headquarters.

PRIME MINISTER

Cabinet Committees (Legislation)

Mr. Campbell-Savours: To ask the Prime Minister, pursuant to his answer of 12 January 1998, *Official Report*, column *42*, if he is prepared to treat all proposals for primary legislation as questions which significantly engage the collective responsibility of the Government

because they raise major issues, or because they are of critical importance to the public, as set out in the Ministerial Code. [23535]

The Prime Minister: The way in which proposals for primary legislation are considered by my Government will depend on the nature of the proposals.

Welfare State Roadshows

Mr. Webb: To ask the Prime Minister what will be the cost to the Exchequer of the series of welfare state roadshows which he announced on 11 January. [23134]

The Prime Minister *[holding answer 15 January 1998]:* The cost of visits to promote understanding of the Government's policy on welfare reform will be met from the Prime Minister's existing visits budget. A final figure for this cost is not yet available. The cost of visits to promote understanding of the Government's policy on welfare reform within the Labour Party will not fall to the Exchequer.

Overseas Visits

Mr. Blunt: To ask the Prime Minister if paragraph 83 of the provisions of the ministerial code concerning travel at public expense by Minister's spouses also applies to such travel by Minister's partners who are not spouses in circumstances where the Minister has a spouse; and if he will make a statement. [23384]

Mr. St. Aubyn: To ask the Prime Minister if he will publish guidelines to govern the arrangements applying when a Minister's personal friend other than a spouse may accompany him on official business at public expense. [23486]

The Prime Minister *[holding answer 16 January 1998]:* The guidance on travel in the Ministerial Code remains unchanged. Public funds may be used only where it is in the public interest and with my prior consent.

Chemical, Biological and Nuclear Weapons

Mr. Baker: To ask the Prime Minister what position Her Majesty's Government took and for what reasons, at the International Criminal Court Preparatory Committee meeting held in New York in December 1987 in respect of *(a)* chemical weapons, *(b)* biological weapons and *(c)* nuclear weapons. [23408]

The Prime Minister *[holding answer 19 January 1998]:* At the Preparatory Committee meeting in December 1997, the UK delegation supported proposals to include within the jurisdiction of the new International Criminal Court war crimes under existing customary international law. For that reason, the delegation supported the inclusion of the use of warfare of a nature to cause superfluous injury or unnecessary suffering; these included bacteriological (biological) agents or toxins for hostile purposes or in armed conflict, and chemical weapons as referred to in the 1993 Chemical Weapons Convention. For the same reason, the delegation did not support the inclusion of the use of nuclear weapons.

Ministerial Travel

Mr. Blunt: To ask the Prime Minister if he will publish any written permission given under paragraph 70 of the Ministerial Code for the travel of Mrs. Gaynor Regan at a cost to public funds. [23849]

The Prime Minister *[holding answer 19 January 1998]:* No. It is not the practice to publish exchanges of ministerial correspondence.

Strategic Communications Unit

Mr. Baker: To ask the Prime Minister (1) if the predominant flow of information in respect of deciding initiatives will be from individual departments to the Strategic Communications Unit or vice versa; [24365]

(2) if the Strategic Communications Unit can decide which government policies merit the greatest promotion; [24315]

(3) what will be the role of the Strategic Communications Unit in determining the timing of announcements by other departments; [24366]

(4) whether individual departments will be required to clear press statements and news releases with the Strategic Communications Unit before their issue. [24314]

The Prime Minister: I refer the hon. Gentleman to the reply I gave to my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) on 14 January 1998, *Official Report*, columns *233–40.*

Mr. Baker: To ask the Prime Minister what is the role of the Minister without Portfolio in the Strategic Communications Unit. [24367]

The Prime Minister: The Strategic Communications Unit will report to me via my Chief Press Secretary. The Minister without Portfolio will have an interest in the work of the Unit in view of his responsibilities for co-ordinating the overall presentation of Government policy.

Mr. Baker: To ask the Prime Minister what budget has been allocated to the Strategic Communications Unit, in respect of *(a)* personnel costs, *(b)* administrative costs, *(c)* the costs of publications and *(d)* other costs. [24313]

The Prime Minister: The budget of the Strategic Communications Unit has not yet been finalised.

Correspondence

Mr. Gerald Howarth: To ask the Prime Minister what proportion of letters addressed to him by hon. and right hon. Members which receive replies are signed by him; and upon what basis he decides to reply personally. [24401]

The Prime Minister: My office aim to acknowledge correspondence within three working days and provide a substantive response within 15 days. The response to any correspondence is considered on an individual basis.

Unpaid Bills

Mr. Sayeed: To ask the Prime Minister what percentage of government and public agency bills and of what total value were not paid within 30 days over the last six months. [24244]

The Prime Minister: The information is not held centrally in the form requested and could be provided only at disproportionate cost. Government departments and their agencies are required to aim to pay all their bills on time and to monitor the percentage of bills paid on time. Figures for departmental payment performance for the period 1 June 1996 to 31 March 1997 were given by my hon. Friend the Paymaster General on 27 November 1997, *Official Report*, columns *662–63*. Figures for 1997–98 will be published before the Summer Recess.

The Government take the issue of late payment very seriously and are introducing legislation on a statutory right to interest on the late payment of commercial debt to address the problem.

Scottish Executive

Mr. Swinney: To ask the Prime Minister (1) what guidelines he has issued concerning the format and policy aims of concordats between Whitehall Departments and the proposed Scottish Executive; and if he will make a statement; [23556]

(2) what discussions he has had with ministers concerning concordats between Whitehall Departments and the proposed Scottish Executive; and if he will make a statement. [23557]

The Prime Minister: The principles upon which we expect non-statutory agreements between Departments of the UK Government and the proposed Scottish Executive to be based are set out in paragraph 4.13 of *Scotland's Parliament*. I took part in discussions which led to the publication of that White Paper.

SCOTLAND

Glasgow City Council

4. **Mr. Galloway:** To ask the Secretary of State for Scotland what representations he has received from Glasgow City Council about the state of finances in the Council; and if he will make a statement. [21715]

Mr. Dewar: I have had a number of discussions with Glasgow City Council in recent months.

Highlands and Islands

12. **Mr. Robathan:** To ask the Secretary of State for Scotland what discussions he has had with the European Union regarding future financial assistance for the highlands and islands. [21723]

Mr. Macdonald: My right hon. Friend met Commissioner Wulf-Mathies on 8 January 1998 and 9 October 1997, Commissioner Flynn on 1 December and President Santer on 18 September 1997. Discussion of European Structural Funds formed part of the agenda on all occasions.

Scottish Parliament

13. **Mr. Gray:** To ask the Secretary of State for Scotland what plans he has to meet the Confederation of British Industry in Scotland to discuss the future role of the Scottish Parliament. [21724]

Mr. McLeish: My right hon. Friend will meet key figures in the CBI in Scotland on 30 January to consider the role that the CBI can play following the establishment of the Scottish Parliament. This follows on from meetings my right hon. Friend and Ministerial colleagues have had with CBI representatives since 1 May to discuss the Government's plans to establish a Parliament.

15. **Mr. Prior:** To ask the Secretary of State for Scotland what representations he has received on his estimate of the cost of setting up a Scottish Parliament. [21726]

Mr. McLeish: The Scottish Office has received a total of 10 letters; eight from members of the public and two from hon. Members.

28. **Mr. Nicholas Winterton:** To ask the Secretary of State for Scotland if he will make a statement on the costs of a Scottish Parliament. [21740]

Mr. McLeish: My right hon. Friend announced on Friday 9 January that the Parliament would be sited at Holyrood in Edinburgh. The estimated construction costs of the building will be around £50 million. Site acquisition costs, fees and VAT must be added to this. The actual costs will depend on the final design, the level of fees negotiated and the price of construction, which will be determined by competitive tender.

Mr. Mackinlay: To ask the Secretary of State for Scotland in what circumstances a Minister answerable to the Parliament of Scotland would *(a)* attend with a United Kingdom Minister and *(b)* lead in European Union Council meetings. [21725]

Mr. Dewar: The Government intend that Ministers of the Scottish Executive will have a role to play in relevant Council meetings and could speak for the UK in appropriate cases, at the discretion of the UK Minister. This would mainly arise in cases where EU business is being discussed which predominantly affects devolved areas.

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his statement of 12 January, 1997, *Official Report*, column *29*, on what basis he maintains that relations between Edinburgh and London will be based on consent and co-operation in the matter of financial resources. [23308]

Mr. Dewar *[holding answer 16 January 1998]:* The creation and operation of a Scottish Parliament within the framework of the United Kingdom can take place only on the basis of consultation, consent and co-operation. The financial arrangements are no exception to this.

Local Government Finance

16. **Mr. Leigh:** To ask the Secretary of State for Scotland what representations he has received about the 1998–99 revenue support grant settlement for Scottish local authorities. [21728]

Mr. Macdonald: My right hon. Friend and I have received a number of letters from hon. Members, local authorities and members of the public. We also have regular meetings with the Convention of Scottish Local Authorities and with individual councils.

Inward Investment

18. **Mr. Alasdair Morgan:** To ask the Secretary of State for Scotland what discussions he has had with Scottish Enterprise regarding inward investment. [21730]

Mr. Wilson: Locate in Scotland's policy is overseen by a Supervisory Board which I chair and on which Scottish Enterprise is represented by its Chairman and its Chief Executive. The Board meets regularly to discuss inward investment and related issues.

20. **Mr. Gerald Howarth:** To ask the Secretary of State for Scotland if he will make a statement on the future of inward investment projects in Scotland from south-east Asian countries. [21732]

Mr. Wilson: Most of our inward investors from the Far East are well established, are serving buoyant European markets, and source many of their inputs locally. There is no reason to believe that their Scottish operations will be adversely affected by the current turmoil in Far Eastern financial markets.

22. **Mr. Loughton:** To ask the Secretary of State for Scotland what plans he has to meet the CBI in Scotland to discuss the future of Locate in Scotland. [21734]

Mr. Wilson: My right hon. Friend will be meeting representatives of CBI Scotland on 30 January to continue the excellent dialogue between the Government and CBI Scotland on matters important to Scotland's economic well being. Inward investment and the work of Locate in Scotland regularly feature in these discussions.

EU Fisheries Council

19. **Mr. Gill:** To ask the Secretary of State for Scotland how many meetings of the EU Fisheries Council he has attended since 2 May 1997. [21731]

Mr. Macdonald: My noble Friend the Minister with responsibility for agriculture, the environment and fisheries has attended both of the EU Fisheries Councils convened since 2 May 1997, on 30 October and 18–19 December.

Welfare to Work

21. **Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland if he will make a statement on progress with the welfare-to-work package in Scotland. [21733]

Mr. Wilson: The New Deal for 18-24 year-olds was launched in the Tayside Pathfinder area on 5 January and arrangements for implementing the programme in the rest of Scotland from the beginning of April are already well advanced. The New Deal for the 25 years and over age group is due to commence in June.

The New Deal for Lone Parents is already available to those claiming Income Support in the Clyde Valley and will be expanded nationwide from October of this year.

Public Spending

23. **Mr. Lansley:** To ask the Secretary of State for Scotland what sums of money are to be transferred to the Scottish block for public spending in Scotland in consequence of the inclusion of council tax benefit and housing benefit. [21735]

Mr. Dewar: The Scottish Block will include expected expenditure on housing benefit and council tax benefit at the time the Scottish Parliament comes into operation.

Education Funding

24. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland if he will make a statement on the discretion which local authorities will have in the use of additional funding for education. [21736]

Mr. Macdonald: Local authorities have indicated that they share the Government's priority for education and agree that the additional revenue funding included in the 1998–99 revenue settlement should be used to improve the quality of Scotland's schools. I therefore expect that authorities will use their discretion to do so. The additional capital grants of £8.9 million this year and £26.7 million in each of the next four years are being made available only for capital spending to improve the fabric of schools in Scotland for the installation of information and communications technology equipment. It has been made clear to authorities that this should be additional to the capital they would otherwise have spent on schools.

Public Services (Funding)

25. **Mr. Boswell:** To ask the Secretary of State for Scotland what recent representations he has *(a)* made and *(b)* evaluated in respect of the scale of funding for Scottish public services relative to that elsewhere in the UK. [21737]

Mr. Dewar: None.

Food Hygiene

26. **Mr. Roy:** To ask the Secretary of State for Scotland when the Government expect to implement the recommendation of the Pennington report into food hygiene matters. [21738]

Mr. Galbraith: The Government have accepted all the recommendations of the Pennington Report and most have now been implemented.

Out of an extra £19 million available for Great Britain I have allocated £5.8 million in Scotland to allow increased enforcement and help to accelerate the implementation of Hazard Analysis and Critical Control Point (HACCP) food safety systems, both of which were major recommendations of the Pennington Report.

A Consultation document proposing a licensing scheme for butcher's shops will be issued shortly.

Traffic and Transport

27. **Mr. Savidge:** To ask the Secretary of State for Scotland what assessment he has made of the traffic and transport problems of Aberdeen and the north-east of Scotland. [21739]

Mr. McLeish: The Scottish Office supports a range of research into the transport needs of Aberdeen and its surrounding areas including the Aberdeen Sustainable Transport Study currently being undertaken in partnership with local transport operators and Aberdeen City and Aberdeenshire Councils. This work will inform our

proposals for an integrated transport system appropriate to the needs of Scotland which will be contained in our White Paper to be published in the spring.

Tuition Fees

29. **Mrs. Laing:** To ask the Secretary of State for Scotland how many representations he has received in support of the Government's plans to introduce tuition fees for university education. [21741]

Mr. Wilson: The Government's proposals to introduce a student contribution towards the cost of tuition, building on the recommendations of the National Committee of Inquiry into Higher Education, received support from a range of bodies. In Scotland, they included the Committee of Scottish Higher Education Principals (COSHEP), the Association of Scottish Colleges, Bell College of Technology, Highlands and Islands Enterprise, and Renfrewshire Council.

Other Government Departments have also consulted widely on the Government's proposals.

Designed to Care

Mrs. Ewing: To ask the Secretary of State for Scotland how many responses he has received to his White Paper "Designed to Care". [21729]

Mr. Galbraith: Since the White Paper "Designed to Care" is not a consultation paper, no formal responses to it have been received. General reactions to it have been very favourable.

Road Traffic Offenders Act

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will amend the Road Traffic Offenders Act 1988 to bring the procedures for issuing fixed penalty notices in Scotland into line with those in England and Wales. [22533]

Mr. McLeish: Differences in the procedure for issuing fixed penalty notices between Scotland and England and Wales reflect differences in legal systems. We have no plans for altering Scottish procedure in order to bring it into line with that in England and Wales. The arrangements for the conditional offer of fixed penalties for endorsable offences in England and Wales, introduced from 1 July 1992 under the Road Traffic Act 1991, are however similar to Scottish arrangements for fixed penalties, in that inspection of driving licences will be a matter for the courts rather than the police, as is required for other fixed penalties.

Nursing

Mr. Dalyell: To ask the Secretary of State for Scotland what response he has sent to the Royal College of Nursing's representations that there should be one United Kingdom-wide system of registration and regulation of the nursing profession. [23305]

Mr. Galbraith *[holding answer 16 January 1998]:* The Scotland Bill provides for legislative competence in respect of the regulation and registration of the nursing professions to be reserved to the United Kingdom Parliament. The Royal College of Nursing is aware of this position.

HOUSE OF COMMONS

Parliamentary Calendar

34. **Mr. MacShane:** To ask the President of the Council what representations she has received on establishing procedures to allow for advance publication of the dates of parliamentary recesses. [21746]

Mrs. Ann Taylor: I am well aware of the desire on both sides of the House for predictability about the dates of recesses. I indicated last Thursday that the next recess will fall in the week beginning 13 April and that I would give more precise details nearer the time.

35. **Mr. Mullin:** To ask the President of the Council what representations she has received regarding reform of the parliamentary calendar; and if she will make a statement. [21747]

Mrs. Ann Taylor: The Modernisation Committee is currently considering what improvements can be made to the parliamentary calendar. Inevitably the representations received from a variety of Members are not all compatible.

Mr. Mackinlay: To ask the President of the Council what is the Government's policy on restructuring the parliamentary calendar. [21756]

Mrs. Ann Taylor: The Government await the Modernisation Committee's recommendations on the parliamentary calendar.

Parliamentary Day

37. **Mr. Fabricant:** To ask the President of the Council what recent representations she has received relating to the timing of events within the parliamentary day. [21750]

Mrs. Ann Taylor: The Modernisation Committee has received a number of suggestions about the timing of parliamentary business, including the sitting times of the House.

Smoking (Palace of Westminster)

38. **Mr. Chaytor:** To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what progress he has made in developing a comprehensive policy on smoking in the Palace of Westminster. [21752]

Mr. Kirkwood: The Commission is responsible for the terms and conditions of the staff of the House and their working environment. Currently individual heads of the six House departments seek to agree an acceptable smoking policy with staff. The Board of Management is carrying out a review of this policy, at the request of the Commission.

Policy on smoking in shared areas of the parliamentary estate, such as corridor and lifts, is a matter primarily for the Administration Committee. Smoking policy in restaurants is a matter for the Catering Committee. Smoking in the offices of hon. Members' and their staff is a matter for Members themselves.

Office Costs Allowance

39. **Mr. Hinchliffe:** To ask the President of the Council what steps she is taking to review the office costs allowance. [21754]

Mrs. Ann Taylor: I would not expect this issue to be revisited until the Senior Salaries Review Body's next scheduled review of parliamentary pay and allowances in the year 2000. However, in its 1996 report the SSRB did make a number of Development Recommendations related to the Office Costs Allowance and work has been continuing on these.

European Legislation

40. **Mr. Rammell:** To ask the President of the Council if she will make a statement on the House of Commons scrutiny of European legislation. [21755]

Mrs. Ann Taylor: I shall very shortly be publishing a memorandum on Scrutiny of European Union Business.

Minister without Portfolio

42. **Mr. Baker:** To ask the President of the Council if she will create a slot for oral questions to allow the Minister without Portfolio to answer to the House on his wider responsibilities beyond those relating to the millennium dome. [21751]

Mrs. Ann Taylor: I have already announced that the period for the Minister without Portfolio to answer questions on the Millennium Experience will be extended to 10 minutes from Monday 9 February 1998. My hon. Friend has no other responsibilities for which he is the lead Minister accountable to the House.

Limited-term Contracts

Mr. Corbyn: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what proportion of the House of Commons Commission's employees are on limited-term contracts. [21748]

Mr. Kirkwood: There are approximately 1,300 (1,292) House of Commons Commission staff in post, of whom 85 (6.5 per cent.) are on limited-term contracts of some form, including casual staff, staff on period appointments for up to five years and staff on secondment from Government Departments or other organisations.

Research Assistants (Passes)

Mr. Campbell-Savours: To ask the Chairman of the Administration Committee what assessment she has made of the adequacy of the present system of allocating passes to hon. Members' research assistants. [21749]

Mrs. Roe: The principles underlying the issue of photo-identity passes to Members' staff were last considered by the Administration Committee in February 1996, in the context of requests by individual Members for extra Research Assistants' passes. The then Committee continued to endorse the recommendations of the Services Committee, contained in its Second Report of Session 1987–1988 (HC 850), as agreed by the House on 30 January 1989.

Millennium Compliance

Mrs. Gillan: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what is the latest estimate he has made of the total cost of millennium compliance in the House of Commons. [23642]

Mr. Kirkwood *[holding answer 16 January 1998]:* A working group of technical staff has been established to address the compliance issue for systems provided for departments of the House. An estimate of the costs of corrective action will be available after the completion of the programme of tests, later this year. The Finance and Services Committee is monitoring progress.

Mrs. Gillan: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, how many staff are working on the millennium compliance of all systems in the House of Commons. [23643]

Mr. Kirkwood *[holding answer 16 January 1998]:* The size of the working group of technical staff is currently six, representing each department of the House. The number of staff required to ensure compliance of all systems will be determined by the outcome of the testing programme. Members are responsible for the compliance of their own information technology equipment.

EDUCATION AND EMPLOYMENT

Key Stage 2

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will publish the results of the latest Key Stage 2 tests in English, Maths and Science in a form which allows the performance of each school in a local education authority area to be assessed. [23526]

Ms Estelle Morris: Each local education authority in England is required to publish the results of Key Stage 2 assessment in 1997 in the form referred to on or before Friday 23 January.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Education and Employment what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23546]

Mr. Blunkett: Officials from my Department and the Scottish Office will be discussing the need for a non-statutory agreement between the Department for Education and Employment and the Scottish Executive, covering the exchange of information, advance notification and joint working in line with the principles set out in the White Paper "Scotland's Parliament".

Tuition Fees

Mr. Welsh: To ask the Secretary of State for Education and Employment what factors underlay his decisions *(a)* to pay tuition fees for medical and dental students in

the fifth and subsequent years of their courses and *(b)* not to pay tuition fees for veterinary and architecture students in the fifth and subsequent years of their courses. [24246]

Dr. Howells: The decision to pay tuition fees for medical and dental students domiciled in England in the fifth and subsequent years of their courses is a matter for my right hon. Friend the Secretary of State for Health.

The Government cannot, however, take responsibility for the supply of those professionals such as vets and architects who are employed predominantly in the private sector. That is a matter for their employers, who will be free to introduce bursary schemes for tuition fees or other arrangements to support students, if they wish. We shall, however, continue to meet the majority of the costs of veterinary and architecture courses through grant provided to institutions by the Higher Education Funding Councils.

Polish A Levels

Mr. Levitt: To ask the Secretary of State for Education and Employment if he will list the number of students entered for A level Polish for each of the last 10 years broken down by examination board. [24108]

Dr. Howells: The numbers of students that attempted GCE A level Polish since 1992, the earliest year for which data are available, are:

1992: 73

1993: 93

1994: 105

1995: 106

1996: 110

1997: 98.

The only entries in any year for GCE A level Polish were with Edexcel (Education in Excellence), formerly ULEAC (University of London Examinations and Assessment Council).

Sign Language

Mr. Levitt: To ask the Secretary of State for Education and Employment by what means the Government intend to improve the literacy levels of deaf children of primary school age whose first language is Sign Language.[23347]

Ms Estelle Morris: All mainstream primary schools, and the majority of special schools, will be involved in the implementation of the National Literacy Strategy, which begins this year. The strategy is an ambitious programme for achieving our national literacy target for 2002: it will be overseen by a group including Special Educational Needs interests. Part of the group's role will be to ensure that the widest possible range of children benefit, including those with all types of disability.

Mr. Levitt: To ask the Secretary of State for Education and Employment what resources are available from central Government to produce bilingual educational video materials for primary school children whose first language is Sign Language. [23348]

Ms Estelle Morris: Schools and local education authorities are responsible for meeting the needs of all children with special educational needs, using the funding available to them including principally that channelled through the local government finance settlement. Some LEAs produce their own video materials for use by signing children; others use materials produced commercially.

Free School Meals

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what proportion of children in Northumberland schools are entitled to free school meals. [23993]

Ms Estelle Morris: In January 1997 15.3 per cent. of pupils in maintained primary and secondary schools in the Northumberland Local Education Authority area were known to be eligible for free school meals.

Pupil-Teacher Ratio

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what the pupil-teacher ratio has been in Northumberland each year since 1992. [24020]

Ms Estelle Morris: The information requested is shown in the following table:

Overall pupil-teacher ratio for maintained nursery, primary and secondary schools

Northumberland local education authority area	*1992–97*
	Position in January each year
1997	18.6
1996	18.9
1995	18.7
1994	18.8
1993	18.4
1992	17.4

AGRICULTURE, FISHERIES AND FOOD

Food Standards

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food whether the Food Standards Agency will have responsibility for the controls over the sales of food and dietary supplements. [24309]

Mr. Rooker: The White Paper 'The Food Standards Agency: A Force for Change' proposes that the Food Standards Agency will take responsibility for policy and legislation on the compositional standards of foodstuffs and the labelling of food at the retail and catering level, and where appropriate propose legislation on nutritional aspects of food (including labelling and claims), dietary supplements sold as food, fortified foods and functional foods. The general enforcement of legislation in these areas will continue to be carried out by local authorities.

Agenda 2000

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the consistency of the Agenda 2000 proposals for CAP reform with the requirements of the World Trade Organisation. [24312]

Mr. Rooker: The Government believe that the Agenda 2000 proposals for CAP reform are a welcome step in the right direction. The proposals will generally address the problems which arise from the EU's current WTO commitments arising from the part of the GATT Uruguay round. In our view, however, they would not prepare EU agriculture fully for the next round of WTO trade negotiations, which are due to start at the turn of the century.

International Whaling Commission

Mr. Gale: To ask the Minister of Agriculture, Fisheries and Food who will represent the United Kingdom at the intersessional meeting of members of the International Whaling Commission to be held in Antigua. [24099]

Mr. Morley: The United Kingdom will be represented at the intersessional meeting of IWC Commissioners, to be held in Antigua from 3 to 5 February, by the UK Commissioner, Mr. C. I. Llewelyn.

Beef

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will list the occasions since 1 January on which Customs and Excise personnel have inspected loads of imported beef to ensure compliance with standards applied in the United Kingdom. [23775]

Mr. Rooker: Checks to ensure that imported beef meets the necessary health requirements are not the responsibility of Customs and Excise officers. Checks are carried out by the Department or authorised local authority officers at Border Inspection Posts and at places of destination. Details of the number of checks are not kept centrally and could be provided only at disproportionate cost.

Whales

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food (1) what assessment he has made of the likely impact on the populations of each whale species of the Irish proposals presently before the International Whaling Commission; [23542]

(2) what assessment he has made of the likely level of trade in illegal whale meat should the Irish proposals before the International Whaling Commission be accepted. [23402]

Mr. Morley *[holding answer 19 January 1998]:* It is not possible to assess the impact of the Irish proposals until more detail is available on how they might be implemented. The Government have serious reservations about some aspects of the Irish proposals, in particular the possible authorisation of coastal whaling. As I have made clear, we would consider changes to existing IWC rules only if these contributed positively to whale conservation and led to a significant reduction in the number of whales currently being killed.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what reassurances he has *(a)* sought and *(b)* received from (i) South Korea, (ii) Indonesia and (iii) Taiwan that they will not resume commercial whaling should the present Irish proposals before the International Whaling Commission be accepted. [23401]

Mr. Morley *[holding answer 19 January 1998]:* The Government are opposed to a resumption of commercial whaling, and we have not approached these countries on this issue. Taiwan and Indonesia are not, in any case, members of the International Whaling Commission, and are not legally bound by the IWC's moratorium on commercial whaling.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what recent communications he has had with *(a)* Norway and *(b)* Japan in respect of the Irish proposals before the International Whaling Commission; and if he will make a statement. [23541]

Mr. Morley *[holding answer 19 January 1998]:* I have had no recent communications with the Norwegian or Japanese Governments on whaling issues. The proposals put forward by Ireland at the last IWC annual meeting in Monaco are to be discussed further at an intersessional meeting of IWC Commissioners in Antigua from 2 to 5 February. The UK will be attending this meeting. We have already expressed our reservations about these proposals.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the likely impact of *(a)* climate change, *(b)* ozone depletion, *(c)* air pollution and *(d)* industrial fishing on whale populations over the next 10 years. [23400]

Mr. Morley *[holding answer 19 January 1998]:* The IWC's Scientific Committee has established a Standing Working Group on Environmental Concerns which has identified eight topics of particular importance to its work on effects of environmental change on cetaceans: climate/environmental change; ozone depletion and UV-B radiation; chemical pollution; impact of noise; physical and biological habitat degradation; effects of fisheries; Arctic issues; disease and mortality events. At its latest annual meeting the IWC endorsed the work of the Scientific Committee and the Standing Working Group and asked those bodies to produce detailed scientific proposals for future work on environmental concerns on a multi-annual basis. The UK has played a leading role in encouraging the IWC and the Scientific Committee to examine the effect of environmental factors on cetaceans, and will continue to be actively involved in this work.

Pigs

Mr. Thompson: To ask the Minister of Agriculture, Fisheries and Food if he will assess the advantages of introducing a quota system for pig herds. [23843]

Mr. Morley *[holding answer 19 January 1998]:* No. I have no intentions of introducing a quota system for pig herds because it would not be in the interests of the pigmeat sector to do so.

Mr. Thompson: To ask the Minister of Agriculture, Fisheries and Food what factors underlay his Department's decision to impose a stall and tether ban on the pig industry; and what account was taken of practices in other European Union countries in formulating this policy. [23845]

Mr. Morley *[holding answer 19 January 1998]:* That the use of close confinement systems for pigs presents welfare problems has been recognised for a number of years. In 1991, following overwhelming parliamentary

support for a Private Member's Bill introduced by the hon. Member for Boston and Skegness (Sir R. Body), the then Government made Regulations banning these systems from 1 Janaury 1999. It is our intention to seek at least equivalent standards in the forthcoming review of the EU Directive on pig welfare.

Mr. Thompson: To ask the Minister of Agriculture, Fisheries and Food what research his Department has evaluated into injuries arising from the loose housing of pigs. [23844]

Mr. Morley *[holding answer 19 January 1998]:* The Department funds a substantial programme of research and development on pig welfare. This covers a wide range of issues including the avoidance of aggression, and resultant injuries, in various dry sow group housing systems.

Agricultural Workers

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food how many agricultural workers are currently covered by the provisions of the Agricultural Wages Order; how many of these he estimates have a disability; and how many incapacity permits under the Order are currently in force. [23739]

Mr. Morley *[holding answer 19 January 1998]:* It is estimated that at June 1997 some 170,000 workers were covered by the provisions of the Agricultural Wages Order in England and Wales. It is not known how many have a disability.

The Agricultural Wages Act 1948 does not define disability but defines an incapacitated worker as a person who

"is so affected by any physical injury or mental deficiency, or any infirmity due to age or to any other cause, that he is incapable of earning that [the agricultural minimum] rate".

At 31 December 1996, 102 permits issued to incapacitated agricultural workers were in force in England and Wales.

Factortame Judgment

Mr. Denzil Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list the names of the persons who are entitled to receive compensation from Her Majesty's Government as a result of the Factortame judgment, with the amounts of the entitlement in each case and the likely date of payment. [23603]

Mr. Morley: The Divisional Court ruled in July 1997 that the Government were in principle liable to pay damages to the applicants in the Factortame litigation. The Government are appealing against that judgment, and the appeal is due to be heard in March. No detailed claims for damages have yet been received.

HEALTH

Nursing and Midwifery

Mr. Hancock: To ask the Secretary of State for Health, pursuant to his answer of 12 December 1997, *Official Report*, column *735*, (1) what Students' Union facilities will be made available in Portsmouth to students on courses administered by Southampton and Bournemouth universities under the new contract; [22908]

(2) if the provision of Students' Union facilities were part of the contract specification for pre-registration nursing and midwifery education; what were the minimum standard set; and how they are to be met by the new contract. [22909]

Mr. Milburn: The provision of Students' Union facilities has never been included in contract specifications for pre-registration nursing and midwifery education in the Portsmouth area. Arrangements for the provision of these facilities are a matter for the educational institutions concerned and the local branch of the National Union of Students, which is independent of the University.

Dentistry

Mr. Kidney: To ask the Secretary of State for Health from what budget the £9 million initiative for National Health Service dentistry is being funded. [22993]

Mr. Milburn: Funding for the Investing in Dentistry initiative has been added to the overall financial provision for the General Dental Services.

Hip Replacements

Mrs. Ballard: To ask the Secretary of State for Health what is the maximum waiting time for hip replacements in the Somerset Health Authority area. [23527]

Mr. Milburn: Information from Somerset Health Authority indicates that the maximum waiting times for hip replacement operations at the main hospitals in the Somerset Health Authority area are 10 months at Taunton and Somerset Hospital and 12 months at Yeovil District Hospital.

Mrs. Ballard: To ask the Secretary of State for Health what is the average maximum waiting time for hip replacements on the NHS in England and Wales. [23528]

Mr. Milburn: Information on current maximum waiting times for hip replacement operations for all health authorities in England is not available centrally.

Questions relating to Wales are a matter for my right hon. Friend the Secretary of State for Wales.

Wheelchairs

Mr. Best: To ask the Secretary of State for Health how many powered indoor-outdoor wheelchairs have been provided since April 1996. [23329]

Mr. Boateng: Health authorities have reported that 1,276 powered indoor/outdoor wheelchairs were issued between April 1996 and March 1997; and a further 2,179 were reported to have been issued between April 1997 and September 1997.

Mr. Best: To ask the Secretary of State for Health how much funding has been distributed to health authorities in respect of the powered indoor/outdoor wheelchair scheme since April 1996. [23330]

Mr. Boateng: Health authorities received £6 million in respect of the powered indoor/outdoor wheelchair scheme in 1996–97; and will receive £7 million in 1997–98, £8 million in 1998–99 and £6 million in 1999–2000.

Mental Health Action Zones

Mr. Hesford: To ask the Secretary of State for Health what plans he has to create mental health action zones; and if he will make a statement. [23474]

Mr. Boateng: In our guidance on Health Action Zones (HAZs), we stated that HAZs may wish to include a focus on one or more client groups including people with mental health problems. We anticipate that this will be a feature in some of the bids for HAZ status due in by 23 January.

Poor People

Mr. Pond: To ask the Secretary of State for Health if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23335]

Ms Jowell: We have asked the former Chief Medical Officer, Sir Donald Acheson, to carry out an independent inquiry into inequalities in health. His remit is to review the latest information on inequalities and thus identify priority areas for future policy development. His report will be published later this year and will be used to develop the White Paper on the Government's new health strategy, alongside the responses to public consultation on the Green Paper "Our Healthier Nation", which we expect to publish soon.

We envisage that action to reduce inequalities in health will be developed through the establishment of health action zones, healthy living centres and health improvement programmes, as well as by other means.

Utting Report

Mr. Rowe: To ask the Secretary of State for the Health when the Government will publish their response to the Utting Report; and if he will make a statement. [23371]

Mr. Boateng: A Ministerial Task Force is being established to address the recommendations in Sir William Utting's report "People Like Us". We shall announce the terms of reference and membership of the Task Force shortly. The first job of the Task Force will be to prepare the full Government response to Sir William's report.

Electromagnetic Fields

Mr. Chaytor: To ask the Secretary of State for Health what assessment he has made of the current research into the health risks of electromagnetic fields created by overhead electricity lines or electricity sub-stations. [23912]

Ms Jowell: The Department obtains advice on the health implications of exposure to electromagnetic fields from the National Radiological Protection Board (NRPB) and other sources including its own funded research. The primary focus of concern has been on power lines and childhood cancer where the results have not shown a proven link. The NRPB's Advisory Group on Non-ionising Radiation conducted an extensive review of the subject in 1992 and concluded that there was no firm evidence of a carcinogenic hazard from exposure that might be associated with residence near major sources of electricity supply, the use of electrical appliances or work in the electrical, electronic and telecommunication industries. The Committee on Medical Aspects of Radiation in the Environment has endorsed the Advisory Group's report. A supplementary report in 1994 was published by the NRPB to take into account the results of epidemiological studies from Scandinavia, France and Canada. Copies of the Advisory Group's report and the supplementary documents are available in the Library.

Several epidemiological studies are currently under way to investigate childhood cancer in relation to various possible causes including electromagnetic fields. The largest study of this type in this country is the United Kingdom Childhood Cancer Study which is funded in part by the Department with technical support provided by the NRPB. The Department is also funding two pilot studies, one of adults and one of children, looking at cancer incidence near power lines.

Asylum Seekers

Mr. Gale: To ask the Secretary of State for Health when Kent County Council may expect reimbursement for sums paid to asylum seekers; and if he will make a statement. [23774]

Mr. Boateng: We expect to lay Special Grant Reports before the House at the end of this month and will hope to receive approval by the end of February. Local authorities will be invited to make claims for grants by the end of February and, provided that approval is given, payments should be made before the end of this financial year.

Mr. Gale: To ask the Secretary of State for Health what was the total sum paid through East Kent Social Services to asylum seekers resident in the *(a)* Thanet travel-to-work area and *(b)* Dover travel-to-work area since 1 December 1997. [23772]

Mr. Boateng: It is not possible to give these details as the Department will not know the number of asylum seekers receiving support, or the total expenditure, until claims for grants are received from authorities. Local authorities are not required to supply a breakdown of expenditure by area so, even once claims for grants are received from Kent County Council, it will not be possible to supply the breakdown requested.

Cannabis

Mr. Fabian Hamilton: To ask the Secretary of State for Health what representations he has received on the legalisation of the use of cannabis for therapeutic purposes. [21753]

Mr. Boateng: Since 1 September 1997, the Department of Health has received representations from members of the Alliance for Cannabis Therapeutics, 28 Private Office cases from Members of Parliament and 38 Treat Official correspondence from members of the public and voluntary organisations. The British Medical Association has also presented its report on the therapeutic uses of cannabis to the Government.

Breast Cancer Screening

Shona McIsaac: To ask the Secretary of State for Health if he will establish an inquiry into breast cancer screening in the South Humber Health Authority area, following the recent recall of women who have been screened. [24107]

Mr. Boateng: Problems with the quality of a small number of mammograms taken on one machine in Humberside were identified quickly by the regional quality assurance programme. In the light of this, the trust, local health authorities and regional office took swift action in ordering a re-reading exercise of 15,000 mammograms. A number of women have now been called for another mammogram as a precautionary measure, and they should have their results within two weeks. The machine used to take the initial mammograms is being replaced and is no longer in use.

We are pleased that the regional office, the local health authorities and the trust concerned have acted quickly to minimise distress to the women involved. We are also pleased that the quality assurance system in place in Humberside did its job properly in identifying the problem promptly, enabling rapid action to be taken to put it right.

We do not plan to instigate an investigation. A review of the performance of all breast screening programmes is currently under way in response to the results of investigations into the breast screening service in Exeter and arrangements for quality assurance for the breast screening service as a whole. These reviews will be completed by the end of this month, and, where necessary, action plans to improve the quality and dependability of the service will be agreed by the end of February.

Vitamin B6

Mr. Paice: To ask the Secretary of State for Health how many patients have been identified as suffering from excess vitamin B6 in the last 10 years. [24308]

Ms Jowell: We do not formally collect information on people exposed to excess vitamin B6.

Junior Hospital Doctors

Mr. Redwood: To ask the Secretary of State for Health what are the lowest annual salaries for junior hospital doctors. [24252]

Mr. Milburn: The annual salary for doctors in training comprises a basic rate of pay plus additional duty hours, paid at the rates appropriate to their contracted working pattern. The rates listed show the minimum rates of pay (as of 1 December 1997) for a junior doctor with no additional duty hours and then the minimum salary rate plus the normal number of additional duty hours (ADH) for an on-call rota:

£ per annum

	Minimum salary	*Minimum salary plus ADH—on-call rota*
House Officer	15,440	21,613
Senior House Officer	19,260	26,964
Specialist Registrar	21,530	30,142
Senior Registrar	24,800	34,717

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Health what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23547]

Ms Jowell: Officials from the Scottish Office and the Department of Health are discussing the need for a non-statutory agreement covering the exchange of information, advance notification and joint working in line with the principles set out in the White Paper "Scotland's Parliament."

SOCIAL SECURITY

Claimant Statistics

Mr. Cousins: To ask the Secretary of State for Social Security if he will list for each non-means-tested benefit *(a)* the number of people currently receiving the benefit and *(b)* if it is taken into account for claims for (i) income support, (ii) housing benefit, (iii) council tax benefit and (iv) assessment of tax; and if he will indicate the date from which each benefit was taken into account in respect of (i) to (iv). [22082]

Mr. Denham: Information about the number of recipients of non-means-tested benefits is in the table.

Benefit	*Total recipients*
Attendance Allowance[1]	1,199,000
Disability Living Allowance[1]	1,924,000
Invalid Care Allowance[2]	371,000
War Disablement Pension[3]	262,305
War Widow's Pension[3]	58,364
Industrial Injuries Disablement Benefit[4]	244,798
Incapacity Benefit[5]	1,718,400
Severe Disablement Allowance[5]	368,560
Retirement Pension[6]	10,709,300
Widow's benefit[6]	283,600
Child Benefit[7]	6,954,575
Child Benefit (lone parent)[7]	1,049,325
Guardian's Allowance[8]	2,206
Child's Special Allowance[8]	38
Jobseeker's Allowance (contribution-based)[9]	251,000
Statutory Maternity Pay[10]	90,000
Statutory Sick Pay[10]	305,000
Maternity Allowance[11]	11,860

[1] Source is 5 per cent. data and figures relate to 31 August 1997.
[2] Source is 100 per cent. data and figures relate to 1 October 1997.
[3] Source is 100 per cent. data as at November 1997.
[4] Figures are based on a 10 per cent. sample and include a rating factor for late returns. Figures are at 30 March 1996.
[5] Figures are taken for a 5 per cent. sample and exclude a small number of cases held clerically. Figures are at 31 August 1997.
[6] Figures are based on a 5 per cent. sample as at 30 November 1997.
[7] Figures are based on a 4 per cent. sample as at 3 December 1997.
[8] As at 31 December 1996, figures are based on a 100 per cent. count.
[9] As at February 1997 from a 5 per cent. sample. This excludes cases with underlying entitlement who receive income-based Jobseeker's Allowance.
[10] Figures are not available as this information is not collected for Statutory Maternity Pay or Statutory Sick Pay.
[11] Figures as at 31 May 1997.

Income Support and Housing Benefit were introduced in 1988 and Council Tax Benefit from 1992. Assessment of entitlement to these benefits has always taken account of non-income-related benefits, with the exception of Attendance Allowance and Disability Living Allowance[1]. In addition, £10 week of a War Disablement Pension or War Widow's Pension[2] is disregarded. Certain other allowances paid with the War Pension may also be disregarded—for example, those based on the need for care or mobility and the supplementary pension payable to those widows of members of the Armed Forces whose service ended before 31 March 1973. Guardian's Allowance is fully disregarded in Council Tax Benefit and Housing Benefit.

The following only non-income-related benefits are taxable. These benefits, with the year of their introduction, are Incapacity Benefit (after 28 weeks) (1995), Invalid Care Allowance (1976), Jobseeker's Allowance (contribution-based) (1996), Retirement Pension (1948), Statutory Sick Pay (1983), Statutory Maternity Pay (1987), and Widow's Benefit (1988).

Note:

[1] The position with regard to Attendance Allowance (AA) and Disability Living Allowance (DLA) and Income Support is slightly more complex. A person in receipt of Income Support with preserved rights in a residential care home will have their AA or DLA care component fully taken into account when assessing their Income Support.

[2] When calculating entitlement to Housing Benefit or Council Tax Benefit local authorities have discretionary power to operate a local scheme which enables them to disregard, in total or part, any war disablement or war widows pension not subject to the mandatory disregards.

Asbestos-related Disease

Dan Norris: To ask the Secretary of State for Social Security what representations she has received on protection for asbestos-related disease sufferers, aside from mesothelioma victims, in relation to the provisions of the Social Security Bill in respect of the backdating of claims to one month. [22691]

Mr. Keith Bradley: We have received a number of representations about the proposed changes to the backdating rules in the Social Security Bill regarding claims to benefit from asbestos related disease suffers. Representations include those from TUC, Occupational and Environmental Diseases Association, a number of MPs and other individuals.

Supported Housing

Mr. Cousins: To ask the Secretary of State for Social Security when she expects the review of funding for supported housing to be complete; if she will estimate *(a)* the total numbers of those dependent on the housing costs which form part of the review in each region and nation and *(b)* the percentage of those who are over pensionable age; and if she will make a statement. [23648]

Mr. Keith Bradley: The information is not available in the form requested. We hope to have more information about the numbers of benefit recipients in supported accommodation from research which is currently under way.

We have recently sought stakeholders' views on the best means of translating our objectives for the long-term funding of supported accommodation into a modern, practical and sustainable funding system. Over 200 responses were received which are being considered. We are looking to implement a sustainable funding system as a matter of urgency although I cannot, at this time, say when the review will be complete.

Invalid Care Allowance

Mr. Gale: To ask the Secretary of State for Social Security what would be the estimated cost to the Exchequer, in a full year, of extending the payment of invalid care allowance to all carers for eight weeks after the death of the person cared for in line with the eight week extension of carers' premium paid under similar circumstances to those in receipt of income support. [23555]

Mr. Denham: The estimated programme cost of such a measure is £5 million.

Source:

Invalid Care Allowance (ICA) Unit Quarterly Statistics; DSS ICA cessation forecasts.

Note:

Costs are net of impact of income-related benefits in payment but assume no change in the income-related benefit rule whereby the carer premium can continue for a further eight weeks after ICA ceases.

Asylum Seekers

Mr. Gale: To ask the Secretary of State for Social Security if she will require payments to asylum seekers to be made through benefit offices rather than through social services offices. [23773]

Mr. Keith Bradley: Those asylum seekers who are eligible to claim Income Support, Jobseeker's Allowance (Income Based), Housing Benefit and Council Tax, are paid through the Benefits Agency's network of local offices and through local authorities.

The Courts have ruled that local authority social services departments have a duty to support and accommodate destitute asylum seekers under the National Assistance Act 1948. Decisions about the provision of personal social services are the responsibility of local authority social services departments.

We are committed to reviewing all aspects of arrangements for asylum seekers, including the provision of accommodation and support. The review will set the direction for the future. In the meantime, the current mix of social security benefits and social services support will continue to ensure that no asylum seeker needs to be left destitute.

Under-Secretary of State for Women

Mrs. Gillan: To ask the Secretary of State for Social Security if she will list the official engagements which the Under-Secretary of State for Women has undertaken since 1 December 1997 and how many days she was in the Department between 1 December 1997 and 12 January 1998. [24255]

Ms Ruddock: I refer the hon. Member to the answers I gave her on 20 November 1997, *Official Report*, columns *292-94*, and 11 December 1997, column *669* respectively.

Contract Cleaners

Mr. Redwood: To ask the Secretary of State for Social Security what rates of pay are offered to contract cleaners in *(a)* South Western and *(b)* North Eastern DSS offices. [24411]

Mr. Keith Bradley: The information is commercial in confidence.

Correspondence

Mr. Winnick: To ask the Secretary of State for Social Security when the hon. Member for Walsall, North will receive a reply to his letter dated 1 December 1997, concerning a constituent, reference 4/3644/15. [24110]

Mr. Denham: A reply will be sent to my hon. Friend by the end of the week, following detailed inquiries about his constituent's case.

INTERNATIONAL DEVELOPMENT

Uganda

Mr. Syms: To ask the Secretary of State for International Development what projects her Department has supported in Uganda to promote democracy. [23946]

Clare Short: The Department for International Development is supporting democracy in Uganda through a £250,000 civic and voter education project to improve Ugandans' awareness of their democratic rights and responsibilities, and to strengthen the capacity of the Ugandan Electoral Commission. A project is also under preparation which will improve the administrative capacity available to the Ugandan Parliament.

DUCHY OF LANCASTER

E-mail

Mr. Vaz: To ask the Chancellor of the Duchy of Lancaster (1) what assessment he has made of the accessibility of Government Ministers and civil servants by e-mail; [23570]

(2) how many *(a)* Cabinet and *(b)* other Ministers have an e-mail address. [23567]

Dr. David Clark: I refer my hon. Friend to the reply I gave the hon. Member for North Essex (Mr. Jenkin) on 10 November 1997, *Official Report*, column *441*.

In addition, I would add that officials in CITU and CCTA are currently reviewing the situation in conjunction with Departments and agencies. Once this review has taken place, we will be looking at the most appropriate way of placing a comprehensive listing of ministerial e-mail addresses in the public domain.

Mr. Vaz: To ask the Chancellor of the Duchy of Lancaster what percentage of civil servants have an e-mail address. [23568]

Dr. David Clark: Whilst this information is not held centrally, I am pleased to report that there are nearly 2,000 departmental, agency and NDPB connections to the CCTA e-mail service, many of which act as shared e-mail addresses for teams of civil servants rather than for individual officials.

In addition, just over 4,000 civil servants currently have e-mail access to the Government Secure Intranet. On present estimates this figure is expected to rise to between 10,000 to 15,000 by mid 1998.

Mr. Vaz: To ask the Chancellor of the Duchy of Lancaster what steps he proposes to increase the proportion of Ministers and civil servants who are connected to the Internet. [23569]

Dr. David Clark: This is essentially the responsibility of individual departments. However I am pleased to report that the Central IT Unit in my Department has established a Government Secure Intranet service which will increase the proportion of Ministers and civil servants who are connected to the Internet. I intend to make a further announcement of this matter in due course and I will write to my hon. Friend at that time.

HOME DEPARTMENT

Crown Dependencies

Mr. Coaker: To ask the Secretary of State for the Home Department what plans he has for a review of financial regulation in the Crown Dependencies. [24698]

Mr. Straw: I have today invited the Home Office and the Island Authorities to carry out a review of the financial legislation and regulatory systems in Jersey, Guernsey and the Isle of Man. The purpose of this review is to assess the contribution made by the current laws and systems to the economic and social well-being of the Islands themselves, and the United Kingdom.

The review will be conducted by Mr. Andrew Edwards, formerly of Her Majesty's Treasury, who will work alongside the Constitutional Unit of the Home Office and the Island authorities. it is expected to take about six months. Its terms of reference are:

Objective

To review with the Island authorities their laws, systems and practices for:

(i) regulating banking, insurance and financial services business and collaborating with overseas regulators;

(ii) deterring, investigating and punishing financial crime, including money laundering and fiscal offences, particularly cases with an international dimension;

(iii) registering companies;

with a view to assessing the contribution which they make to the economic and social well-being of the Islands themselves and of the United Kingdom.

Area to be Covered

The review will cover the following main areas:

(i) Financial Regulation and International Regulatory Co-operation.

Description and assessment of the current legal and institutional arrangements for licensing, supervising and regulating the full range of financial business, including banks, investment banks, other credit institutions, insurance companies, investment services companies, bureaux de change, international business companies and company

registration agents and accountants and lawyers carrying on financial business (e.g., providing custody services or investment advice):

Examination of practical implementation of these activities and the resources devoted to them, in relation to the number and size of firms regulated and the nature of the business;

Arrangements for the regulatory authorities to share their own confidential information with overseas regulatory authorities, and vice versa;

Arrangements for the authorities to obtain other confidential information to assist overseas regulatory authorities with their investigations and vice versa.

(ii) Financial Crime

(a) Money Laundering

each Island's money laundering legislation:

the number of suspicious transactions reports received in each Island each year and how these are dealt with;

arrangements for collaboration between the Island Authorities and overseas authorities including the sharing of suspicious transactions reports;

(b) Criminal Investigations

collaboration between the Island Authorities and overseas authorities in investigating suspected financial crime (including fiscal offences);

the willingness or otherwise of the authorities to secure prosecutions;

(c) Asset Confiscation

collaboration between the Island authorities and overseas authorities in tracing, freezing or confiscating assets held by suspected or convicted criminals based overseas.

(iii) Company registrations

each Island's legislation, systems and practices for registering companies.

Consultation and Comparisons

In undertaking these tasks:

(a) to have regard to other examples of offshore regulatory laws, systems and practices, such as Gibraltar and other United Kingdom dependencies;

(b) to consult Her Majesty's Treasury and others as necessary.

Departmental Reviews

Mr. Clappison: To ask the Secretary of State for the Home Department if he will list the reviews being undertaken by his Department, the dates on which they were announced and, in the case of those which have been completed, the date of their completion. [23196]

Mr. Straw: The information requested about reviews is set out in the table:

Review	*Announcement*	*Expected completion date*
Joint review with Northern Ireland Office to consider permanent UK wide counter terrorism legislation	Autumn 1997	Autumn 1998
Review of the law relating to bribery and corruption. "Prevention of Corruption—Consolidation and Amendment of the Prevention of Corruption Act 1889—1916: A Government Statement"—issued June 1997	June 1997	Early 1998
Strategic Review of National Police Training	12 March 1997	Ongoing
Inter-Departmental Review of Police Pensions	23 October 1993	Ongoing
Review of Arrangements for Confiscation of Criminal Assets	Autumn 1997	Ongoing
Review of Firefighters' Pension Scheme	March 1994	Ongoing
Review of Community Fire Safety	November 1996	Ongoing
Review of Prison Nursing Services	No formal announcement	February 1998
Review of long-term future of organisation of Prison Service Health Care	No formal announcement	Mid 1998
Review of Prison Service Drug Strategy	No formal announcement	March 1998
Review of Prisons Investigations Strategy	No formal announcement	First stage completion April 1998
Review of the operation of release of prisoners on temporary licence	No formal announcement	Mid 1998
Review of Government proposals on reform of Youth Justice System	Summer 1997	Results of review reflected in Crime and Disorder Bill December 1997 White Paper—"No More Excuses" (Cmmd. 3809) November 1997
Review of measures to deal with anti-social behaviour	Summer 1997	Results of review reflection in Crime and Disorder Bill
Review of measures to deal with the protection of communities from known sex offenders who pose a continuing risk	5 November 1997	Results of review reflected in Crime and Disorder Bill
Review of measures on Community Safety	September 1997	Results of review reflected in Crime and Disorder Bill
Inter-Departmental Review of the Treatment of Vulnerable and Intimidated Witnesses	13 June 1997	March 1998
The Future Role and Funding of Local Civil Protection in England and Wales	24 July 1997	Ongoing

Review	Announcement	Expected completion date
Control of Unscrupulous Immigration Advisers	Manifesto Commitment	Not yet known. Consultation paper being prepared for publication in January
Review of Immigration and Asylum Appeals	Internal Review	Internal Review completed; results to be published for consultation; consultative document being prepared.

In addition, my Department is carrying out a Comprehensive Spending Review, and contributing to cross-Departmental reviews of the criminal justice system and of illegal drugs, in accordance with my right hon. Friend the Chief Secretary to the Treasury's statement of 11 June 1997, *Official Report*, columns 1143–44. The statement said that these reviews were expected to take 12 months to complete. My Department is also carrying out a review of those non-Departmental Public Bodies (NDPBs) for which the Home Office is the sponsoring Department. This review is part of a Government-wide exercise which is referred to in the Government's public consultation paper "Opening Up Quangos" issued in November 1997.

High Security Prisons (Cutlery)

Mr. Maginnis: To ask the Secretary of State for the Home Department in which high security prisons stainless steel cutlery is routinely supplied for the use of prisoners. [22912]

Ms Quin: None of the six dispersal prisons in England and Wales, which hold the highest security category prisoners, routinely supplies stainless steel cutlery for use of prisoners. For reasons of security, cost and hygiene, plastic cutlery is provided for inmates' use.

Human Rights Bill

Mr. Baker: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the proposals in the Human Rights Bill on *(a)* the Church of England and *(b)* the Church of Scotland. [24300]

Mr. Mike O'Brien: We gave an assessment of the implications of the Bill for the Churches in the course of proceedings on the Bill at Report Stage in Another Place on 19 January.

Animal Procedures Committee

Mr. Baker: To ask the Secretary of State for the Home Department if in respect of the Advisory Panel, which advises on appointments to the Animal Procedures Committee, he will list members' *(a)* names, *(b)* qualifications and *(c)* other employments; and how often the Advisory Panel meets. [24303]

Mr. George Howarth: To date, the Advisory Panel has only met to consider candidates for the post of Chairman of the Animal Procedures Committee. The members of that panel were as follows:

Miss Carolyn Sinclair—Director of the Constitutional and Community Policy Directorate in the Home Office.

Mr. William Mumford CB—Deputy Under-Secretary of State for Research Establishments, Ministry of Defence, (retired); Chairman's Panel, Civil Service Selection Board, 1989–95.

Professor Margaret Brazier LLB OBE—Chairman, Animal Procedures Committee; Professor of Law, University of Manchester.

A new panel will be convened shortly to consider candidates for appointment as members of the Committee. It is expected that the new panel will consist of the new Chairman of the Committee. Professor Michael Banner MA DPhil, Mr. William Mumford and an official from the Home Office. Professor Banner is the FD Maurice Professor of Moral and Social Theology at King's College, London.

The Advisory Panel will not meet regularly. It will meet only when new members of the Committee need to be appointed.

Street Traders and Pedlars

Dr. Brand: To ask the Secretary of State for the Home Department (1) when he expects to announce the outcome of the review of the legislation applying to street traders and pedlars; [23769]

(2) with which bodies he has consulted on the review of the legislation applying to street traders and pedlars; and on what dates; [23771]

(3) what plans he has to review the Pedlars Act 1871. [23770]

Mr. George Howarth: Deregulation reviews of street trading legislation and the Pedlars Acts 1871 and 1881 were undertaken by the previous Government. I have not yet had an opportunity to look closely at the issues arising out of those reviews but I hope to be able to make my views known during the next few months. Copies of the consultation letters dated 1 July 1994 and 31 October 1994, together with the names of the bodies consulted, have been placed in the Library.

Handguns

Mrs. Browning: To ask the Secretary of State for the Home Department if he has issued a D notice in respect of moneys to be paid in compensation for the ban on full-bore handguns. [24171]

Mr. Michael: No, and no such consideration has ever been given. There has been a great deal of misinformation circulating about matters relating to the new firearms legislation and its implementation. The operation of the Compensation Scheme has always been transparent, with the terms of the Scheme itself having been subject to Parliamentary scrutiny and regular and bona fide reports on payments progress issued to the public on request and to Parliament through answers to Parliamentary Questions and letters to MPs.

Defence Advisory Notices are agreed by the Defence, Press and Broadcasting Advisory Committee. I understand that there are six standing notices, none of which has been—nor could be—applied to the Firearms Compensation Scheme.

The Defence Advisory Notice System is a means of providing advice and guidance to the media about defence and counter-terrorist information, the publication of which would be damaging to national security. The six standing notices are issued by the Defence, Press and Broadcasting Advisory Committee to editors, publishers, programme makers and officials and form the basis of the voluntary code designed to avoid the publication of detail which would damage national security. Guidance on the application of the notices to particular circumstances is given by the Secretary to the Committee.

Asylum Seekers

Mr. Gale: To ask the Secretary of State for the Home Department by how many the number of asylum seekers now resident in the *(a)* Thanet travel-to-work area and *(b)* Dover travel-to-work area has changed since 1 December 1997; and what is the total number of asylum seekers now resident in each area. [23768]

Mr. Mike O'Brien: I regret that the information requested is not available and it is not possible to calculate this information from the data held without disproportionate use of officials' time.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for the Home Department what assessment he has made of the risks faced by police forces if they have year 2000 problems within their business and operational processes and systems. [24381]

Mr. Michael: It is for individual chief officers of police to assess the risks for their administrative and operational functions of the Year 2000 problem. They are currently assessing the scale of the problem and taking action where appropriate, with the help of the Police Information Technology Organisation. Police forces are also pursuing Year 2000 compliance with the other bodies responsible for systems whose failure might have policing implications. If, during their audit of information technology systems, a force establishes that there is a problem which cannot be, or is unlikely to be, resolved before the millennium it will be expected to establish contingency plans to ensure the continued delivery of policing services.

Immigration

Dr. Harris: To ask the Secretary of State for the Home Department when he intends to answer the letter of 14 July 1997 from the hon. Member for Oxford, West and Abingdon regarding the case of Mr. Mikhail Nikoniko (Home Affairs Reference Number: 13529/97). [23491]

Mr. Mike O'Brien: I wrote to the hon. Member on 15 January 1998. We had a draft of an earlier reply but I was unhappy with some of the details and asked for some further consideration and this has caused some delay.

Diarmuid O'Neill

Mr. McNamara: To ask the Secretary of State for the Home Department if he will publish the forthcoming report of the Police Complaints Authority on their investigation into the circumstances surrounding the shooting of Diarmuid O'Neill. [24092]

Mr. Michael: No. The courts have ruled that investigating officers' reports, which are submitted to the Police Complaints Authority (PCA) and the appropriate disciplinary authority, are covered as a class by public interest immunity. The completed report will be sent to the Coroner for the purposes of the inquest and to the Crown Prosecution Service to consider whether there are grounds for criminal proceedings against any person. The PCA will also consider the report to decide whether any disciplinary action should be taken.

We have made it clear that we wish to increase public confidence in the complaints system by introducing more openness, and we are examining how this might best be done in the light of the recently published report by the Home Affairs Select Committee on police complaints and discipline.

Terrorists

Mr. Mullin: To ask the Secretary of State for the Home Department what steps he is taking to ensure that the United Kingdom cannot be used as a haven for persons planning or preparing for terrorist activities in foreign countries; what plans he has to introduce legislation similar to that proposed in the Jurisdiction (Conspiracy and Incitement) Bill in the 1996–97 session of Parliament; and if he will make a statement. [23319]

Mr. Straw: Countering the activities of those who may be seeking to assist terrorism outside the United Kingdom is a high priority for the police and Security Service. If there is evidence that organisations or individuals are supporting terrorism, action is taken under the criminal law or under Immigration Act powers.

On 30 October last year, I announced the Government's intention to publish a consultation document which will propose permanent United Kingdom-wide legislation designed to deal with all forms of terrorism, including foreign terrorist groups and their supporters. The Government also intend to bring forward legislation to make it illegal to conspire in the United Kingdom to commit terrorist acts abroad.

Overseas Domestic Workers

Mr. Mullin: To ask the Secretary of State for the Home Department what consultations he has held since 1 May concerning the immigration status of persons allowed into the country as personal servants of foreign residents; what recent information he has as to the possible abuse of such persons by their employers; and what plans he has to introduce steps to alter their status or otherwise increase the protections available to them. [23320]

Mr. Mike O'Brien: We have held several meetings with Kalayaan, the organisation which represents overseas domestic workers and which continues to report cases of abuse, and with Anti-Slavery International. We are reviewing the conditions under which overseas domestic

workers accompanying employers to the United Kingdom are admitted with the aim of increasing their protection and reducing the possibilities of abuse.

Pronto Lottery

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department if he will make a statement on the Government's policy towards Pronto; how this relates to its policy towards gambling on fruit machines; if he will set out the reasons for the differences in policy; and if he will make a statement. [23856]

Mr. George Howarth: I set out the Government's policy towards frequent lottery draws in my reply to a Question from my hon. Friend the Member for Stretford and Urmston (Ms Hughes) on 13 November 1997, *Official Report*, columns *639–40*.

I subsequently published a draft Bill to restrict their frequency on 7 January, inviting interested parties to comment by 30 January.

Successive large scale on-line lottery draws, running in a rapid series through the day and operating simultaneously in a large number of different outlets, would have many of the characteristics of hard gambling. It is long-standing public policy that the harder forms of gambling should be confined to premises specially licensed and appropriately controlled for that purpose. The Government do not wish to see other types of premises become significant gambling venues.

Gaming machines in pubs are restricted to £10 maximum prizes and subject to other strict statutory controls which ensure that they remain an ancillary facility there.

Mr. Vaz: To ask the Secretary of State for the Home Department what factors lay behind his decision to impose restrictions on the new Pronto lottery game; and what representations he has received in respect of his decision to impose these restrictions. [23187]

Mr. George Howarth: I set out the Government's policy towards frequent on-line lottery draws in my reply to my hon. Friend the Member for Stretford and Urmston (Ms Hughes) on 13 November 1997, *Official Report*, columns *369–40*.

I subsequently published a draft Bill to restrict their frequency on 7 January, inviting interested parties to comment by 30 January.

I will report the outcome of the consultation exercise after the responses have been received and evaluated.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for the Home Department what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23551]

Mr. Mike O'Brien: My right hon. Friend has had no such discussions, but I expect that they may take place in due course between the Home Office and Scottish Office on the need for a non-statutory agreement with the Scottish Executive.

Immigration and Nationality Directorate

Mr. Edward Davey: To ask the Secretary of State for the Home Department what specific improvements for the public will be forthcoming following the loss of 1,200 jobs at the Immigration and Nationality Directorate and the introduction of a new computer system, with special reference to the length of time taken to deal with applications and inquiries; and if he will make a statement. [23916]

Mr. Mike O'Brien: Over time, the Immigration and Nationality Directorate's customers will benefit from a faster and more consistent response to both applications and inquiries. The actual levels of services which will be provided in any year will depend on the available resources and demand. The implementation timetable for the new system, casework performance targets, staffing levels and the number of job reductions for 1998–99 have not been finalised.

Cannabis

Mr. Flynn: To ask the Secretary of State for the Home Department how many prosecutions for possession of cannabis there were in each year since 1971. [24041]

Mr. George Howarth: Information for 1986 and 1995 (the latest available) is given in the table. Data are not available in the form requested prior to 1986.

Number of prosecutions for possession of cannabis, United Kingdom, 1986–1995

Year	*Number of prosecutions*
1986	11,493
1987	11,878
1988	14,049
1989	17,654
1990	19,281
1991	18,470
1992	14,875
1993	18,846
1994	24,025
1995	24,386

Source:
Home Office, Crime and Criminal Justice Unit, Research and Statistics Directorate.

Prison Sites

Helen Jones: To ask the Secretary of State for the Home Department how many sites in the North-West region were considered as possible sites for prison building prior to the selection of a site at Winwick; and what discussions were held with Warrington Borough Council and other local authorities prior to the selection of this site. [23316]

Ms Quin *[holding answer 16 January 1998]:* As part of a national review, 81 sites have been assessed in the North- West. There were no discussions with Warrington Borough Council prior to the selection of Winwick Hospital as a possible site for the construction of a new prison.

Helen Jones: To ask the Secretary of State for the Home Department what criteria are currently used by the Prison Service to decide between various possible sites for prison development; and what plans he has to change those criteria. [23315]

Ms Quin *[holding answer 16 January 1998]:* New prisons must be located conveniently for the centres of population or regional catchment areas that they will be required to serve. A site's shape, size, topography and the availability of services must support an economic and practical development. The ownership and availability of land are key factors in choosing a potential site. Crown-owned land is considered along with commercially available sites. There are no plans to change these criteria.

Prison Places

Helen Jones: To ask the Secretary of State for the Home Department what estimate he has made of the number of prison places likely to be required over the next 10 years for people from *(a)* Warrington, *(b)* the North-West, *(c)* Manchester and *(d)* Liverpool. [23317]

Ms Quin *[holding answer 16 January 1998]:* The Prison Service's current practice is to forecast eight years in advance. The figures that follow are therefore forecast for eight years and not 10 years. The number of prison places forecast for males in 2005 is: 380 from Warrington, 12,700 from the North-West; 2,700 from Manchester; and 1,620 from Liverpool. The estimated figures are only for the male population as the female population is too small to project in a regional local way as requested.

Mobile Phones

Mr. Baker: To ask the Secretary of State for the Home Department what controls exist over the holding and supply of data by mobile phone companies of information pinpointing the locations from which calls are made from individually identifiable mobile phones. [23619]

Mr. Straw *[holding answer 19 January 1998]:* The circumstances under which the four mobile telephone operators may disclose personal information which they hold on computer for their own purposes (including for billing, fraud prevention and statistical analysis) are regulated by the Data Protection Act 1984, by the Telecommunications Act 1984, and by the terms of their Telecommunications Act Licences which require them to take all reasonable steps to ensure the confidentiality of consumer information.

Section 45 of the Telecommunications Act, as amended by the Interception of Communications Act 1985, provides that public telecommunications operators commit an offence if they disclose any information concerning the use made of their telecommunications services by any other person except where disclosures are made for the prevention or detection of crime, for the purpose of any criminal proceedings, in the interests of national security or in pursuance of the order of a court. It is for the individual operator to satisfy himself that one or more of those exceptions apply before releasing any such information.

European Parliamentary Elections

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his oral statement of 25 November 1997, *Official Report*, columns 812–13, whether he will publish the calculations on which his statement, regarding the proportionality of the Sainte-Lague and d'Hondt divisors, was based; if he will calculate the number of seats that would be won by each party in Scotland under the *(a)* d'Hondt and *(b)* Sainte-Lague divisors using the 1994 European Election results; and if he will make a statement. [23498]

Mr. George Howarth: The calculations were based on the votes cast in the 1994 elections to the European Parliament in six of the 11 regions for which the European Parliamentary Elections Bill provides.

In five of the six regions the choice of divisor made no difference to the final allocation of seats. In Scotland, the effect was as follows:

d'Hondt:
4 Labour, 1 Conservative,
3 Scottish National Party
Sainte-Lague:
3 Labour, 1 Conservative,
1 Scottish Liberal Democrat
3 Scottish National Party.

During the Bill's Second Reading debate, I gave the House figures which suggested that the two divisors produced different results in the London region.

Revised calculations show that both divisors produce the same result in London. I apologise for the original error.

Mr. Beith: To ask the Secretary of State for the Home Department what divisors were used to calculate the allocation of seats between the regions of England in the European Parliamentary Elections Bill. [24043]

Mr. Straw *[holding answer 19 January 1998]:* No divisors were used. The allocation of seats to the English regions set out in Schedule 1 to the European Parliamentary Elections Bill was arrived at by dividing the total English electorate by the number of English seats (71) to produce an average figure. Seats were then allocated to regions in such a way as to ensure that the sum of the divergencies from this figure was as low as possible.

Gurkha Wives

Dr. Cable: To ask the Secretary of State for the Home Department what was the outcome of the review into the position of Gurkha wives seeking to join their husbands when stationed in the United Kingdom. [23510]

Mr. Mike O'Brien: As a concession outside the Immigration Rules, the spouse (together with any dependent children under the age of 18) of a Gurkha serviceman stationed in the United Kingdom would normally be admitted to the United Kingdom and allowed to remain here for the duration of her husband's posting.

Metropolitan Police

Dr. Cable: To ask the Secretary of State for the Home Department what has been the estimated cost to the Metropolitan Police of its work in combating terrorism in each of the last three years. [23509]

Mr. Michael: The Commissioner of Police of the Metropolis informs me that, for reasons of security, it is the policy of the Metropolitan Police not to publish the costs of combating terrorism. All Metropolitan Police officers have a part to play in combating terrorism.

The Metropolitan Police receive a special payment in recognition of the fact that they incur costs relating to their national and capital city functions. The report of the recent "Review of the Special Payment to the Metropolitan Police Service", conducted by the Home Office, identifies the current costs of the national and capital city functions of the Metropolitan Police, including some anti-terrorist costs. A copy of this report is available in the Library.

Emergency Services

Dr. Cable: To ask the Secretary of State for the Home Department how many uniformed police officers were on patrol and how many vehicles were in service in a 24 hour period in *(a)* London and *(b)* Twickenham at (i) the latest date for which figures are available and (ii) the same date in the previous year. [23506]

Mr. Michael: The Commissioner of Police for the Metropolis has provided the following information:

Uniform constables performing street duty

	Twickenham	*Metropolitan Police Service*
Average per day in September 1997	56.5	[1]4,155.0
Average per day in September 1996	57.1	[1]4,306.9

[1] As a result of problems with the Met's computer system these figures do not include the following Divisions: Brixton, Chingford, Forest Gate, Hackney and Shoreditch and Golders Green.

Number of available vehicles

	Twickenham	*Metropolitan Police Service*
Average per day in January 1998	21.4	3,734
Average per day in January 1997	21.0	3,760

Dr. Cable: To ask the Secretary of State for the Home Department how many fire-fighting appliances are currently on operational duty in London; and how many there were for each of the last five years. [23507]

Mr. George Howarth: I understand from the London Fire and Civil Defence Authority that there are currently 177 pumping appliances and 46 special appliances operational in London. The figures for the last five years are:

	Pumping appliances	*Special appliances*
1 January 1993	189	51
1 January 1994	189	43
1 January 1995	189	43
1 January 1996	189	43
1 January 1997	177	48

Prisoners (Health Care)

Helen Jones: To ask the Secretary of State for the Home Department how many prison establishments in England and Wales have a formal policy which states that the seclusion of mentally ill patients within the health care centre should be governed by guidance in the Code of Practice for Mental Health of 1983. [23854]

Ms Quin *[holding answer 19 January 1998]:* The seclusion of mentally disordered prisoners in health care centres is governed principally by guidelines issued to all establishments by the then Director of Prison Medical Services in Janaury 1990. Additional guidance, elaborating on those guidelines, has been issued subsequently.

Prison health care centres are not hospitals for the purposes of the Mental Health Act 1983. The care of mentally disordered prisoners in them is not directly governed by provisions in that Act, or guidance in the Code of Practice issued under it. Copies of the Code of Practice have, however, been issued for the information and consideration of prison doctors.

Helen Jones: To ask the Secretary of State for the Home Department what proportion of prison establishments in England and Wales have produced a health care plan for prisoners setting out the aims and objectives of the Prison Health Service. [23853]

Ms Quin *[holding answer 19 January 1998]:* The aims and objectives of health care in prisons are set out in centrally published Health Care Standards which apply to all establishments. Many establishments reflect these aims and objectives and philosophy of care in patient information literature or other local plans. However, statistics are not available centrally about the proportion that do this.

Helen Jones: To ask the Secretary of State for the Home Department what plans he has to introduce a patient's charter in respect of the provision of health care within the Prison Service. [23852]

Ms Quin *[holding answer 19 Janaury 1998]:* The provision of health care in prisons is governed by published standards. There is no national charter although some prisons have locally produced charters.

The Prison Service and the National Health Service (NHS) have established a joint working group to advise Ministers on the options for the future organisation of prison health care with a view to achieving standards and practices comparable to those in the NHS. The issue of a patient's charter for prisoners will be among the options the group will be considering.

Assaults

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make it his policy that individuals reported to have assaulted their wives or partners should be automatically referred to the Police for investigation and possible prosecution. [23000]

Mr. Michael: Victims are urged to report crimes to the police. In respect of crimes not reported by the victim, the decision on whether to commence, or consider commencing, an investigation into the alleged criminal offence is an operational matter for the chief officer in whose force area such a breach of the law is alleged to have been committed.

Licensing Controls

Mr. Cousins: To ask the Secretary of State for the Home Department what plans he has to relax licensing controls in central city areas; and what consultation he has had with residents of such areas. [23664]

Mr. George Howarth: We have no plans for such changes. Any proposals to amend the licensing laws would require wide consultation.

Security Service Files

Dr. Julian Lewis: To ask the Secretary of State for the Home Department (1) if files held by the Security Service showing the involvement of individuals with the Soviet International propaganda front network will be preserved for their historic value; and if the subsequent political careers of those individuals will be a factor in assessing the historic value of their files; [23673]

(2) if Security Service files on *(a)* the 1926 General Strike and *(b)* the 1984–85 miners' strike are to be preserved for their historic value; [23622]

(3) if files compiled by the Security Service and setting out the extent to which individuals co-operated with domestic or foreign fascist or communist organisations or regimes are to be preserved for their historic value; [23674]

(4) if Security Service files on the activities in the United Kingdom of *(a)* the World Peace Council, *(b)* the World Federation of Trade Unions, *(c)* the World Federation of Scientific Workers, *(d)* the World Federation of Democratic Youth, *(e)* the International Association of Democratic Lawyers, *(f)* the International Organisation of Journalists, *(g)* the International Union of Students and *(h)* the Women's International Democratic Federation are to be destroyed; [23677]

(5) if the Security Service files which are planned to be destroyed will be individually evaluated for their historical significance; [23679]

(6) what are the criteria for deciding that a Security Service file is of no historical value and should be destroyed; [23680]

(7) if the possible re-emergence of anti-democratic regimes abroad has been assessed as a factor in determining the policy towards destroying Security Service files on previous British supporters of such regimes; [23678]

(8) if Security Service files on the activities of *(a)* the British Union of Fascists, *(b)* the Communist Party of Great Britain, *(c)* the Union Movement, *(d)* the Communist Party of Britain, *(e)* the Revolutionary Socialist League/Militant Tendency, *(f)* the British Peace Assembly, *(g)* the British-Soviet Friendship Society, *(h)* the British Peace Committee, *(i)* the Workers' Revolutionary Party, *(j)* Class War and *(k)* the Revolutionary Communist Party of Britain (Marxist–Leninist) will be preserved for their historic value. [23676]

Mr. Straw: The Security Service retains only those records which it needs to carry out its functions or which are of historical importance. It is a matter for the Director General to decide upon the detailed criteria to be adopted in either case, taking account of the requirements of the Security Service Act 1989, the Public Records Act 1958 and central guidance on the identification of records likely to be of historical interest. The Service currently applies the following criteria in deciding whether a record is likely to be of historical interest, although each file is examined individually and considered on its merits as a whole:

(a) major investigations,

(b) important subversive figures, terrorists and spies,

(c) individuals involved in important historical events,

(d) causes celebres in a security context,

(e) files which contain original papers of historical interest,

(f) major changes of Service policy, organisation or procedures,

(g) files which are in some way "period pieces", e.g. they illustrate clearly Security Service attitudes/technique of the time.

(h) milestones in the Service's history.

It would be contrary to the interests of national security to confirm or deny whether the Security Service holds records on any particular individuals or organisations.

Dr. Julian Lewis: To ask the Secretary of State for the Home Department, pursuant to his letter of 8 December on Security Service files, what steps he will take to ensure that *(a)* no files are destroyed by the Security Service except after proper review and *(b)* files which are destroyed are those which are either no longer required by the service to carry out its statutory functions or are judged not to be of historical importance or both. [23675]

Mr. Straw: The Security Service Act 1989 provides that the operations of the Service are under the control of the Director General and it is a matter for him to decide which files should be destroyed in accordance with stated policy. I have every confidence that he will continue to carry out his responsibilities in this area with due regard to the operational needs of the Service and the requirements of the Public Records Act 1958, taking account of any central guidance on the preservation of records of likely historical interest.

Dr. Julian Lewis: To ask the Secretary of State for the Home Department if he will publish the criteria which were adopted by the Security Service at the end of the Second World War for the preservation or destruction of files relating to sympathisers with the defeated adversary. [23620]

Mr. Straw: In November 1945, the Director General of the Security Service ordered a review of the Service's records to identify which could be summarised or destroyed. He set down the following principles to guide officers in the review process:

"(a) There is a paramount necessity to restrict the records of the Service to matters which are now its proper concern. Superfluous information impedes work rather than assists it. The test is whether or not the matter recorded would have any value if brought forward at a later date and if considered in a different context.

(b) In reviewing papers for destruction, due regard should also be given to the necessity for preserving information of historical interest, and also that which may be of value in a future emergency as showing how matters of policy and principle were decided. This applies also to methods of inquiry adopted in specific cases or classes of cases. The possible interest of Divisions and Sections not primarily concerned with a particular file must always be borne in mind".

Crime Statistics (Collection)

Mr. Mitchell: To ask the Secretary of State for the Home Department what proposals he has for ensuring that crime statistics are collected on a common basis by all police forces. [23457]

Mr. Michael: Statistics of recorded crime are based on rules for classification and counting which are standard for all police forces in England and Wales. A comprehensive set of counting rules is issued centrally and used by police forces to maintain the consistency of recording some of the more complex and potentially difficult offences, such as multiple, continuous and repeated offences.

Her Majesty's Inspectorate of Constabulary (HMIC) regularly look into recording practices during force inspections. The Home Office also has a police statistics liaison officer who regularly visits statistics officers in the forces to discuss current issues and to monitor current procedures.

Periodically, the Home Office rules and police recording practices are reviewed to ensure consistency and to determine whether updates are necessary. Recently, both HMIC and a joint Home Office/Association of Chief Police Officers working party have undertaken such reviews. Their recommendations are being adopted in a package of measures for implementation on 1 April 1998, which were announced by my right hon. Friend on 1 October 1997. More detail was given by the Home Office's Director of Research and Statistics on 14 October.

The main measures comprise the logical extension of the coverage of recorded crimes (or notifiable offences) to include all indictable and triable either way offences: the revision of the counting rules for certain offences; to move closer to the concept of one crime per victim; a move to financial year publication; and less emphasis in publications on the overall total of recorded crime in favour of individual offence groups.

Commission for Racial Equality

Ms Perham: To ask the Secretary of State for the Home Department how much Government money was spent on the Commission for Racial Equality in *(a)* 1995–96 and *(b)* 1996–97 and what estimate he has made of the annual gross costs of enforcing the Race Relations Act 1976 in (i) 1995–96 and (ii) 1996–97. [23473]

Mr. Mike O'Brien: Total Government payments to the Commission for Racial Equality were *(a)* £16,006,000 in 1995–96 and *(b)* £15,436,000 in 1996–97. The Commission estimates that approximately one quarter of this was spent on enforcing the Race Relations Act. We have no way of estimating the gross costs of enforcing the Act which would include the activities of a wide range of organisations and individuals.

Pigot Report

Mr. Rowe: To ask the Secretary of State for the Home Department when the recommendations of the Advisory Committee on Video Evidence (The Pigot Report, 1989) will be implemented in full. [23372]

Mr. Michael: The recommendations of the Advisory Committee on Video Evidence which have not been implemented are currently being considered by the Steering Group on Child Evidence as part of the review of vulnerable or intimidated witnesses which was announced by my right hon. Friend on 13 June 1997.

Young Offenders Institute (Colchester)

Mr. Bob Russell: To ask the Secretary of State for the Home Department when he will publish his response to the report by board of visitors to the young offenders institution at the Military Corrective Training Centre at Colchester. [23302]

Ms Quin: I will respond to the Colchester Board of Visitors' annual report once we have made a final decision about the future of the establishment. Ministerial responses to the Boards of Visitors' Annual Reports, which take the form of a letter to the Chairman of the relevant Board, are not ordinarily published. However, I do encourage those Boards who place their annual reports on to the Penal Lexicon similarly to place my response.

Mr. Bob Russell: To ask the Secretary of State for the Home Department if he will make a statement on the future of the young offenders institution at the Military Corrective Training Centre at Colchester. [23301]

Ms Quin: I refer the hon. Member to the reply I gave to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on 15 January 1998, *Official Report*, column *284*.

Prison Site (Colchester)

Mr. Bob Russell: To ask the Secretary of State for the Home Department when he proposes to make a decision on the possible establishment of a prison at Colchester; and if he will name the site which has been under investigation. [23300]

Ms Quin: I refer the hon. Member to the reply I gave him on 14 November 1997, *Official Report*, column *689*.

If the Prison Service assessment indicates that the site involved offers potential, I shall write to the hon. Member.

Police (Complaints)

Dr. Tonge: To ask the Secretary of State for the Home Department what proportion of complaints against the police have been (i) upheld (ii) dismissed and (iii) dropped by the complainant during the last year for which figures are available. [23536]

Mr. Michael: The proportion of completed complaints against the police which were upheld (substantiated) was 2 per cent. in the twelve months from April 1996 to March 1997. Twenty seven per cent. of complaints were investigated but found to be unsubstantiated, 32 per cent. were informally resolved and 39 per cent. were either withdrawn or granted a dispensation by the Police Complaints Authority.

Sunday Observance Act

Mr. Waterson: To ask the Secretary of State for the Home Department what plans he has to reform the Sunday Observance Act 1780; and if he will make a statement. [23471]

Mr. George Howarth: I am considering proposals from the entertainments industry to remove the prohibition in the Sunday Observance Act 1780 on charging for admission to public dances which are held on a Sunday.

Lewes Prison

Mr. Baker: To ask the Secretary of State for the Home Department in respect of Lewes Prison, if he will list for each year from 1985 to 1997 inclusive *(a)* the budget available to the prison, *(b)* the (i) average and (ii) maximum number of prisoners, *(c)* the number of suicides reported and *(d)* the number of prison officers deployed on average; and if he will make a statement. [23727]

Ms Quin *[holding answer 19 January 1998]:* The management structure and retention of records have changed significantly over the past seven financial years and it is not possible to provide, without incurring disproportionate cost, the budget allocations prior to 1990–91. Table A details the allocations made to Lewes prison between 1990–91 and 1997–98.

The figures reflect the closure of wings for refurbishment in 1991–92 until the reopening of C and G wings in March 1997. The other critical factor affecting budget allocations is the increasing devolvement of cash allocations for operational requirements to local level from 1992–93 onwards. In view of this, it is difficult to draw comparisons between the different financial years.

It is not possible to provide the actual maximum number of prisoners held at Lewes between 1985 to date, but the operational capacity, which is the nominal maximum number, is shown in table B.

The term employed by the Prison Service to refer to an apparent suicide is self-inflicted death. This includes all those deaths where it is clear that the person has acted specifically to take his/her own life. Between 1985 and 1997, there have been a total of 10 self-inflicted deaths at Lewes. The details are as follows:

1986

One death—inquest verdict: accidental death

1989

One death—inquest verdict: suicide

1990

Two deaths—inquest verdicts: suicide and accidental death

1992

One death—inquest verdict: misadventure

1993

One death—inquest verdict: suicide

1995

One death—inquest verdict: suicide

1996

One death—inquest verdict: open

1997

Two deaths—inquest verdicts: suicide and accidental death.

Statistical data relating to the numbers of prison officers employed at Lewes between 1985 and August 1990 are not available. Table C details the information which is available from September 1990 to date.

Table A: Budget allocations for Her Majesty's Prison Lewes

1990–91 to 1997–98 — *£ million*

Financial years	*Running cost budget allocation*
1990–91	6,310,000
1991–92	3,763,000
1992–93	6,794,000
1993–94	8,320,000
1994–95	8,918,000
1995–96	8,870,000
1996–97	8,942,000
1997–98	9,192,000

Table B: Average population and operational capacity for Her Majesty's Prison Lewes

1985–97

Calender year	*Average population*	*Operational capacity*
1985	519	[1]565
1986	542	[1]587
1987	563	[1]587
1988	575	[1]587
1989	542	[1]587
1990	508	[1]587
1991+	436	475
1992+	362	525
1993+	326	375
1994+	339	377
1995+	306	325
1996+	303	334
January 1997 to November 1997 only[2]	447	496

[1] Given that operational capacities are always under review, these figures are an estimate.

[2] The decrease in the number of prisoners held at Lewes is because of the rolling programme of wing refurbishment.

Table C: Average number of prison officers at Her Majesty's Prison Lewes

1990–91 to 1997–98

Financial year	*Average number of prison officers*
September 1990 to March 1991	171
1991–92	176
1992–93	176
1993–94	170
1994–95	167
1995–96	170
1996–97	167
1997–98	162

Mr. Baker: To ask the Secretary of State for the Home Department what budget he plans for Lewes prison for the forthcoming year; and what estimate he has made of the maximum number of prisoners that will be held in Lewes over that period. [23728]

Ms Quin *[holding answer 19 January 1998]:* The budget allocation of 1998–99 has not yet been decided for Lewes. The Governor was given an indicative budget allocation of £8,631,000 and £8,470,000 for 1998–99 and 1999–2000 in June last year and has made plans to operate the prison within this cash limit. He has also bid for additional funds to preserve some regime services. The outcome of these bids will be known later this month.

The Operational Capacity for Lewes prison is 496 and the Governor has based his planning assumptions on a 98 per cent. occupancy, a daily average population of 486 prisoners.

Internal Police Investigations

Mr. Willis: To ask the Secretary of State for the Home Department (1) if he will repeal those sections of the Local Government Act 1992 which prevent the publication of internal discipline investigations by individual police forces; [23412]

(2) what plans he has to make public reports relating to investigations into the sexual harassment of women police officers at Harrogate Police Station in the early 1990s; [23362]

(3) what plans he has to introduce legislation to ensure that internal police disciplinary investigations are not automatically subject to public interest immunity; [23364]

(4) what plans he has to allow individual police authorities to decide whether to publish the finding of internal discipline investigations within individual police forces. [23363]

Mr. Michael: None of the information relating to internal police investigations is held by my right hon. Friend and its disclosure is therefore a matter not for him but for the police authority or the chief constable.

Public interest immunity arises only in the context of court proceedings. It does not arise as of right but requires there to be both a risk of harm if disclosure did take place and a balance between the risk of harm and the interests of justice. So far, the courts have accepted that the risk of harm in disclosing public investigation reports justifies their non-disclosure but the matter has to be considered in the context of each case.

The publication of information under the Local Government Act 1992 relates to information on standards of performance. The Local Government Act 1972 gives the public a right to certain information, including information about meetings held by the police authority. It is not a free standing right to inspect documents held by the authority. Where information does fall to be disclosed under the 1972 Act, there are exemptions which prevent disclosure about certain matters which includes information about particular employees/office holders.

The Government are considering extending the range of information available to the public. Their proposals were set out in the White Paper "Your Right to Know" which was issued for consultation on 11 December 1997.

We have made it clear that we wish to increase public confidence in the complaints and discipline system and we will consider how this might be done in the light of the report published last week by the Home Affairs Select Committee.

CABINET OFFICE

New Millennium Experience Company

Mr. Spring: To ask the Minister without Portfolio what severance pay has been given to Mr. Stephen Bayley, former Creative Director of the New Millennium Experience Company. [23926]

Mr. Maude: To ask the Minister without Portfolio what severance pay has been granted to the former Creative Director of the New Millennium Experience Company. [23921]

Mr. Mandelson: The New Millennium Experience Company (NMEC) does not propose to make any severance payment to Stephen Bayley, the former creative consultant to the Company.

Mr. Maude: To ask the Minister without Portfolio if he plans to advertise for a replacement to the position of Creative Director of the New Millennium Exhibition Company. [23227]

Mr. Mandelson: The New Millennium Experience Company have no plan to replace Stephen Bayley as creative consultant to the Company.

Mr. Maude: To ask the Minister without Portfolio if he will make a statement on the circumstances surrounding the resignation of the Creative Director of the New Millennium Exhibition Company. [23228]

Mr. Mandelson: Mr. Bayley and the New Millennium Experience Company jointly announced on Friday 9 January that the basis of Mr. Bayley's association with the project had been changed by mutual agreement.

Mr. Bayley's former role was to advise the New Millennium Experience Company on aspects of the content of the exhibition. The intention was that he would continue to advise the Company on an ad-hoc basis.

In the light of Mr. Bayley's subsequent comments, the New Millennium Experience Company will not be asking him to undertake any further work.

Mr. Maude: To ask the Minister without Portfolio what is the date of the official launch of the New Millennium Exhibition Company. [23225]

Mr. Mandelson: I announced that Millennium Central Ltd. would be renamed the New Millennium Experience Company on 26 June 1997 at the Royal Institute of Chartered Surveyors. The Company's Articles of Association were amended as a result on 30 June 1997.

Millennium Experience

Mr. Vaz: To ask the Minister without Portfolio what meetings he has had with members of the ethnic minority communities to discuss the contents of the Millennium Dome. [23577]

Mr. Mandelson: The New Millennium Experience Company fully recognises the importance of making the Millennium Experience at Greenwich relevant and accessible to all sections of society, including ethnic minority communities, and is considering a number of proposals from ethnic minority groups. In February, I shall be attending a meeting of the Churches and Other Faiths sub-group of the Millennium Co-ordinating Group, on which all the main faith communities are represented. Various organisations which have strong ethnic minority representation, such as the Evangelical Alliance, the Inner Cities Religious Council, the Inter Faith Network and the Council of Churches for Britain and Ireland, are also members of the group.

Mr. Mitchell: To ask the Minister without Portfolio when he plans to announce the nature of the exhibition in the Millennium Experience Dome. [23715]

Mr. Mandelson: The New Millennium Experience Company plans to reveal further details of the Millennium Experience in the first quarter of this year.

Mrs. Gillan: To ask the Minister without Portfolio which British women's groups he has invited to contribute to the content of the millennium dome. [24256]

Mr. Mandelson: A number of eminent women—on the Board of the New Millennium Experience (NMEC) and within the design companies contracted to NMEC—are involved in the creation of the content of the Millennium Dome. As Ms Jennie Page—the Chief Executive of NMEC—confirmed to the Minister for Women at a meeting on 18 December 1997, the Company is convinced that the involvement of such women will ensure that women's interests are addressed.

Disney Corporation

Mr. Spring: To ask the Minister without Portfolio what meetings took place in the United Kingdom between representatives of the Disney Corporation and the New Millennium Experience Company during the course of 1997; when and where such meetings took place; which *(a)* Ministers, *(b)* officials and *(c)* representatives of the New Millennium Experience Company were present at the meetings; and what was discussed. [23933]

Mr. Mandelson: I have had one meeting in the UK with a senior executive from the Disney Corporation since taking up my appointment as shareholder of the New Millennium Experience in June 1997. No officials or representatives of the New Millennium Experience Company were present at the meeting.

A range of discussions, meetings and site visits between senior staff at NMEC and various Disney enterprises have taken place on matters of mutual interest.

Select Committee on Culture, Media and Sport

Mr. Maude: To ask the Minister without Portfolio when he plans to give a substantive response the Second Report of the Culture, Media and Sport Select Committee (House of Commons Paper No. 340), 11 December 1997. [23216]

Mr. Mandelson: I will publish a response to the Culture, Media and Sport Select Committee Report on the Millennium Dome, including a timetable for the implementation of its recommendations, before the end of February, the deadline set by the Committee.

Written Answers to Questions

Wednesday 21 January 1998

PRESIDENT OF THE COUNCIL

IT Equipment

Mr. Barnes: To ask the President of the Council what is her Department's policy regarding the recycling of information technology equipment within her Department and relevant agencies and to other government departments or agencies; and what arrangements have been made in this respect. [23247]

Mrs. Ann Taylor: My Department's policy for the recycling and disposal of information technology equipment is to determine the most cost effective option. Consideration is given to retention for spares, or sale to staff or to commercial or charitable organisations. I am not responsible for any agencies.

ATTORNEY-GENERAL

IT Equipment

Mr. Barnes: To ask the Attorney-General what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23238]

The Attorney-General: The policy regarding the recycling of information technology equipment in the Departments for which I am responsible is to redeploy the equipment within the relevant Department or, if it is past its useful life, to destroy it. Surplus equipment which is of value may be sold. All data are erased for security purposes.

TREASURY

Business Angels

Mr. David Heath: To ask the Chancellor of the Exchequer what plans he has to introduce tax incentives for business angels to put loan capital into small private companies. [23554]

Mr. Geoffrey Robinson *[holding answer 20 January 1998]:* Business angels already receive tax incentives to invest in small companies through the Enterprise Investment Scheme and Venture Capital Trusts.

Interest Rates

Mr. Redwood: To ask the Chancellor of the Exchequer what interest rate increase would be needed to keep to the inflation target if earnings rise by 1 per cent. more than the Government's forecast. [24296]

Mrs. Liddell *[holding answer 20 January 1998]:* Interest rates are set by the Monetary Policy Committee (MPC) of the Bank of England to meet the Government's inflation target of 2½ per cent. The MPC bases its interest rate decisions on a range of evidence, and its response to higher than expected earnings growth would depend on how it affected the outlook for inflation.

Pension Returns

Mr. Robathan: To ask the Chancellor of the Exchequer, pursuant to his oral answer of 15 January 1998, *Official Report*, column 478, if he will publish the figures his Department has collated on pension returns for *(a)* 1996 and *(b)* 1997. [24129]

Mrs. Liddell *[holding answer 20 January 1998]:* I refer to the answer I gave to my hon. Friend the Member for East Ham (Mr. Timms) on 16 January 1997, *Official Report*, column *322–24*. The Treasury did not publish any pensions returns figures for 1996.

Scottish Executive

Mr. Swinney: To ask the Chancellor of the Exchequer what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [23550]

Mr. Gordon Brown *[holding answer 20 January 1998]:* Officials from my Department and the Scottish Office are discussing the need for a non-statutory agreement between the Treasury and the Scottish Executive covering the exchange of information, advance notification and joint working in line with the principles set out the White Paper, "Scotland's Parliament".

Financial Services Authority

Mr. Colman: To ask the Chancellor of the Exchequer if the mandate of the Financial Services Authority will include those who have neither a current bank account nor one with a building society. [23354]

Mrs. Liddell: The Financial Services Authority will be responsible for all aspects of financial regulation. It will acquire the regulatory responsibilities currently exercised by the Bank of England, the three Self-Regulating Organisations (the Investment Management Regulatory Organisation, the Personal Investment Authority and the Securities and Futures Authority), the Insurance Directorate of Her Majesty's Treasury, the Building Societies Commission, the Friendly Societies Commission and the Registry of Friendly Societies. The Financial Services Authority will also be given responsibility for the authorisation of those currently authorised to do investment business by virtue of their membership of a Recognised Professional Body.

Charity Trustees

Mr. Loughton: To ask the Chancellor of the Exchequer what representations he has received on the Trustee Investment Act 1961; and what plans he has to change the current investment powers of charity trustees. [24423]

Mrs. Liddell: The Treasury has received a number of representations on reform of the Trustee Investments Act.

The Government understand and accept in principle the case for reform. But any reform must provide a complete and lasting solution. It is unlikely that this could be achieved without primary legislation.

The Government are committed to reform in a number of areas and already have a full programme of legislation implementing its key policy priorities. Primary legislation to reform the TIA would need to compete for a space in this programme. The Government will keep the position under review and seek to make progress at the earliest opportunity.

Poor People

Mr. Pond: To ask the Chancellor of the Exchequer if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23345]

Mrs. Liddell: Our society is more divided than it has been in generations: over the last 20 years the proportion of households without work has more than doubled from 9 per cent. Our policies are aimed at mending these divisions. Our objective is to raise the living standards of the many, not just of the few, and to offer education and employment opportunities for all.

The Government believe that the best way of improving the living standards of those with the poorest living standards is to help them into work. We are implementing a range of policies under the New Deal to help move those people from welfare into work in order that their living standards may rise.

The Government have also established a Social Exclusion Unit to help co-ordinate action across Government to find new and more integrated ways of tackling the worst problems. We continually evaluate our policies using a variety of methods.

Insurance Companies

Dr. Cable: To ask the Chancellor of the Exchequer which registered United Kingdom insurance and reinsurance companies have ceased underwriting since January 1992; and which are paying less than 100 per cent. of claims. [23985]

Mrs. Liddell: Information on the status of UK authorised insurance companies as at 31 December 1996 is given in the Insurance Annual Report 1996 published by The Stationery Office, copies of which are in the Library. Appendix 3A indicates whether a company's authorisation to effect contracts of insurance has been withdrawn under section 11 of the Insurance Companies Act 1982, and if a company is in liquidation, provisional liquidation, or scheme or arrangements under section 425 of the Companies Act 1985. Companies in the last three categories will generally not be meeting claims in full. Other companies which remain authorised may in practice have ceased underwriting, but it is not possible to give a definitive list as the circumstances of each company differ.

Bank of England Bill

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement about the Explanatory Memorandum to the Bank of England Bill. [24941]

Mr. Darling: The Explanatory Memorandum to the Bank of England Bill will be altered to reflect new guidance on the treatment of cash ratio deposits in the National Accounts. On the basis of advice from Eurostat, the Bank of England's income on cash ratio deposits will not score as General Government Expenditure. This does not affect the position for the Financial Services Authority, whose costs will be General Government Expenditure.

Lloyd's

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on the future regulation of Lloyd's. [24942]

Mrs. Liddell: In her statement of 23 July 1997, *Official Report*, column 676, my right hon. Friend the President of the Board of Trade announced that the supervision of insurance business, including that carried on at Lloyd's, would ultimately become a responsibility of the proposed Financial Services Authority (FSA). Since then, I have been considering the options for the future regulatory arrangements for Lloyd's in the context of the comprehensive reforms which we will implement in the forthcoming financial services reform Bill. As we have already made clear, we intend to publish a draft Bill for consultation in the Summer.

Holders of insurance policies underwritten at Lloyd's should enjoy the benefits of the same kind of supervisory regime as those with policies issued by other insurers. I intend as part of the modernisation of the prudential supervision powers currently available to the Treasury under the Insurance Companies Act 1982, that the FSA will have much more extensive supervisory powers in relation to Lloyd's. I intend that these should include enhanced powers of intervention and a requirement for authorisation by the FSA of managing agents, who are responsible in practice for running underwriting syndicates. I also intend that the FSA should have reserve power to undertake direct authorisation and supervision of Members of Lloyd's, should that prove to be appropriate in due course.

Certain activities at Lloyd's are similar to business which is currently regulated by the Financial Services Authority under the Financial Services Act 1986. Members' agents advise Members of Lloyd's about which syndicates they should participate in and I intend that their activities should be subject to authorisation by the FSA. In addition, the emerging secondary market in syndicate capacity resembles markets subject to control under

the 1986 Act. I intend that the FSA should oversee the operation of the market under a regime similar to that currently in place for recognised investment exchanges.

These arrangements will continue to allow scope for a major role by the Council of Lloyd's in ensuring that Lloyd's continues to be a well-regulated, successful and important part of the UK financial services industry. They will however provide, for the first time in many areas, a major element of external regulatory accountability.

Deaths

Mr. Flynn: To ask the Chancellor of the Exchequer what was the total number of deaths in each of the last five years resulting from ingesting *(a)* heroin, *(b)* alcohol, *(c)* ecstasy, *(d)* speed, *(e)* nicotine, *(f)* glue, *(g)* Temazepam, *(h)* cannabis and *(i)* LSD. [23390]

Mrs. Liddell *[holding answer 19 January 1998]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Paul Flynn, dated 21 January 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics, to answer your recent question asking for the total number of deaths in each of the last five years resulting from ingesting[1] (a) heroin, (b) alcohol, (c) ecstasy, (d) speed, (e) nicotine, (f) glue, (g) temazepam, (h) cannabis and (i) LSD.

Data for 1992 may be obtained from Table 10 of "Mortality Statistics: Injury and Poisoning 1992", Series DH4 no. 18, copies of which are available in the House of Commons Library. This table lists all substances mentioned in the records of deaths assigned to accidental and other poisoning by solid or liquid substances.

The attached table shows the remaining data for 1992 and also data for 1993–1996.

Deaths in England and Wales, 1992–96

	1992	*1993*	*1994*	*1995*	*1996*
(a) Heroin	—	52(10)	88(9)	130(21)	186(35)
Alone	—	41(7)	68(7)	106(17)	147(32)
With other drugs[2]	—	11(3)	20(2)	24(4)	39(3)
(b) Alcohol[3]	3,565	3,550	3,853	4,235	4,489
(c) Ecstasy	—	5(2)	22(1)	7(–)	10(2)
Alone	—	3(1)	15(1)	4(–)	8(2)
With other drugs[2]	—	2(1)	7(–)	3(–)	2(–)
(d) 'Speed' (Amphetamines)	—	22(3)	18(1)	37(3)	29(2)
Alone	—	8(–)	6(–)	18(–)	14(1)
With other drugs[2]	—	14(3)	12(1)	19(3)	15(1)
(e) Nicotine (Tobacco-related)[4]	n/a	n/a	n/a	120,000	n/a
(f) Glue[3]	75	57	49	57	n/a
(g) Temazapam	—	169(62)	157(47)	133(40)	92(22)
Alone	—	60(25)	66(26)	37(16)	32(15)
With other drugs[2]	—	109(37)	91(21)	96(24)	60(7)
(h) Cannabis	—	10(3)	10(2)	10(3)	4(2)
Alone	—	2(2)	2(–)	1(–)	–(–)
With other drugs[2]	—	8(1)	8(2)	9(3)	4(2)
(i) LSD	—	–(–)	1(–)	–(–)	–(–)
Alone	—	–(–)	–(–)	–(–)	–(–)
With other drugs[2]	—	–(–)	1(–)	–(–)	–(–)

The figures in brackets are those deaths with a mention of alcohol and are included in the non-bracketed figures.

[1] The route of administration (i.e., whether swallowed, injected, inhaled etc.) of toxic substance is not usually specified on the death certificate. The data above represent all mentions of drugs, *however administered*, where the death was certified is due to poisoning, drug dependence or non-dependent abuse of drugs.

[2] If, for example, both heroin and cannabis are mentioned on a death certificate, the death will occur twice in the table, once under 'Heroin *with other drugs*' and once under 'Cannabis *with other drugs*'.

[3] Data supplied by St. George's Hospital Medical School and are those deaths involving *all* volatile substances, including glue.

[4] Data relate to United Kingdom. This is the latest Department of Health estimate.

[5] Deaths certified as due to alcoholic psychoses, alcohol dependence syndrome, non-dependent abuse of alcohol, alcoholic cardiomyopathy, chronic liver disease and cirrhosis, and toxic effects of alcohol.

Mr. Cohen: To ask the Chancellor of the Exchequer what is his estimate of *(a)* alcohol-related deaths, *(b)* tobacco-related deaths and *(c)* cannabis-related deaths in each of the last three years. [23182]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Harry Cohen, dated 21 January 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics, to answer your recent question asking for an estimate of the numbers of (a) alcohol-related deaths, (b) tobacco-related deaths and (c) cannabis-related deaths occurring in each of the last three years.

The following table shows the data for the latest three years for which figures are available:

Deaths occurring in England and Wales, 1994–96

	1994	1995	1996
Alcohol-related deaths[1]	3,853	4,235	4,489
Tobacco-related deaths[2]	n/a	120,000	n/a
Cannabis-related deaths[3]	10 (2)	10 (3)	4 (2)
Cannabis alone	2 (–)	1 (–)	— (–)
In combination with other drugs	8 (2)	9 (3)	4 (2)

[1] Includes deaths assigned to codes 303, 305.0, 291, 425.5, and 980 of the International Classification of Diseases (9th Revision).
[2] United Kingdom figures, based on the latest Department of Health estimate.
[3] Figures in brackets are those cannabis-related deaths with a mention of alcohol and are already included in the non-bracketed figures. Thus, in 1994, there were 10 deaths *of which* 2 had a mention of alcohol.

Dr. Cable: To ask the Chancellor of the Exchequer how may people have died in the United Kingdom in each of the last 20 years for which figures are available from *(a)* tobacco-related illness, *(b)* alcohol-related illness, *(c)* road traffic accidents and *(d)* vitamin B6 overdoses; and if he will make a statement. [23512]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Dr. Vincent Cable, dated 21 January 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics, to reply to your question concerning the numbers of people in the United Kingdom who have died in the last 20 years from (a) tobacco related illness, (b) alcohol related illness, (c) road traffic accidents and (d) vitamin B6 overdoses.

The information requested is shown in the following table.

Deaths in the United Kingdom 1977–1996

Year	Tobacco related[1]	Alcohol related	Road traffic accidents	Vitamin B6 overdoses
1977	n/a	2,718	6,976	n/a
1978	n/a	2,903	7,856	n/a
1979	n/a	3,259	7,024	n/a
1980	n/a	3,297	6,861	n/a
1981	n/a	3,275	5,053	n/a
1982	n/a	3,195	6,266	n/a
1983	n/a	3,175	5,979	n/a
1984	n/a	3,349	5,883	n/a
1985	n/a	3,662	5,698	n/a
1986	n/a	3,643	5,681	n/a
1987	n/a	3,833	5,615	n/a
1988	110,000	4,028	5,324	n/a
1989	n/a	4,265	5,601	n/a
1990	n/a	4,405	5,705	n/a
1991	n/a	4,402	5,168	n/a
1992	n/a	4,277	4,729	n/a
1993	n/a	4,316	3,974	0
1994	n/a	4,742	3,794	0
1995	120,000	5,220	3,668	0
1996	n/a	5,663	3,675	0

n/a = data not available.
[1] Health Education Authority estimates supplied by the Department of Health.

Taxpayers

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the distribution of *(a)* households and *(b)* taxpayers in each quartile of income in the United Kingdom and in each of the regions and nations of the United Kingdom. [22978]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Jim Cousins dated 21 January 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics (ONS), to your recent question asking for the distribution of (a) households and (b) taxpayers in each quartile of income in the United Kingdom and in each of the regions and nations of the United Kingdom.

The figures requested are in the attached tables. Owing to the nature of the question, it has been necessary to use two different data sets to produce the answer. This means that the figures for the two parts of the answer are compiled on different bases and are not strictly comparable.

(a) Distribution of households for each income quartile of individuals in Great Britain, split by region

Standard region	Bottom quartile	Second quartile	Third quartile	Top quartile (percentages)	Total households (=100 per cent.) (millions)
Before housing costs					
North (including Cumbria)	30	29	24	16	1.4
Yorkshire and Humberside	29	27	24	21	2.0
North West	28	26	25	21	2.5
East Midlands	27	26	25	22	1.7
West Midlands	27	26	24	23	2.1
East Anglia	23	25	25	27	0.9
Greater London	22	24	20	34	3.0
South East—excluding London	19	22	24	35	4.4
South West	25	27	23	24	2.0
England	25	25	24	27	20.0
Wales	31	28	22	18	1.3
Scotland	29	24	24	22	2.0
Great Britain	25	25	24	26	23.4

(a) Distribution of households for each income quartile of individuals in Great Britain, split by region

Standard region	Bottom quartile	Second quartile	Third quartile	Top quartile (percentages)	Total households (=100 per cent.) (millions)
After housing costs					
North (including Cumbria)	30	27	25	18	1.4
Yorkshire and Humberside	27	27	24	23	2.0
North West	28	26	25	22	2.5
East Midlands	24	26	25	24	1.7
West Midlands	25	26	25	24	2.1
East Anglia	24	24	25	28	0.9
Greater London	31	19	17	33	3.0
South East—excluding London	21	20	24	34	4.4
South West	27	26	23	24	2.0
England	26	24	23	27	20.0
Wales	29	26	26	19	1.3
Scotland	27	26	24	23	2.0
Great Britain	26	24	24	26	23.4

Notes:

1. The data come from the Department of Social Security's Households Below Average Income (HBAI) Series, based on the Family Resources Survey (FRS) for the 1995–96 financial year and covering Great Britain. Data from the FRS were used to answer this question because it has a considerably larger sample size than the alternative data source, the Family Expenditure Survey (FES), enabling statistically more precise results to be obtained. The FRS covers only Great Britain, so no estimates are available for Northern Ireland.
2. The income measure used is weekly net (disposable) equivalised household income. The definition of income used follows that in the HBAI series for FRS based results; figures are given both before and after housing costs in line with usual HBAI practice.
3. It should be noted that the HBAI series does not take regional price differences into account.
4. Each quartile of the income distribution contains exactly 25 per cent. of all individuals in Great Britain. Due to different household sizes, each quartile group does not necessarily contain 25 per cent. of all households.

Source:

Households Below Average Income (HBAI)

(b) Distribution of taxpayers for each income quartile of households in the United Kingdom

	Bottom quartile	Second quartile	Third quartile	Top quartile (percentages)	Total taxpayers
United Kingdom	9	21	33	37	100

Notes:

1. In this part of the answer, each quartile group contains 25 per cent. of the households. The figures show the proportion of all taxpayers in the households in each of the quartile groups.
2. The data come from the Office for National Statistics' Effects of Taxes and Benefits on Household Income series, based on the Family Expenditure Survey for the 1995–96 financial year and covering the United Kingdom.
3. Data from the FES were used to answer this part of the question as the information about taxpayers was not available on the FRS database. Accurate estimates of the distribution of taxpayers by quartile for the regions and countries of the United Kingdom could not be obtained from the FES because of its small sample size.
4. The income measure used to rank the households is equivalised disposable household income. For a complete definition, see Economic Trends, Number 520, March 1997.

Source:

Family Expenditure Survey.

Employment (Northumberland)

Mr. Ronnie Campbell: To ask the Chancellor of the Exchequer how many males aged 50 to 65 years were in full-time employment in Northumberland in each of the last three years; and what percentage this was in each year of all males in that age group in that area. [24034]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Ronnie Campbell, dated 21 January 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on men aged 50–65 working full time in Northumberland.

The figures are shown in the table below. Please note that the analysis is based on men aged 50–64. Sixty five year olds have been excluded because they are above the minimum state retirement age for men.

Please note that estimates from the Labour Force Survey, as in the case of any sample survey, are subject to sampling variability.

Men aged 50–64 living in Northumberland working full-time[1] as an employee or in self-employment

Spring to winter of each year	Working full-time (000s)	Working full-time as percentage of all aged 50–64
1994	11	46
1995	13	51
1996[2]	14	57

Notes:

[1] Full-time is based on the respondent's self assessment.

[2] Provisional.

Source:

ONS, Labour Force Survey.

Women Earners

Mrs. Ballard: To ask the Chancellor of the Exchequer what estimate he has made of the number of women of child-bearing age in the United Kingdom who earn more than *(a)* £100,000 and *(b)* £1 million annually. [23792]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mrs. Jackie Ballard, dated 21 January 1998:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics, to your recent question on number of child-bearing age women by annual earnings.

For the purposes of this response, I have taken child-bearing age as 15-44 years. The number of women in this range earning more than £100,000 per annum is too small to allow a precise estimate from statistical sources. The New Earnings Survey for April 1997 collects information on female employees and these data suggest that the number is unlikely to exceed 1500, and is likely to be much less. I cannot be more precise. Also, I cannot provide an estimate for the self-employed, nor for earnings in excess of £1 million per annum.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her, *(b)* the cost to public funds of each such visit. [23256]

Mr. Robin Cook *[holding answer 15 January 1998]:* The rules and practice on foreign travel by Ministers have not changed and are the same as those followed under the previous Administration.

I was accompanied to Hong Kong for the handover from 27 June to 1 July by my wife at a cost to public funds of £2,901.

I was accompanied to Dublin on 3 November by my partner, Ms Gaynor Regan. There was no cost to public funds.

My hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson) was accompanied by his partner, Miss Geraldine Daly, to Luxembourg from 25–26 October at a cost to public funds of £571.24.

My hon. Friend the Member for Leeds, Central (Mr. Fatchett) was accompanied by Mrs. Fatchett to Australasia and the Pacific from 12–22 September at a cost to public funds of £7,558.

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each overseas journey he has made at public expense since 1 May 1997 and indicate the date, purpose and cost of each journey. [24133]

Mr. Robin Cook: For details of my overseas visits undertaken during the period 1 May to 10 November 1997, I refer the hon. Member to the answer I gave to the hon. Member for Gordon (Mr. Bruce) on 11 November 1997, *Official Report*, column *502–04*. My visits overseas since then are listed in the following table:

Date	*Venue*	*Purpose of visit*	*Total cost (£)*
November			
19–20	Geneva	P4 Meeting on Iraq	
20–21	Luxembourg	Extraordinary European Council Meeting on Employment	35,140.15
24	Brussels	General Affairs Council	6,216.00
25–28	Budapest Prague Warsaw	Bilateral	45,694.00
December			
7–8	Brussels	General Affairs Council	2,019.93
8–10	Bonn	Peace Implementation Conference	8,613.20
11–13	Luxembourg	European Council	30,000.00
16–17	Brussels	NAC Ministerial and Related Meetings	11,895.09
January			
14	Strasbourg	European Parliament	9,478.09
15–17	Washington Ottawa	Bilateral and EU Presidency	'50,000.00
18–21	Hong Kong China	Bilateral	'100,000.00

' Estimate only.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs when he was informed that procedures for joining the Schengen Agreement under the Treaty of Amsterdam would be subject to unanimity. [24054]

Mr. Doug Henderson: We learnt of the change to the text when we received the revised Treaty text (CONF 4001/ 97) on 19 June.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the conclusions of the investigations by the presidency of the European Council on the circumstances surrounding the negotiations at Amsterdam, pertaining to voting procedures used in the admission of states to the Schengen area. [24052]

Mr. Doug Henderson: The Presidency's view was that the treaty text (CONF 4001/ 97) was an accurate reflection of discussions at the Amsterdam Summit. This text was deposited in the Libraries of the House at the time of receipt.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs when the negotiations at Amsterdam, pertaining to the voting procedures used in the admission of states to the Schengen area, have been raised *(a)* at the Council of Ministers and *(b)* bilaterally; and by whom. [24055]

Mr. Doug Henderson: This issue was raised at all levels on a number of occasions following the Amsterdam Summit, including in several bilateral exchanges with other Member States, in particular the Presidency.

BBC World Service

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received in favour of the placing of BBC World Service programmes on the Internet. [24051]

Mr. Fatchett: Some World Service output is already available on the Internet. In collaboration with BBC News, the World Service has launched an online news service in English, and is developing other online news services in Arabic, Mandarin, Russian and Spanish. In addition, World Service programmes can now be heard live in English, Spanish and German as a result of various rebroadcasting agreements.

Algeria

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Minister's recent visit to Algeria on behalf of the European Union; and what new initiatives he proposes. [24477]

Mr. Fatchett: The European Union (EU) Troika visited Algeria on 19 and 20 January in order to open up the current political dialogue between the EU and the Algerian Government; to provide a public demonstration of the European people's sympathy for the suffering of their neighbours in Algeria; to emphasise the EU's condemnation of terrorism and to improve our understanding of the situation in Algeria. The mission made progress in achieving those objectives.

Foreign Minister Attaf agreed in principle to accept my invitation to visit the UK during our Presidency to continue the dialogue. The Troika urged the Algerian Government to be open about the situation in Algeria, and in particular to allow an early visit from the UN Special Rapporteurs. It was disappointing that the Algerian Government have so far been unable to agree to the latter. We agreed with the Algerian Government to increase the number of parliamentary exchanges. The EU's offer of humanitarian assistance to the Algerian people was not taken up but remains on the table. I will also be reporting to the General Affairs Council who will consider further how the EU might help Algeria.

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Algerian government to accept initiatives of the international community to end human rights abuses in Algeria. [24442]

Mr. Fatchett: My right hon. Friend the Foreign Secretary urged Mr. Attaf, the Algerian Foreign Minister, to accept a visit by UN Special Rapporteurs when they spoke on the telephone on 16 January. During the EU Troika mission to Algiers on 20 January, I reinforced that message with Mr. Attaf and Prime Minister Ouyahia.

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice his Department is giving to the Home Office about the human rights situation in Algeria in relation to people seeking asylum from that country. [24444]

Mr. Fatchett: The Home Office is familiar with the human rights situation in Algeria and seeks FCO advice in relation to specific circumstances that affect asylum applications. That advice covers the internal security situation in particular areas and any threat to particular sectors of society.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23278]

Mr. Fatchett: This Department and its one agency aim to recycle as much material as is cost justified. Classified elements of surplus information technology equipment which cannot be redeployed within the Department are destroyed. Unclassified elements are sold either in working condition or for scrap.

Antarctica

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Governments of *(a)* South Africa, *(b)* Spain and *(c)* Panama concerning illegal fishing around Antarctica; and if he will make a statement. [24131]

Mr. Tony Lloyd: The question of illegal fishing was discussed extensively at the annual meeting in November 1997 of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), of which both South Africa and Spain are Members. Through the Chairman of the Commission, and on a bilateral level, approaches have been made to the authorities in Panama.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made on the siting of the Antarctic Secretariat. [24132]

Mr. Tony Lloyd: Antarctic Treaty Parties have made no further progress since the Antarctic Treaty Consultative Meeting in New Zealand in May last year when issues relating to the Secretariat were discussed.

Official London Residence

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs who has stayed in his official London residence since 1 May 1997. [24135]

Mr. Robin Cook: The public rooms at 1 Carlton Gardens are used for a variety of official business. I have a private flat at the top of the building in which no official guests have stayed since 2 May.

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs what improvement works are planned for his official London residence; and what is the estimated cost of each item. [24136]

Mr. Robin Cook: The exterior paintwork of 1 Carlton Gardens was refurbished over the summer at a cost of £45,000. The decision to undertake this work was made in early 1997 under the previous Government.

The FCO are obliged under the terms of the lease from the Crown Estate to maintain the building according to a set timetable and strict standards and to comply with statutory requirements in respect of its Grade I listing status.

The budget inherited from the previous Government included provision for £70,000 for internal redecoration. None of this has been spent and there are no current plans for internal redecoration.

Preliminary work is currently in hand to bring the ventilation of the gas fires in the building into line with recent statutory safety legislation. Costs are not yet available for this work. There are no other plans for improvement works.

CULTURE, MEDIA AND SPORT

Lottery Awards

Mr. Leslie: To ask the Secretary of State for Culture, Media and Sport what percentage of all the Lottery Capital Scheme awards value has been granted to *(a)* the London region and *(b)* the Yorkshire and Humber region. [23378]

Mr. Banks: To date £3.18 billion has been awarded to Lottery capital projects. Of these, awards to the London region account for 17 per cent. (£543.8 million). Capital awards to the Yorkshire and Humber region (£214.7 million) account for 6.7 per cent. of the total.

Information on successful Lottery applicants can be found on the Department's website www.lottery.culture.gov.uk.

Rugby League

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what is his assessment of the effect on amateur and junior rugby league of the recent changes to the management of the Super League. [23499]

Mr. Banks: The structure and management of rugby league is a matter for the rugby league authorities. The English Sports Council are working closely with the rugby league authorities, through a Joint Policy Board, which has overseen the establishment of a Youth Commission to develop and promote opportunities for young people to play the game at all levels.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of participation levels in rugby league at all levels of the sport. [23500]

Mr. Banks: According to the governing bodies for rugby league, there are around 1,000 professional rugby league players at 34 professional clubs, and approximately 35,000 amateur rugby league players at 400 amateur clubs in this country. The Government, through the English Sports Council, actively encourage all governing bodies of sport to have programmes in place which promote our policy of "sport for all" and increase participation levels in all sports, from grass roots through to elite competitors.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the current state of rugby league in the light of the recent changes to the senior management of the Super League; and if he will make a statement. [23498]

Mr. Banks: The structure and management of rugby league is primarily a matter for the rugby league authorities, who establish and implement rules and regulations which they consider to be in the best interests of the game as a whole. I am certain my hon. Friend will make his views known and I am always ready to listen to them.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the financial and participative future of First and Second division rugby league clubs. [23501]

Mr. Banks: I have not yet made an assessment and believe it is primarily a matter for the rugby league authorities although I would be interested in discussing the matter at an appropriate All Party Group meeting.

Digital Television

Mr. Llew Smith: To ask the Secretary of State for Culture, Media and Sport if he will list the number and location of sites in Wales that will provide digital television services; and if he will indicate how many television viewers in Wales will not be covered by digital service transmitters. [23825]

Mr. Fisher: The BBC and the Independent Television Commission's plans for the launch of digital terrestrial television services are based on 81 transmission sites in the UK. In Wales, the following sites are included in the launch plan: Wenvoe, Blaen Plwyf, Llanddona, Moel y Parc, Aberdate, Kilvey Hill, and Pontypool. It is not possible to provide a precise number of television viewers in Wales who will not be able to receive an adequate digital service from these transmitters until the transmissions begin. However, the ITC estimates that approximately 766,000 people in Wales (26 per cent. of the total population of Wales) may be unserved from the 81 site plan.

Following the completion of the launch phase of digital terrestrial television, the BBC and ITC, in consultation with my Department, will determine how best to extend digital television services to those remaining unserved, whether by additional terrestrial transmitters or by other means.

Mr. Brady: To ask the Secretary of State for Culture, Media and Sport if the Government will subsidise the provision of set-top boxes to allow *(a)* the elderly and *(b)* the disabled to continue receiving television signals after the cessation of analogue broadcasts. [23686]

Mr. Fisher: Digital terrestrial broadcasting has yet to begin and the Government have no plans to subsidise the provision of set top boxes. However, multiplex licences granted to British Digital Broadcasting plc by the Independent Television Commission contain conditions relating to the promotion of the acquisition of digital receivers and this may include direct subsidy. Analogue terrestrial transmissions will not be discontinued until the spread of digital receivers throughout the population is as universal as that of analogue terrestrial services now.

Television Broadcasting

Mrs. Ballard: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with satellite television broadcasters on the inclusion of terrestrial television channels in their services. [23941]

Mr. Fisher: Government have no authority to determine which services are carried by satellite broadcasters. It is for the broadcasters, including those currently broadcasting their signals terrestrially, to discuss carriage of their services direct with satellite operators. I understand, however, that the BBC and Channel 5 intend that their terrestrial services should be available on digital satellite once transmissions begin.

"Integrity in Football"

Mr. Caplin: To ask the Secretary of State for Culture, Media and Sport if the findings of Sir John Smith's report "Integrity in Football" will be acted upon by the Government's Football Taskforce. [24062]

Mr. Banks: The issues raised in Sir John Smith's report do not fall within the Taskforce's remit. Rather, they are matters for the Football Association to consider in the first instance. I have written to the FA's Chairman, Mr. Keith Wiseman, welcoming Sir John's report, and encouraging the FA to respond as early as possible.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Culture, Media and Sport what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23282]

Mr. Tom Clarke: DCMS and its agencies all operate a policy of reusing IT equipment where this is practicable. Equipment which cannot be reused internally is sold for reuse or recycling or passed to organisations which can dispose of unusable products such as old toner cartridges.

DCMS has an arrangement with its IT contractors to undertake the disposal of IT equipment. Its two agencies, the Historic Royal Palaces Agency and the Royal Parks Agency both have, at present, informal arrangements for disposal of their equipment through various organisations. It is expected that these will be formalised in the coming year.

Accommodation Register

Mr. McNulty: To ask the Secretary of State for Culture, Media and Sport what plans he has to introduce a statutory register of accommodation; and if he will make a statement. [24944]

Mr. Chris Smith: The new, harmonised accommodation rating schemes, which are being introduced in 1998 for full implementation by 2000 by the English Tourist Board, the Automobile Association and the Royal Automobile Club, represent a big step forward.

We intend to assess the impact of these voluntary measures before deciding whether statutory registration is also needed. We shall do so on the basis of consultation with the Tourism Forum. The strategy for tourism, which I am currently developing in consultation with the Forum, will specifically consider how to raise and maintain quality in all aspects of tourism, including accommodation.

Welsh Language Television

Mr. St. Aubyn: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the cost to his Department of providing Welsh language television in the latest year for which figures are available. [21988]

Mr. Fisher: The Welsh Fourth Channel Authority (S4C), is funded by the Department for Culture, Media and Sport. The grant is paid on a calendar year basis and, for 1998, it is £74.895 million. The level of the grant is determined by a statutory formula set out in the Broadcasting Act 1996.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Power Stations Emissions

Dr. Tony Wright: To ask the Secretary of State for the Environment, Transport and the Regions what were *(a)* the total annual emissions in kilotonnes and *(b)* the emissions per unit of electricity generated, in g/kWh, of (i) carbon dioxide, (ii) sulphur dioxide, (iii) oxides of nitrogen, (iv) hydrogen chloride, (v) dust and (vi) other substances, for the last 10 years from each of the coal or gas-fired power stations in the United Kingdom. [22860]

Angela Eagle: I have placed the tables which provide the data requested insofar as they are available in the Library of the House. The data have been obtained primarily from records held by the Environment Agency in England and Wales, the Scottish Environment Protection Agency and the Northern Ireland Department of the Environment. Where there are gaps in the data from Agency sources, they have been filled in a number of ways.

Data have also been obtained from reports published by the power generators, and from correspondence between those companies and the National Atmospheric Emissions Inventory. In some cases emissions have been estimated by combining reported or derived fuel use estimates and aggregate emission factors. Where carbon dioxide emissions were not recorded they have been estimated using the relationship with the emissions of oxides of nitrogen.

There are still many gaps in the tables. For the most part, this is because many power stations have closed down during the last ten years while others have opened only relatively recently. In other cases, such as for many of the pollutants in 1988, no data were recorded and no estimates can be made. Finally, emissions for some pollutants from stations fuelled by certain fuels are not considered significant and are not included in the tables, e.g. data are recorded for hydrogen chloride from coal fired stations only.

Particulate matter emissions have been reported in place of those requested for "dust", as the former is what is actually measured. Gas fired power stations do not emit significant quantities of particulate matter and therefore do not figure in the tables for this pollutant.

No other pollutant data are regularly collected for each power station, and therefore no tables have been provided for "other substances".

Air Traffic Control

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each month for the last 12 months the dates and times that the air traffic control centre at West Drayton failed, together with the length of the system failure, the estimated number of aircraft involved and the reason for the failure. [23197]

Ms Glenda Jackson: National Air Traffic Services Ltd., who are responsible for operations at the London Area and Terminal Control Centre (LATCC) at West Drayton, inform me that there were no system failures within the last 12 months.

There were, however, two engineering related occurrences which resulted in short term capacity reductions. Neither incident resulted in a degradation of safety levels.

On 5 August 1997 two sectors at LATCC had to be temporarily combined following reports of an electrical problem on one of the consoles. The duration of the incident was 148 minutes and no flights were delayed by more than 30 minutes. On 2 September a software problem caused a partial system failure lasting 68 minutes—24 flights were held up for over an hour, and 107 flights for between 30 and 59 minutes. Statistics for flights delayed by less than 30 minutes are not kept for performance review purposes because such delays could be attributable to a range of factors, not just air traffic control problems.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each month for the last 12 months the number of aircraft delayed in *(a)* taking off and *(b)* landing as a result of air traffic control delays at (i) Heathrow Airport and (ii) Gatwick Airport. [23198]

Ms Glenda Jackson: National Air Traffic Services Ltd., who are responsible for Air Traffic Control operations at Heathrow and Gatwick, have provided the following statistics relating to the total number of flights, and the number and percentage experiencing delays on take-off and landing at the two airports for each of the past twelve months. It should be noted that these statistics relate to flight delays on departure and arrival for whatever reason (e.g. weather, runway capacity, late passengers, as well as Air Traffic Control). A breakdown to show delays exclusively attributable to Air Traffic Control could be provided only at disproportionate cost.

Heathrow

1997	*Take-offs*			*Landings*		
	Total	*Number delayed*	*Percentage delayed*	*Total*	*Number delayed*	*Percentage delayed*
January	18,085	1,522	8.4	18,095	2,671	14.8
February	16,680	1,195	7.2	16,679	3,557	21.3
March	18,333	1,904	10.4	18,328	3,394	18.5
April	18,148	2,293	12.6	18,151	4,098	22.6
May	18,845	3,657	19.4	18,806	4,923	26.2
June	18,589	4,311	23.2	18,597	5,598	30.1
July	18,389	3,806	20.7	18,403	4,179	22.7
August	18,243	3,326	18.2	19,223	3,975	20.7
September	18,750	3,390	18.1	18,748	3,891	20.8
October	19,171	3,301	17.2	19,151	4,640	24.2
November	17,932	2,159	12.0	17,968	2,494	13.9
December	17,706	1,656	9.4	17,687	2,125	12.0
Total	218,871	32,520	14.9	219,836	45,545	20.7

Gatwick

1997	*Take-offs*			*Landings*		
	Total	*Number delayed*	*Percentage delayed*	*Total*	*Number delayed*	*Percentage delayed*
January	8,370	225	2.7	8,329	878	10.5
February	7,810	249	3.2	7,775	592	7.6
March	9,132	287	3.1	9,138	929	10.2
April	9,351	278	3.0	9,347	921	9.9
May	10,756	926	8.6	10,751	1,335	12.4
June	10,723	1,061	9.9	10,693	1,534	14.3
July	11,378	968	8.5	11,338	1,321	11.7
August	11,688	879	7.5	11,687	1,271	10.9
September	11,159	794	7.1	11,167	1,164	10.4
October	10,798	602	5.6	10,791	1,183	11.0
November	8,946	470	5.3	8,957	619	6.9
December	9,091	358	3.9	9,080	405	4.5
Total	119,202	7,097	5.9	119,053	12,152	10.2

Air Misses

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many air misses took place in the United Kingdom in each of the last 10 years; and how many fatalities resulted from air traffic control errors in the last 10 years in the United Kingdom. [23580]

Ms Glenda Jackson: The Civil Aviation Authority, who are responsible for air space management in the United Kingdom, have supplied figures for Risk-Bearing Airprox incidents which are given in the table below. There were no fatalities resulting from air traffic control errors in the last 10 years in the United Kingdom.

Year	*Risk-Bearing Airprox (P)*	*Risk-Bearing Airprox (C)*
1987	65	—
1988	81	—
1989	71	—
1990	69	—
1991	61	25
1992	49	24
1993	69	21
1994	64	20
1995	48	30
1996	59	—

1. A Risk-Bearing Airprox incident is one categorised as A (real risk of collision), B (possible risk of collision) or C (slight risk of collision).
2. 1997 figures have not yet been verified as to whether they are Risk-Bearing.
3. Airprox (P) are incidents reported by pilots, Airprox (C) are incidents reported by air traffic controllers.
4. Airprox (C) data have been collected only since 1991.

Car Driving Test Failures

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what was the percentage of failures in car driving tests in *(a)* 1996 and *(b)* 1997; and in what proportion a reason for failure was that driving was too slow. [23508]

Ms Glenda Jackson: The percentage of failures in car driving tests in 1996 was 56 per cent. Figures for 1997 are available only from the period January to June because of problems with the computer system collating test data at the Driving Standards Agency. During that period the failure rate was 53 per cent. The Agency hopes to have rectified the problems relating to the IT systems in the near future.

Statistics showing what proportion of failures was caused by driving too slow are not currently available. The Agency is developing management information systems that will allow comprehensive analyses to be undertaken of faults committed by candidates. It is hoped that this facility will be operational from early next month.

Rail Services (Penalty Fares)

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list for each of the train operating companies serving Greater London *(a)* the number of penalty fares issued and *(b)* the income generated by penalty fares since the companies began operating; [23656]

(2) if he will list for each of the train operating companies serving Greater London the number of appeals against penalty fares and the proportion of these that were successful for each year since the companies began operating. [23657]

Ms Glenda Jackson: This information is not held centrally. Information supplied by or on behalf of Train Operating Companies is set out in the table. This shows the number of penalty fares issued by the Train Operating Companies serving greater London, the number of appeals received and the proportion of these that were successful.

Company	*Penalty fares issued 1996–97*	*Appeals received*	*Total appeals successful per cent.*
LTS Rail	9,330	745	57
Great Eastern Railway	43,717	5,083	53
Connex South Central	42,789	2,317	59
Connex South Eastern	100,031	11,203	63
Silverlink Train Services[1]	10,031	1,113	61
South West Trains	49,227	4,160	47
Thameslink	20,855	1,007	81
Thames Trains	23,979	1,967	65
Chiltern Railway	4,475	344	62
West Anglia and Great Northern	50,000	2,660	20

[1] Denotes a company which no longer applies penalty fares.

Figures for income generated by penalty fares since the companies have been operating are unavailable. The primary purpose of penalty fares is not to generate income but to address the problem of ticketless travel. I understand that in 1990 the ticketless travel rate was four per cent. The implementation of penalty fares has, for most companies, driven down ticketless travel to 1.5 per cent. or less.

Roadside Trees

Mr. Hanson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review circular 52/75 regarding inspection of trees. [23297]

Ms Glenda Jackson: Circular Roads 52/75 will be withdrawn upon the issue of new and revised advice in the Trunk Road Maintenance Manual. These revisions are planned for publication later this year.

The manual is provided to the managing agents for the trunk road network in England under the direction of the Highways Agency. The requirements for the inspection of trees are set out in volume 2, part 1, chapter 11 and are broadly similar to the advice given in the Circular 52/75.

Mr. Hanson: To ask the Secretary of State for the Environment, Transport and the Regions how many people have *(a)* died and *(b)* been injured as a result of falling roadside trees in each of the last five years. [23296]

Ms Glenda Jackson: The Statistical Branch of DETR produces a number of annual publications which incorporate a wide variety of accident data, but because of the inevitable limit on the number of categorisations of accidents, no separate statistics are maintained on injury accidents resulting from falling trees. There are no

immediate plans to identify this data but this will be reconsidered when an overall review is undertaken within the next five years.

Insulin-dependent Drivers

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on those very exceptional circumstances referred to in Point 10, Annexe III, of EC Directive 91/439/EEC wherein insulin-dependent drivers might be granted licences to drive minibuses and transit vans. [23355]

Ms Glenda Jackson: The relevant provision in the Directive, relating to the driving of vehicles in group 2 (lorries over 3.5 tonnes and vehicles with more than eight passenger seats), says that

"only in very exceptional cases may driving licences be issued to or renewed for applicants or drivers in this group suffering from diabetes mellitus and requiring insulin treatment, and then only where duly justified by authorised medical opinion and subject to regular medical check-ups."

The advice of the Secretary of State's Honorary Advisory Panel on Diabetes and Driving is that there are, in their judgment, no exceptional cases which medical opinion would recognise as being lower risk than others. The Panel have recently confirmed their considered view that granting licences to drive Group 2 vehicles to those who are insulin-treated is not in the interests of road safety.

Hedgerows

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had, and with which bodies, on the protection of hedgerows in England and Wales; and if he will make a statement. [23288]

Angela Eagle: The official group set up to review the Hedgerows Regulations 1997 comprises representatives from a wide range of interests, including statutory agencies, local authorities and the main farming and conservation bodies.

The protection of hedgerows in England and Wales is raised from time to time in Ministerial discussions with these and other interested groups.

I will write to my hon. Friend with a full list of the review group's membership.

Office of Water Services

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions (1) what recent assessment he has made of the effectiveness of the water regulator; [23696]

(2) if he will take steps to strengthen the regulatory powers of OFWAT. [23698]

Mr. Meacher: My overall assessment of OFWAT is that they do a good job within the existing framework of regulation. The Government are currently undertaking a review of the regulation of the utility industries with the objective of setting a long-term stable framework for utility regulation which is seen as fair by all the interest groups involved, particularly by consumers. Among other issues, the review has been considering whether any legislative changes are required to meet this objective. Our proposals will be published in a Green Paper in due course.

MV Gaul

Mr. Alan Johnson: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 December 1997, *Official Report*, columns *151–52*, concerning the 13 reports received on the possible location of the wreck of the Gaul, what were the dates of each report; and if he will publish the reports in full. [23947]

Ms Glenda Jackson: Dates are recorded on existing files only for the following reports of the possible location of the Gaul:

Poseidon: 21 May 1974

HMS Rhyl: 22 May 1974

Lord Nelson: 31 May 1974

Rairo: 15 November 1975

Marbella: 2 March 1977

Ella Hewitt: 19 September 1997.

The other reports of location are undated, being referred to only in official correspondence and file notes. The references to reported locations are not in a form suitable for publication.

But if my hon. Friend would like to contact the Chief Inspector of Marine Accidents he will be happy to make arrangements for my hon. Friend to have access to the relevant files at his offices in Southampton.

Coach Seat Belts

Mr. David Marshall: To ask the Secretary of State for the Environment, Transport and the Regions what grants are available to enable coach operators to fit seat belts in coaches used in transporting children to and from school; and if he will make a statement. [23995]

Ms Glenda Jackson: There are no grants available to coach operators to cover the coasts of fitting seat belts in their vehicles. Operators can, of course, take these costs into account, along with other overheads, when tendering for transport contracts. The additional costs to local authorities of implementing the new requirements on safety of school transport has been taken into account when determining the Education Standard Spending Assessment (SSA) in local government finance settlements since 1995–96.

Footpath (Barrow upon Soar)

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about footpath I18 in Barrow upon Soar, Leicestershire; and if he will make a statement. [23830]

Angela Eagle: Ten representations have been received about Leicestershire County Council's temporary closure of footpath I18. I understand that the closure is necessary because a retaining wall next to the footpath is in a dangerous condition but that there is a legal dispute between the County Council, Railtrack and private residents about who is responsible for the works. I also understand that the County Council is considering taking

legal proceedings to require the works to be carried out and in the meantime is considering interim engineering proposals that may enable the footpath to be reopened pending those works.

New Motorway Construction Costs

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what is the present average cost of constructing one mile of new motorway; and what are the figures in cash terms for *(a)* 1988, *(b)* 1978 and *(c)* 1968. [24226]

Ms Glenda Jackson: The average cost of constructing one mile of new, dual three lane motorway is £17.1 million. The figures in cash terms for 1988, 1978, and 1968 are £11.8 million, £6.1 million and £1.7 million respectively.

Commission for Local Administration

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the performance of the Commission for Local Administration. [24242]

Ms Armstrong *[holding answer 20 January 1998]:* A fundamental review of the Commission for Local Administration in England concluded in 1996 that the Commission was cost-effective in its determination of complaints. A number of the review's recommendations required legislation and we shall be considering how to take these forward. In determining individual complaints, the Commissioners, appointed by Her Majesty on the recommendation of the Secretary of State, are wholly independent of central and local government.

IT Equipment

Mr. Barnes: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23243]

Angela Eagle: The Department of the Environment, Transport and the Regions follows internal procedures for the redeployment of information technology equipment within the Department and the Agencies. Surplus equipment is disposed of in accordance with Treasury Guidelines.

Millennium Compliance

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Year 2000 compliance of the CAA's computer systems. [24786]

Ms Glenda Jackson: I refer the hon. Member to the reply I gave to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) on 19 June 1997, *Official Report*, column *277*, and to the reply the Minister for Roads gave to the noble Lord Gainford on 10 December 1997, *Official Report, House of Lords*, columns *30–31*.

Aviation Movements

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what was the total number of civil aviation movements over the last five years in United Kingdom controlled airspace. [24484]

Ms Glenda Jackson: National Air Traffic Services Ltd. (NATS) have provided us with the following figures for the total number of aircraft movements handled at each of their Area Control Centres for each of the last five years:

Aircraft movements handled by NATS Units (Year to 31 March)

(000s)

Centre	*1993*	*1994*	*1995*	*1996*	*1997*
LATCC	1,288	1,331	1,411	1,494	1,560
MACC	264	273	361	374	394
ScACC	380	390	405	404	415
Oceanic	224	231	235	252	265

Note:
The figures are subject to a degree of double-counting where aircraft are passed from one centre to another.
Key:
LATCC = London Area and Terminal Control Centre.
MACC = Manchester Area Control Centre.
ScACC = Scottish Area Control Centre.
Source:
NATS Annual Report and Accounts 1997.
Civil Aviation Authority Report and Accounts 1995 and 1996.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the rate of change of the impact of aviation movements on airprox incidents over the last five years. [24482]

Ms. Glenda Jackson: The Civil Aviation Authority, who are responsible for air space management in the United Kingdom, have supplied figures expressed in terms of Commercial Air Transport Aircraft Reported in Risk-Bearing Airprox incidents per 100,000 hours flown as an illustration of the impact of aviation movements on airprox incidents. The figures, for each of the last 5 years for which figures are available, have remained relatively constant despite significant increases (over 20 per cent.) in air movements over the period and are given in the table.

Commercial Air Transport Aircraft Reported in Risk-Bearing Airprox incidents per 100,000 hours flown

Year	*Airprox (P)*	*Airprox (C)*
1991	0.7	2.9
1992	0.4	2.5
1993	0.9	2.2
1994	1.5	2.0
1995	1.0	2.8
1996[1]	0.7	2.8

[1] 1996 figures are provisional and cover the first nine months of the year.
1. Airprox (C) are incidents reported by Air Traffic Controllers, and Airprox (P) are incidents reported by pilots.
2. Risk-bearing Airprox incidents are those falling in categories A (real risk of collision), B (possible risk of collision) and C (slight risk of collision). It excludes category D (no risk of collision) incidents.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of airprox incidents in United Kingdom controlled airspace for the last five years. [24483]

Ms Glenda Jackson: The Civil Aviation Authority, who are responsible for air space management in the United Kingdom, have supplied the following figures for the total number of airprox incidents reported in the United Kingdom for each of the past five years.

1993: 217

1994: 212

1995: 208

1996: 211

1997: 209.

Note: The above figures cover pilot-reported—Airprox(P)-incidents, and controller-reported—Airprox(C)—incidents and in the case of Airprox(P) incidents not just in controlled airspace (to obtain the breakdown would involve disproportionate cost). All reported incidents are given—i.e. both Risk-Bearing and Non Risk-Bearing.

Road Safety (Variable Speed Limits)

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the value of variable speed limits in the M25 controlled motorway pilot scheme, in terms of *(a)* overall journey times and *(b)* road accidents and casualties. [24480]

Ms Glenda Jackson: The value of variable speed limits in the M25 controlled motorway pilot schemes is being monitored by the Transport Research Laboratory. The results from their first year assessment, the report for which was released in February 1997, indicate that:

(a) during the first 12 months of operation of the pilot, the scheme had accommodated traffic increases in weekdays of 1.3 per cent. during the morning peak period on the clockwise carriageway, and of 3.7 per cent. during the afternoon peak period in the anticlockwise carriageway, without measurable increase in journey times. However, the natural variability of traffic behaviour had masked any overall reduction in journey times; and

(b) police records up to August 1996 showed a 30 per cent. reduction in injury incidents and a 25 per cent. reduction in damage only accidents compared to the previous year.

The results from the second year of operation are expected to be available in about two months' time. Indications are that the pilot is continuing to provide worthwhile benefits to motorists in terms of both traffic operation and safety, while contributing to pollution reductions through smoothing traffic flow.

Vessels (Fire Services)

Mr. Godman: To ask the Secretary of State for the Environment, Transport and the Regions how many vessels sought the assistance of fire services in *(a)* territorial waters and (b) international waters in each of the past five years; of those what was the proportion of (i) bulk-carriers, (ii) coastal vessels, (iii) tankers, (iv) warships, (v) fishing vessels and (vi) pleasure craft; and if he will make a statement. [23033]

Ms Glenda Jackson: The information requested can be provided only at disproportionate cost. However, we can advise that, during the last ten years, fire fighting teams have been deployed on 61 occasions in the UK Search and Rescue Region.

Traffic Calming (Colchester)

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what sums were contributed from Government funds through *(a)* the Highway Authority, *(b)* English Heritage and *(c)* others towards the traffic calming measures undertaken in Colchester High Street; and what proportion of these represent the total cost of the measures. [24488]

Ms Glenda Jackson: We have awarded Essex County Council £1.2 million towards the Colchester local transport package in each of the last two years, with a further allocation of £600,000 in the 1998–99 local transport settlement announced in December last year. Resources allocated to packages for minor works are not targeted on specific projects. It is therefore for the County Council to determine the most appropriate use for their allocations within the package area. I understand from the County Council that in 1996–97 some £302,000 of the package allocation was spent on the High Street scheme. In addition, the County and Borough Councils provided £390,000 while English Heritage contributed £100,000. In 1997–98, £150,000 of the allocation is being spent on High Street works, with the Councils contributing £418,000. The total costs of the High Street works are estimated at £2.4 million.

LORD CHANCELLOR'S DEPARTMENT

Administration of Justice Act

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Government plan to bring into force sections 23 to 28 of the Administration of Justice Act 1982. [22991]

Mr. Hoon: There are no plans to bring these sections into force. I understand that the present system for the deposit and safe-keeping of the wills of living persons operated by the Principal Registry of the Family Division under section 126 of the Supreme Court Act 1981 is effective, efficient and increasingly widely used.

Solicitors

Ms Perham: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to review the legislation concerning solicitors' fees; and if he will make a statement. [22987]

Mr. Hoon: I have no present plans to review the legislation concerning solicitors' fees. If the hon. Lady has any particular changes in mind perhaps she would care to write to me.

Ms Perham: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will review the regulations governing the appointment by solicitors as executors for an estate of their own firm to carry out the administration. [22986]

Mr. Hoon: This is a matter for the Law Society. The Department has no plans to review this area.

Mr. Jonathan Aitken

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 22 December 1997, *Official Report*, column *397*, if he will take steps to recover from Jonathan Aitken the full costs of laying on the trial arising from the libel action he brought against *The Guardian* newspaper; and if he will make a statement. [23036]

Mr. Hoon: I have no powers to take steps to recover from Jonathan Aitken the full costs of laying on the trial. The appropriate court fee was paid as required under the Supreme Court Fees Order 1980 (as amended).

Judges

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals he has made to eliminate discrimination in the selection of judges. [23178]

Mr. Hoon: The Lord Chancellor's policy is to appoint to judicial office on merit those who appear to him to be best qualified regardless of ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or (subject to the physical requirements of the office) disability.

The Lord Chancellor recognises the value of consultations with judges and the profession but has taken steps to modernise and improve procedures. He has arranged that allegations of misconduct must be made known to the individual concerned and has made clear that sexual orientation is not a relevant consideration. He has announced his intention to invite applications for appointment to the High Court Bench, and to provide for appropriate flexibility in part-time sittings arrangements where, for example, women or men have taken career breaks for family reasons. He will increase the upper age limit for appointment as an Assistant Recorder from 50 to 53. He is looking too at longer term improvements, for example an ombudsman to examine complaints from anyone who feels unfairly treated by the appointments process. In the meantime, he will himself investigate any claim of discrimination. He will be working with the judiciary to develop more effective forms of appraisal and assessment for part-time office-holders.

Officials are to develop a scheme whereby an individual can 'work shadow' a judge to find out what it would be like to sit judicially, and a mentoring scheme in which more senior members of the judiciary will advise and guide their more junior colleagues. The Lord Chancellor regards discrimination as wholly unacceptable and supports the joint working group on equal opportunities (on which there are officials from LCD, Bar and Law Society and groups representing women and ethnic minority lawyers) and awaits their proposals with interest.

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department what data the Lord Chancellor has collated about judges who are Freemasons; what assessment he has made of the influence of Freemasonry on the appointment of new judges; and if he will make a statement. [23177]

Mr. Hoon: Information from the United Grand Lodge about the number (but not names) of Lords of Appeal in Ordinary, Judges of the Supreme Court and Circuit Judges on the North-Eastern and Midland and Oxford Circuits belonging to the Freemasons was supplied by the then Lord Chancellor to the Home Affairs Select Committee in February 1997 for its inquiry on Freemasonry in the Police and the Judiciary and published in the Committee's report. No other information on this subject has been collated. The Lord Chancellor has no grounds for believing that Freemasonry has had any influence on the appointment of new judges. Judicial appointments are made strictly on merit and are in no way affected by membership or non-membership of the Freemasons.

Coroners Service

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department what are the Lord Chancellor's functions in relation to the Coroner's Service. [23105]

Mr. Hoon: The Lord Chancellor's functions in relation to the Coroners Service are set out in sections 3, 11 and 32 of the Coroners Act 1988. Section 3(4) provides that the Lord Chancellor may, if he thinks fit, remove any coroner from office for inability or misbehaviour in the discharge of his duty. Section 11(5)(c) provides that an inquisition leading to the removal of a coroner shall be in such a form as the Lord Chancellor may by rules made by statutory instrument from time to time prescribe. Section 32(1) provides that the Lord Chancellor may, with the concurrence of the Home Secretary, make rules for regulating the practice and procedure at or in connection with inquests and post-mortem examinations. The Lord Chancellor has no function regarding the appointment of Coroners, which is a matter solely for the Home Secretary.

Lord Chancellor's Speech

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will place in the Library a copy of the Lord Chancellor's speech of November 1997 to the Minority Lawyers' Conference; and if the speech represents Government policy. [23179]

Mr. Hoon: A copy of the speech will be placed in the Library. The speech represents Government policy.

IT Equipment

Mr. Barnes: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23242]

Mr. Hoon: Information technology equipment used in Lord Chancellor's Department Headquarters and the Court Service is now owned and maintained by the private sector suppliers of IT services, procured under Private Finance Initiative contracts. It is their responsibility to recycle and dispose of their own equipment. For other organisations reporting to the Lord Chancellor, a variety of methods are used, such as the re-use of some

equipment for other purposes, public auction, disposal of very old equipment to authorised dealers and the recycling of reusable components such as printer cartridges.

TRADE AND INDUSTRY

Investment

Mr. Redwood: To ask the President of the Board of Trade if the Government will amend the Scotland Bill to clarify the powers of the *(a)* Secretary of State for Scotland, *(b)* the first Minister of the Scottish Executive and *(c)* the DTI concerning inward investment. [22651]

Mrs. Beckett *[holding answer 12 January 1998]:* The Bill as introduced already gives effect to the undertakings in the White Paper 'Scotland's Parliament' (Cm 3658 para 2.4) that financial assistance to industry and inward investment including the functions of Locate in Scotland would be devolved in Scotland. My Department's Invest in Britain Bureau will remain the national agency promoting the UK as a location for inward investment and will continue to work in partnership with Locate in Scotland under the Committee on Overseas Promotion. As also set out in the White Paper operation of these various powers will be subject to common UK guidelines and consultation arrangements to be set out in a published concordat.

Official Functions

Mr. Redwood: To ask the President of the Board of Trade what is the annual budget for the services provided for the President's Admiralty flat. [23688]

Mrs. Beckett: The Service charge payable to the Cabinet Office for Flat 1, Admiralty House for the financial year 1997–98 is £84,166.80 plus VAT of £14,729.19.

Industrial and Manufacturing Base

Mr. Cox: To ask the President of the Board of Trade what actions she is taking to strengthen the industrial and manufacturing base in the Greater London area. [24076]

Mr. Ian McCartney: My Department supports a wide range of programmes and initiatives aimed at strengthening the industrial and manufacturing base of Greater London.

Examples include the DTI Smart programme, London Manufacturing Initiative (LMI), Made in London, and the Business Link and TEC led programmes that are designed and delivered locally.

London Art Market

Mr. Gibb: To ask the President of the Board of Trade what representations she has received concerning the impact of European regulations on the London art market. [21456]

Mr. Ian McCartney *[holding answer 19 January 1998]:* The London art market has a turnover of around £2.2 million which makes it the largest art market in the European Union, and the second largest in the world. However, although the London art market continues to prosper, there are indications of an overall decline in the UK's share of world trade. This may, in some part, be attributable to changing market trends, which are difficult to isolate. However, I am concerned that the London art market should not lose its competitive edge, in particular as a result of new legislative burdens, and that this should be taken into account in current discussions on EU Single Market measures which impact upon the art market.

Newspaper Industry

Mr. Radice: To ask the President of the Board of Trade (1) what representations she has received in respect of potential abuses of a dominant position in the United Kingdom newspaper industry; and what action she proposes to take; [23981]

(2) if she will refer the newspaper industry to the Monopolies and Mergers Commission in respect of predatory pricing; [23980]

(3) what representations she has received on predatory pricing in the United Kingdom newspaper industry; and if she will make a statement. [23979]

Mr. Nigel Griffiths: The Department of Trade and Industry has received a number of representations on alleged predatory pricing and abuse of a dominant position in the newspaper industry.

Under the competition legislation, responsibility for considering allegations of anti-competitive practices, abuse of monopoly power and restrictive trade practices lies with the Director General of Fair Trading, who is passed copies of all representations.

The decision on whether to make a reference to the Monopolies and Mergers Commission is also a matter for the Director General of Fair Trading.

IT Equipment

Mr. Barnes: To ask the President of the Board of Trade what is her Department's policy regarding the recycling of information technology equipment within her Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23276]

Mr. Nigel Griffiths: In arranging for the disposal of surplus IT equipment, the Department firstly considers whether the equipment could be used elsewhere within the Department to replace older equipment or to meet new business requirements. If this is not feasible, the equipment may be part-exchanged for new equipment, sold to staff at market value or sold to specialist companies which either refurbish the equipment for resale or use the parts for spares or recycling.

INTERNATIONAL DEVELOPMENT

Indonesia

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will make a statement on assistance given by her Department to Indonesia. [24230]

Clare Short: We are providing support for sustainable forestry management with an increased emphasis on benefits to poor people living in forest areas. In addition, we are developing proposals for a programme of support

to trade unions in Indonesia and to NGOs in East Timor. Commitments entered into by the previous government, some of which run until the year 2000, are being honoured. These relate to technical co-operation projects in public administration, natural resources, the environment, energy and education and to support under the Aid and Trade Provision for projects in transport, energy and education. Expenditure in the current year, largely in respect of previous commitments, will be of the order of £30 million.

Kenya

Sir Alastair Goodlad: To ask the Secretary of State for International Development what democracy building programmes her Department has commissioned in Kenya since 1 May 1997. [24229]

Clare Short: We have funded four civic and voter education programmes run by Kenyan non-government organisations (total cost £182,000); two projects aimed at improving media coverage of the Kenya elections (total cost £28,000); and a national election observing programme by three Kenyan non-government organisations (British contribution £351,000).

Mr. Stinchcombe: To ask the Secretary of State for International Development if she will make a statement on the human rights component of the training provided to senior management in the Kenyan police. [24330]

Clare Short: This assistance aims to improve the content and quality of training for police officers in human rights issues. Preparatory training of trainers and curriculum design is underway.

Montserrat

Sir Alastair Goodlad: To ask the Secretary of State for International Development what progress has been made in implementing the aid measures outlined in the joint statement between Her Majesty's Government and the Government of Montserrat. [24236]

Clare Short: I presume that the right hon. Gentleman is referring to the statement made on 16 September. 105 houses will be completed by the end of February. This has released school buildings enabling full secondary education to resume in January. A Department for International Development mission to Montserrat last week discussed the composition of the next tranche of 50 housing units and the details of the soft mortgage scheme. An initial draft of the Sustainable Development Plan has been discussed at official level and a final draft will be circulated publicly in the next few weeks. A draft feasibility study for an airstrip is underway and we are in discussion with the Government of Montserrat on what further work is needed to produce the final report.

Non-governmental Organisations

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will list by country the projects funded by the United Kingdom aid programme administered by non-governmental organisations. [24232]

Clare Short: Information on projects funded by Department for International Development which are administered by non-governmental organisations (NGOs) is not held centrally in the format requested. A full answer to the question could therefore be provided only at disproportionate cost.

I will arrange for a list to be made available in the Library giving details by country of around 1,800 UK NGO development projects funded through the Joint Funding Scheme.

Mixed Credits

Sir Alastair Goodlad: To ask the Secretary of State for International Development when she expects the system of mixed credits to replace the aid-for-trade provision to be introduced; and if she will make a statement. [24234]

Clare Short: No separate scheme will be launched. Mixed credits could be one of a range of instruments deployed to deliver an agreed aid programme in any particular developing country. As the White Paper makes clear, to avoid the abuses of the past, any mixed credits will be managed within agreed country strategies with the primary aim of helping to reduce poverty.

North Korea

Sir Alastair Goodlad: To ask the Secretary of State for International Development what steps her Department is taking to help alleviate the famine in North Korea. [24228]

Clare Short: Details of our humanitarian assistance to North Korea were provided in my Parliamentary Under-Secretary of State's answer to the hon. Member for Altrincham and Sale, West (Mr. Brady) on 18 December 1997, *Official Report*, column 288. We are considering the latest reports on humanitarian needs in the current year and are discussing further assistance, including the latest World Food Programme appeal with the European Commission.

China

Sir Alastair Goodlad: To ask the Secretary of State for International Development if her Department has received requests for assistance following the earthquake in Zhangbein, China; and if she will make a statement. [24227]

Clare Short: Following a request for international assistance from the Government of China, we have contributed £200,000 to the International Federation of Red Cross and Red Crescent Societies (IFRC) for the procurement and distribution of relief items, such as food, shelter, medicines and quilts to 110,000 needy earthquake victims in Hebei Province. The IFRC are working with the Chinese Red Cross to manage this relief programme.

Bananas

Mr. Mitchell: To ask the Secretary of State for International Development what discussions she had with members of the European Commission on the presidency's policy on future markets for Associated African and Caribbean States of the European Community, concerning the marketing of bananas; and what estimates Her Majesty's Government have made of

the likely loss of income to small farmers arising from recent negotiations conducted by the Commission with the World Trade Organisation. [24050]

Clare Short: I have discussed this issue with Commissioner Pinheiro during his recent visit to London at the start of the UK Presidency and my right hon. Friend the Minister of Agriculture, Fisheries and Food has also had discussions with the Commission.

Although it was disappointing that some parts of the regime have been found incompatible with World Trade Organisation (WTO) rules, the ruling did not exclude all preferences for the Africa, Caribbean and Pacific (ACP) banana producers. Work undertaken by the Government shows that the impact of the WTO ruling on the ACP banana producing countries will vary according to the details of the new arrangements which are put in place to comply with the WTO ruling.

The Commission has recently put forward some proposals to modify the EU banana regime; these are now being considered by member states. It is therefore not yet possible to make an estimate of the impact of the WTO ruling. None the less it seems likely that the Caribbean banana industry will face rather increased competition. There are plans to improve the competitiveness of the banana industry in the Windward islands and to provide EU funding to assist this adjustment.

Bilateral Assistance

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will make a statement concerning the proportion of the United Kingdom aid programme to be devoted to bilateral assistance. [24231]

Clare Short: In 1996–97, bilateral aid comprised 50 per cent. of external assistance programmes (excluding administration). The proportion in future years will be determined by decisions taken in our current Resource Allocation Round.

Great Lakes Region

Sir Alastair Goodlad: To ask the Secretary of State for International Development what plans her Department has to promote democracy and good government in the Great Lakes region of Africa. [24235]

Clare Short: Efforts to build sound and accountable government which gives the poor a voice are at the heart of my Department's implementation of the White Paper in the Great Lakes. We are working bilaterally and will also use our Presidency of the EU to encourage greater cohesion in the area of governance. We will take forward the EU joint action in support of democratisation in the Democratic Republic of the Congo. The Head of the EU Electoral Unit, Professor Vasconcelos, will visit Kinshasa later this month to see how we might best help the democratisation process. The EU Special Envoy, Ajello, has produced some useful and constructive ideas on governance issues in the Great Lakes. We will pursue these during the Presidency.

IT Equipment

Mr. Barnes: To ask the Secretary of State for International Development what is her Department's policy regarding the recycling of information technology equipment within her Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23245]

Clare Short: We have recently replaced virtually all our printers and desk-top computers throughout the Department for International Development following our change to the Windows 95 operating environment, and as a result of the introduction of resource accounting. We negotiated buy-back clauses for our old equipment with the suppliers of the new equipment. The suppliers are then responsible for selling the equipment on or recycling it.

For more ad hoc exercises where buy-back is not an option, we are in contact with RECOMMIT, the recycling organisation, which specialises in recycling Information Technology equipment in the public sector.

SOCIAL SECURITY

Child Maintenance

Dr. Lynne Jones: To ask the Secretary of State for Social Security when she intends to introduce a disregard of child maintenance payments when assessing a parent with carers income support entitlement. [23147]

Mr. Keith Bradley: The receipt of regular maintenance is a key part of this Government's strategy for helping lone mothers move off Income Support into work. We are looking closely at all aspects of the child support scheme to see where improvements can be made. We aim to bring forward proposals by the summer.

Mr. Davidson: To ask the Secretary of State for Social Security (1) when the child maintenance bonus was introduced; how many awards have been made to date; what publicity has been provided to ensure that staff and clients were aware of this scheme; and if she will make a statement; [23368]

(2) what steps she has taken to ensure that information leaflets on the child maintenance bonus are available in Benefit Agency offices throughout the country and that staff are briefed thereon. [23369]

Mr. Keith Bradley: The receipt of regular maintenance is a central part of the Government's strategy for helping lone parents move off income support into work. The Child Maintenance Bonus provides extra cash help towards the costs associated with starting work.

The Child Maintenance Bonus was introduced on 7 April 1997. At the end of December 1997, some 3,000 awards of the bonus has been made.

Everyone who joins the scheme receives a letter of welcome which explains how they can make a claim. Every six months the person with care of the child also receives a statement giving her an estimate of the amount the bonus would be if she returned to work at that time. Publicity for potential clients is provided through a general work incentives leaflet, the work incentives helpline and through leaflets and posters in Benefits Agency offices. All Benefits Agency offices received a supply of Child Maintenance Bonus leaflets before the scheme commenced in April 1997. Each office is responsible for ensuring that it maintains stocks of the leaflet.

The bonus has been publicised to Benefit Agency Staff using a variety of methods, including bulletins, articles in internal publications and the inclusion of the bonus in various Benefits Agency general information guides. In addition, there have been seminars to raise staff awareness. A Question and Answer briefing will also be issued shortly to remind staff of the scheme.

Family Resources Survey

Mr. Webb: To ask the Secretary of State for Social Security what estimate of the number of higher rate tax paying *(a)* mothers and *(b)* fathers is provided by her Department's Family Resources Survey. [23108]

Mr. Keith Bradley: The Family Resources Survey (FRS) does not provide direct information on the number of mothers and fathers who are higher rate taxpayers. An estimate for 1997–98 from the 1995–96 FRS-based Policy Simulation Model suggests there are around 120,000 mothers and 850,000 fathers who are higher rate taxpayers. The estimates should be treated with some caution as they are based on survey data which use current weekly income which may not accurately represent current annual tax liabilities. Estimates may also be influenced by sampling error and response rates.

Working Mothers

Mr. Cousins: To ask the Secretary of State for Social Security what estimate she has made of the employment participation rate of *(a)* lone mothers and *(b)* mothers in two-parent families in each European Union country; and if she will estimate what percentage of working lone mothers and working two-parent household mothers are working part-time. [23666]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is in the table.

Lone Mother Labour Participation

Country	*Lone mothers*		*Married cohabiting mothers*	
	Employment Participation rates	*Percentage of employed lone mothers working part-time*	*Employment participation rates*	*Percentage of employed married/cohabiting mothers working part-time*
Belgium (1992)	68	16	61	22
Denmark	69	10	84	20
Germany (1992)	67	—	57	—
Greece	—	—	—	—
Spain (1991) Activity rates	68	—	38	—
France (1992)	82	15	68	20
Ireland (1993)	23	—	32	—
Italy (1993)	69	11	41	12
Luxembourg (1992)	73	13	45	13
Netherlands (1994)	40	24	52	39
Austria (1993)	58	15	46	18
Portugal (1991)	50	7	55	7
Finland (1993)	65	4	70	8
Sweden (1994)	70	29	80	38
United Kingdom (1990–92)	41	24	62	41

Notes:

1. For these figures part-time is up to 30 hours.
2. Figures used for Germany are updated figures and have not been published, therefore any interpretation of these figures should be treated with caution. The updated figures for the percentage of employed lone mothers and married/cohabiting mothers working part-time are not available.
3. The information for Greece is not available in the form requested. For 51 per cent. of women in the likely age group were economically active and 5 per cent. of working women worked part-time.
4. The figure for employment participation rates in Austria excludes 20 per cent. of lone mothers and 13 per cent. of married/cohabiting mothers who are on parental leave.
5. There are no data available on the percentage of working lone mothers and married/cohabiting mothers working part-time in Spain and Ireland.

Source:

The employment of loan parents : a comparison of policy in 20 countries' by J. Bradshaw, S. Kennedy, M. Kilkey, S. Hutton, A. Corden, T. Eardley, H. Holmes and J. Neale.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Social Security what is her Department's policy regarding the recycling of information technology equipment within her Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23246]

Mr. Keith Bradley: The policy regarding recycling of information technology equipment is that in all items of equipment which become surplus in one area are redeployed elsewhere in the Department, subject to being fully operational and Year 2000 compliant.

Invalid Care Allowance

Mr. Laurence Robertson: To ask the Secretary of State for Social Security if she intends to introduce a

fast-track scheme for carers of terminally ill people to claim invalid care allowance; and if she will make a statement. [24138]

Mr. Denham: There is already a prompt turn-around time, averaging some 19 working days, on all claims for Invalid Care Allowance (ICA). If, whilst waiting for ICA, carers are in financial hardship, they may be entitled to income-related benefits.

Low Pay

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate the numbers and distribution of workers earning less than the lower earnings limit for national insurance contributions *(a)* by gender and *(b)* by region and nation. [24354]

Mrs. Liddell: I have been asked to reply.

The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Jim Cousins, dated 21 January 1998:

I have been asked to reply, as the Director of the Office for National Statistics, to your recent question on workers earning less than the lower earnings limit for National Insurance contributions.

Estimates from the Labour Force Survey are shown in the attached table. The average of the last four quarters have been used in order to provide a larger sample and therefore more reliable estimates than could be obtained from only one quarter. Earnings estimates for Northern Ireland are not available from the Labour Force Survey.

Employees earning less than the lower limit for National Insurance contributions[1], average of four quarters, autumn 1996 to summer 1997

	Thousands			*As a percentage of all employees*		
	All	*Men*	*Women*	*All*	*Men*	*Women*
Great Britain	2,494	562	1,932	11	5	18
England	2,156	489	1,667	11	5	18
North East	119	[2]—	97	13	[2]—	22
North West and Merseyside	297	64	233	11	5	18
North West	246	57	189	12	6	18
Merseyside	51	[2]—	44	9	[2]—	15
Yorkshire and Humberside	234	54	181	12	6	20
East Midlands	205	38	167	12	4	20
West Midlands	232	50	183	11	5	18
Eastern	261	51	209	12	4	20
London	194	63	131	8	5	11
South East	363	86	278	11	5	18
South West	250	61	189	13	6	21
Wales	147	31	116	15	6	24
Scotland	191	42	149	9	4	15

Notes:
[1] £61 per week for the 1996–97 tax year and £62 for 1997–98.
[2] Sample size too small to provide a reliable estimate.
Source:
ONS, Labour Force Survey.

PRIME MINISTER

Ministerial Visit

19. **Mr. Baldry:** To ask the Prime Minister when he next expects to visit Banbury. [22010]

The Prime Minister: I have no immediate plans to do so.

Departmental Staff

Mr. Hawkins: To ask the Prime Minister how many *(a)* special advisers, *(b)* task force members and *(c)* review body members his Department employs; what is the total salary and benefits of *(a)* to *(c)*; and what was the equivalent cost prior to 1 May. [19310]

The Prime Minister: My office employs 17 full-time and two part-time Special Advisers. It does not employ any Task Force or Review body members on a salaried basis, the same position as before 1 May.

A direct comparison of costs is not sensible, as the roles that my Special Advisers undertake are different from those of the previous Administration. For example I do not employ an Efficiency Adviser in No. 10, nor is there a Head of the Policy Unit, and some Special Advisers in the Policy Unit deal with areas which in the past have been covered by civil servants. Similarly the figures include a Special Adviser in the Strategic Communications Unit which has been funded by savings across Government Departments.

The projected cost of the No. 10 Special Adviser paybill for 1997–98 is £849,894. The figure includes Special Advisers in the Strategic Communications Unit who like all members of the Unit are funded by contributions from all Departments. The cost of the 7–8 Special Advisers in 1996–97 was £434,249.

Cabinet Committees

Mr. Healey: To ask the Prime Minister what new Ministerial Committees of the Cabinet have been established since 9 June 1997. [24434]

The Prime Minister: I have set out below the names and membership of the Cabinet Committees established since 9 June. In addition to the members listed, other Ministers are invited to attend meetings as necessary.

MINISTERIAL SUB COMMITTEE ON ENERGY POLICY [EA(N)]

Composition:

Chancellor of the Exchequer (Chairman)

Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions

President of the Board of Trade and Secretary of State for Trade and Industry

Paymaster General

Minister of State, Foreign and Commonwealth

Minister of State, Department of Trade and Industry

Minister of State, Scottish Office

Minister of State, Northern Ireland Office

Minister without Portfolio

Parliamentary Under-Secretary of State, Welsh Office

Terms of Reference: "To consider the principles and objectives which should underlie the United Kingdom's energy strategy; and make recommendations for an energy strategy to the Ministerial Committee on Economic Affairs."

MINISTERIAL SUB-COMMITTEE ON HOUSE OF LORDS REFORM [CRP(HL)]

Composition:

Lord Chancellor (Chairman)

Secretary of State for the Home Department

President of the Council and Leader of the House of Commons

Lord Privy Seal

Parliamentary Secretary to the Treasury

Captain of the Gentlemen at Arms

Minister without Portfolio

Terms of Reference: "To consider policy and other issues arising from the Government's plans for reform of the House of Lords and to make recommendations to the Ministerial Committee on Constitutional Reform policy."

MINISTERIAL SUB-COMMITTEE ON FREEDOM OF INFORMATION [CRP (FOI)]

Composition:

Lord Chancellor (Chair)

Chancellor of the Exchequer

Secretary of State for Foreign and Commonwealth Affairs

Secretary of State for the Home Department

Secretary of State for Education and Employment

President of the Board of Trade and Secretary of State for Trade and Industry

Minister of Agriculture, Fisheries and Food

Secretary of State for Scotland

Secretary of State for Defence

Secretary of State for Health

President of the Council and Leader of the House of Commons

Secretary of State for Culture, Media and Sport

Secretary of State for Social Security

Secretary of State for Northern Ireland

Secretary of State for Wales

Secretary of State for International Development

Lord Privy Seal

Chancellor of the Duchy of Lancaster

Minister of Transport

Attorney-General

Lord Advocate

Parliamentary Secretary, Treasury

Minister without Portfolio

Terms of Reference: "To consider policy and other issues arising from the Government's decision to legislate on freedom of information; to promote and oversee progress of the relevant legislation through Parliament and its subsequent implementation; and to report as necessary to the Ministerial Committee on Constitutional Reform Policy."

MINISTERIAL GROUP ON YOUTH JUSTICE [MISC2]

Composition:

Secretary of State for the Home Department (Chair)

Chief Secretary, Treasury

Solicitor-General

Minister of State, Home Office

Parliamentary Under-Secretary of State, Department of the Environment, Transport and the Regions

Parliamentary Under-Secretary of State, Department for Education and Employment

Parliamentary Under-Secretary of State, Department of Health

Parliamentary Secretary, Lord Chancellor's Department

Parliamentary Under-Secretary of State, Scottish Office

Parliamentary Under-Secretary of State, Welsh Office

The Secretary of State for Northern Ireland and the Minister without Portfolio also receive papers and may attend or be represented as necessary.

Terms of Reference: "To oversee the Government's programme for reform of youth justice, including the preparation of proposals for agreement by the Ministerial Cabinet Committees on Home and Social Affairs."

MINISTERIAL GROUP ON UTILITY REGULATION [MISC 3]

Composition:

President of the Board of Trade and Secretary of State for Trade and Industry (Chair)

Minister of Transport

Minister of State, Department of the Environment, Transport and the Regions

Paymaster General

Minister of State, Department of Trade and Industry

Minister of State, Scottish Office

Minister of State, Northern Ireland Office

Parliamentary Secretary, Office of Public Service

Terms of Reference: "To oversee an inter-departmental review of regulation of the utility industries, to consider issues arising from the review and to report to the Ministerial Committee on Economic Affairs."

MINISTERIAL GROUP ON THE MILLENNIUM DATE CHANGE [MISC 4]

Composition:

President of the Board of Trade and Secretary of State for Trade and Industry (Chair)

Chancellor of the Duchy of Lancaster

Paymaster General

Minister of State, Scottish Office

Minister of State, Ministry of Defence

Minister of State, Department of Health

Minister of State, Northern Ireland Office

Parliamentary Under-Secretary of State, Department of the Environment, Transport and the Regions

Parliamentary Under-Secretary of State, Home Office

Parliamentary Under-Secretary of State, Department for Education and Employment

Parliamentary Under-Secretary of State, Department of Trade and Industry

Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

Parliamentary Under-Secretary of State, Welsh Office

Terms of Reference: "To drive action across the public and the private sectors to ensure that the national infrastructure is not damaged by the failure of electronic systems related to the year 2000 date change."

The Chairman of Action 2000 is invited to attend.

JOINT CONSULTATIVE COMMITTEE WITH THE LIBERAL DEMOCRATIC PARTY (JCC)

Composition:

The Committee is chaired by the Prime Minister. Other Ministers and Liberal Democratic Spokesmen are invited to attend as necessary.

Terms of Reference: "To consider policy issues of joint interest to the Government and Liberal Democratic Party."

HOUSE OF COMMONS

Disabled Members

Dr. Lynne Jones: To ask the President of the Council what additional allowances are paid to Members with disabilities. [23352]

Mrs. Ann Taylor: None, although certain Members with disabilities are entitled to a higher limit of the Office Costs Allowance.

SCOTLAND

Further Education Colleges

Mr. Gorrie: To ask the Secretary of State for Scotland if he will ensure that the funding of further education colleges does not decrease in 1999–2000 because of changes in accounting for fees relating to the summer term 1999. [21876]

Mr. Wilson: Public expenditure decisions for 1999–2000, including those relating to further education, will not be taken until the Comprehensive Spending Review is completed later in the year.

Water Contamination

Mr. Welsh: To ask the Secretary of State for Scotland what emergency procedures are in place in respect of *(a)* the East of Scotland and *(b)* the West of Scotland water authorities to deal with contamination to local water supplies. [22482]

Mr. MacDonald: Both water authorities have detailed emergency procedures to deal with contamination of local water supplies. In terms of East of Scotland Water Authority, these are called the Consolidated Waterborne Hazard Plan and in the West of Scotland Water Authority, these are called the Emergency Procedures Manual.

Scottish Parliament

Mr. Dalyell: To ask the Secretary of State for Scotland if the Scottish Parliament will have the power to refuse to implement any United Kingdom tax proposals. [23306]

Mr. McLeish *[holding answer 16 January 1998]:* It would not be for the Scottish Parliament to implement UK tax proposals. Under the proposals in the Scotland Bill, the Scottish Parliament will have full legislative competence over local taxation to fund local authority expenditure. In addition, the Scottish Parliament would be able to exercise the tax-varying power provided by Part IV of the Bill. Otherwise decisions on taxation will be for the United Kingdom Parliament and Government.

Mr. Dalyell: To ask the Secretary of State for Scotland what is his current estimate of the costs of temporary accommodation and facilities for a Scottish Parliament in each year before a new building on the Holyrood site is completed. [23850]

Mr. McLeish *[holding answer 19 January 1998]:* A number of venues are being considered but it is too early to say at this stage what the estimated costs will be. My right hon. Friend intends to make an announcement on temporary accommodation by Easter.

Mr. Gorrie: To ask the Secretary of State for Scotland how many hon. Members were briefed about the details of the proposals for siting the Scottish Parliament at Holyrood before the decision was made on the site. [23538]

Mr. McLeish *[holding answer 19 January 1998]:* My right hon. Friend had discussions with all the main Opposition Parties in Scotland before reaching his final decision.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Scotland what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23235]

Mr. Dewar: My Department redeploys information technology equipment whenever it is cost-effective to do so. Where it is not cost-effective to redeploy equipment, it is traded in through an equipment broker against new purchases as part of our standard competitive tendering approach to IT procurement. The equipment which is traded in is generally refurbished for resale or is added to spares stock. My Department takes account of the environmental management policies of equipment brokers in deciding where to place this business.

Lockerbie

Mr. Dalyell: To ask the Secretary of State for Scotland on what basis the Lord Advocate on 15 January claimed that the Professor of Scots Law in the University of Edinburgh, and a Queen's Counsel, had accepted money from Libyan connected sources concerning the Lockerbie case. [24486]

Mr. McLeish: My noble and learned Friend, the Lord Advocate made no such claim.

AGRICULTURE, FISHERIES AND FOOD

Abattoirs

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the factors underlying the transfer of payment of SRM costs from Government to abattoirs. [20260]

Mr. Rooker: The Government have concluded that the cost of Specified Risk Material (SRM) enforcement by the Meat Hygiene Service should no longer be borne by the taxpayer. It is in the industry's best interests that controls should be in place, that the costs should be shared fairly, and the industry should contribute towards the cost of enforcement as it already does with hygiene controls. We will be consulting shortly on the legislative proposals to introduce this change from 1 April 1998.

Vitamin Supplements

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from *(a)* consumers, *(b)* retailers, *(c)* manufacturers, *(d)* experts on nutrition and *(e)* right hon. and hon. Members about his proposals to restrict the retail sale of vitamin B6 supplements; how many and what percentage of those representations have opposed his proposals; what response he has made to those representations; and if he will make a statement. [23514]

Mr. Rooker: Since the beginning of July 1997, the Government have received approximately 11,500 items of correspondence, many in standard form, concerning its proposed controls on food supplements containing vitamin B6. Of those, approximately 1,300 have been received from right hon. and hon. Members. No separate record has been kept of the number of representations received from consumers, retailers, manufacturers and experts on nutrition. Nor has any record been kept of the number of representations received which oppose the proposed controls. However, almost all of the letters received have opposed, questioned the basis of, or expressed reservations about the proposed controls.

The Government's response to these representations will have varied according to the nature of the representation received, but in most cases it will have included an explanation of the background to the issue and a statement of the Government's policy on it.

The Minister for Public Health and I have met with representatives of certain organisations representing consumers, manufacturers and retailers of dietary supplements and complementary medicine interests to discuss the proposed controls. I have also met with a number of right hon. and hon. Members to listen to their concerns about this subject.

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the main findings of the compliance cost assessment recently undertaken in connection with the proposed statutory instrument relating to new restrictions on the retail sale of vitamin B6 supplements; and what estimate was made of the cost to the National Health Service of consumers being required to obtain higher dose vitamin B6 supplements from a medical practitioner. [23513]

Mr. Rooker: The compliance cost assessment relating to the Government's proposals on food supplements containing vitamin B6 is still being prepared. The assessment will form part of the regulatory appraisal which, together with the draft regulations, will be circulated for consultation.

It is impossible to estimate the number of people who regularly take any dose of vitamin B6. Therefore, it is not possible to assess the resource implication for the NHS if the number of people seeking higher doses of vitamin B6 were to consult their general medical practitioner.

Dr. Cable: To ask the Minister of Agriculture, Fisheries and Food what is the period for consulting with interested parties on the forthcoming draft statutory instrument on the retail sale of vitamin B6; and if he will make a statement specifying the criteria by which he will assess the responses to that consultation exercise. [23516]

Mr. Rooker: We hope to issue the draft regulation and the regulatory appraisal for consultation in February. No final decision has yet been taken on the duration of the consultation period. We will consider responses on their merits.

Over-quota Fish

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what is the correct procedure for disposing of over-quota dead or dying fish that are caught as a mixture of species. [23744]

Mr. Morley *[holding answer 19 January 1998]:* Under the conditions set out in UK fishing vessel licences, over-quota fish must not be retained on board, transhipped or landed. Such fish should be returned to the sea. Where the discarding of fish is prohibited in the waters of third countries, any over-quota fish should be discarded immediately on return to Community waters.

Food Standards Agency

Mr. Hesford: To ask the Minister of Agriculture, Fisheries and Food what effect the establishment of the Food Standards Agency will have on the current role of local authorities in analysing food for food safety purposes. [24153]

Mr. Rooker: Under the proposals in the White Paper, "The Food Standards Agency: A Force for Change", local authorities will retain responsibility for enforcing general food law under the Food Safety Act 1990, and will therefore continue to need access to a high quality analytical service. A review of the structure of the Public Analyst Service in England and Wales, and the provision of scientific services to local authorities in Scotland, will be initiated early this year.

Mr. Hesford: To ask the Minister of Agriculture, Fisheries and Food what will be the role of local authorities within the remit of the Food Standards Agency. [24154]

Mr. Rooker: The White Paper "The Food Standards Agency: A Force for Change" proposes that local authorities retain their current responsibility for the enforcement of general food law under the Food Safety Act 1990. The Government are discussing with local authorities measures to improve consistency and, where necessary, remedy any deficiencies in enforcement

activity by individual authorities. Local authorities will also retain their current responsibilities for investigating food hazards and outbreaks of food-borne illness in conjunction with the relevant bodies, supported where appropriate by the Agency.

IT Equipment

Mr. Barnes: To ask the Minister of Agriculture, Fisheries and Food what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23237]

Mr. Morley: Wherever possible, information technology equipment is redeployed within the Department and our Agencies, with equipment being upgraded or used (through recycled parts) to upgrade others as the need arises. These activities can take place through ad hoc programmes or during specific information technology upgrade projects. When redundant information technology equipment can be put to no other use, it is disposed of through a Third Party supplier, conforming with environmental protection requirements. Information technology recycling programmes are carried out separately from those of other Government departments or agencies.

Rendering and Slaughtering Industries

Mr. Alasdair Morgan: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for Roxburgh and Berwickshire on 11 December 1997, *Official Report*, columns *680–81*, *(a)* what surplus there was after all payments were made from the rendering industry support scheme 1996 and *(b)* what surplus he expects there to be after all payments are made from the 1997 rendering industry support scheme. [24382]

Mr. Rooker: Of the £118 million originally made available under the Rendering Industry Support Scheme 1996, around £97 million of support has been paid.

The purpose of the scheme was broadly to replace loss of income for the rendering industry in 1996–97 compared with 1995–96 and thereby to ensure that the animal waste chain continued to operate following the loss of the markets for the rendering industry's products in March 1996. This was achieved.

Support under the Rendering Industry Support Scheme 1997 is based on output of mammalian meat and bone meal and tallow. Of the £59 million made available for this scheme, it is not expected that there will be a significant underspend.

EDUCATION AND EMPLOYMENT

Work Force

Mr. Colman: To ask the Secretary of State for Education and Employment what steps he is taking to ensure that the United Kingdom has a highly skilled workforce. [24487]

Dr. Howells: Our programme of work for this Parliament is aimed at ensuring that all young people enter employment with the highest possible skills and qualifications and at encouraging people to continue throughout their lives to develop new skills to improve their employability. The School Standards and Framework Bill and the Teaching and Higher Education Bill and our soon to be published White Paper on Lifelong Learning set out some of the key ways in which we plan to raise standards and obtain a highly skilled workforce.

We are also developing the National Skills Agenda and the Skills Task Force and a Skills Unit to identify where skills gaps exist and how they should be addressed.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Education and Employment what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government Departments or agencies; and what arrangements have been made in this respect. [23240]

Dr. Howells: The Department's policy is to re-use information technology equipment. We so rarely have surplus equipment of any value to other Departments or agencies that no special arrangements are justified.

We have recently made new arrangements to give surplus desktop equipment to a non-profit organisation to recycle it for use by local education, training and employment bodies or projects. The first items of equipment recycled in this manner will be issued in the near future. Other surplus equipment is sold by public auction.

School Standards

Mr. Don Foster: To ask the Secretary of State for Education and Employment (1) what numerical rating on Ofsted's scale 1 to 7 its inspectors are required to put in their official Judgment Recording Form subject reports, for each subject of the National Curriculum, when they judge the pupils' comparative standards of achievement to be *(a)* in line with national expectations at any National Curriculum Key Stage and *(b)* in line with any national average; [24139]

(2) what are the statistical correlations between Ofsted inspectors' ratings of Year 6 cohorts' comparative standards of achievement *(a)* on scale 1 to 7 in their official Judgment Recording Form subject reports and *(b)* on scale 1 to 5 in their PICSI reports in respect of the same cohorts' comparative standards of Key Stage 2 national SAT test achievement in the same year of inspection in (i) English, (ii) maths and (iii) science for all maintained primary schools first inspected in each school year since 1994–95; [24142]

(3) what proportion of those maintained primary schools first inspected by Ofsted in each school year since 1994–95 and cited as national models of excellence in Her Majesty's Chief Inspector's annual report have a rating on an appropriate statistical scale 1 to 7 in relation to the national averages for their pupils' comparative standards of achievement in attaining the nationally expected level or better in at least one or more of their Key Stage 2 SAT tests in *(a)* English, *(b)* maths and *(c)* science for the year of inspection that is different from the inspectors' ratings on

Ofsted's scale 1 to 7 in the official Judgment Recording Form subject reports of those same cohorts' comparative standards of achievement in those subjects; [24265]

(4) what proportion of those maintained primary schools first inspected by Ofsted in each school year since 1994–95 in each year have a rating on an appropriate statistical scale 1 to 7 in relation to the national averages for their pupils' comparative standards of achievement in attaining the nationally expected level or better in at least one or more of their Key Stage 2 SAT tests in *(a)* English, *(b)* maths and *(c)* science for the year of inspection that is different from the inspectors' ratings on Ofsted's scale 1 to 7 in their official Judgment Recording Form subject reports of those same cohorts' comparative standards of achievement in those subjects; [24267]

(5) what proportion of those maintained primary schools first inspected and also found failing by Ofsted in each school year since 1994–95 in each year have a rating on an appropriate statistical scale 1 to 7 in relation to the national averages for their pupils' comparative standards of achievement in attaining the nationally expected level or better in at least one or more of their Key Stage 2 SAT tests in *(a)* English, *(b)* maths and *(c)* science for the year of inspection that is different from the inspectors' ratings on Ofsted's scale 1 to 7 in their official Judgment Recording Form subject reports of those cohorts' comparative standards of achievement in those subjects; [24268]

(6) what are the statistical correlations of all maintained primary schools first inspected and found failing in each school year since 1994–95 between Ofsted inspectors' ratings of their Year 6 cohorts' comparative standards of achievement on Ofsted's scale 1 to 7 in their official Judgment Recording Form subject reports and Ofsted's ratings on its scale 1 to 5 as used in its PICSI reports of those cohorts' comparative standards of Key Stage 2 national SAT test achievement in the same year of inspection in *(a)* English, *(b)* maths and *(c)* science; [24269]

(7) what are the statistical correlations for all maintained primary schools first inspected in each school year since 1994–95 and cited as a national model of excellence in Her Majesty's Chief Inspector's annual report for that same year, between Ofsted inspectors' ratings of their Year 6 cohorts' comparative standards of achievement on Ofsted's scale 1 to 7 in their official Judgment Recording Form subject reports and Ofsted's ratings scale 1 to 5 as used in PICSI reports of those same cohorts' comparative standards of Key Stage 2 national SAT test achievement in the same year of inspection in *(a)* English, *(b)* maths and *(c)* science; [24270]

(8) for all Ofsted primary inspections in each separate school year of inspection since 1993–94 to date, what were the officially prescribed calibrated meanings of each of Ofsted's ratings 1 to 7 for the assessment of primary pupils' comparative standards of Key Stage 1 and 2 achievement in each subject of the National Curriculum of the relevant cohorts at the time of inspection, in terms of their proportions attaining the nationally expected levels or better for use in inspectors' official judgment recording form subject reports, all school inspections adhered to those meanings, and, if not, what proportion did not in each year. [24387]

Mr. Byers: These are matters for HM Chief Inspector of Schools. I have asked him to write to the hon. Member and place a copy of his letter in the Library.

Mr. Don Foster: To ask the Secretary of State for Education and Employment in what number and proportion of maintained primary schools with Year 2 pupils 100 per cent. of pupils attained National Curriculum level 2 or better *(a)* in individual and *(b)* in all Key Stage 1 SAT tests in (i) 1995, (ii) 1996 and (iii) 1997. [24141]

Ms Estelle Morris: The number and percentage of maintained primary schools with 100 per cent. of Key Stage 1 pupils achieving National Curriculum level 2 or better *(a)* in individual and *(b)* in all Key Stage 1 assessments tests in (i) 1995, (ii) 1996 and (iii) 1997 are shown in the following table:

	1995	*1996*	*1997*
Reading			
Number	1,556	1,353	1,454
Percentage	10	9	9
Writing			
Number	1,809	1,587	1,513
Percentage	12	10	10
Spelling			
Number	701	—	394
Percentage	5	—	3
Handwriting			
Number	2,857	—	—
Percentage	19	—	—
Mathematics			
Number	1,688	2,125	2,301
Percentage	11	14	15
In all subjects			
Number	404	792	329
Percentage	3	5	2

Mr. Don Foster: To ask the Secretary of State for Education and Employment in what number and proportion of all maintained primary schools with Year 6 pupils 100 per cent. of pupils attained National Curriculum level 4 or better in *(a)* English, *(b)* maths, *(c)* science Key Stage 2 SAT tests and *(d)* all of *(a)* to *(c)* in (i) 1995, (ii) 1996 and (iii) 1997. [24140]

Ms Estelle Morris: The number and percentage of maintained primary schools with 100 per cent. of Key Stage 2 pupils achieving National Curriculum level 4 or better *(a)* English, *(b)* maths, *(c)* science and *(d)* in all Key Stage 2 assessment tests in (i) 1995 (ii) 1996 and (iii) 1997 are shown in the following table:

	1995	*1996*	*1997*
English			
Number	223	297	439
Percentage	2	2	3
Mathematics			
Number	244	320	497
Percentage	2	2	3
Science			
Number	1,112	583	872
Percentage	8	4	6
In all subjects			
Number	102	122	224
Percentage	1	1	2

Mr. Don Foster: To ask the Secretary of State for Education and Employment what were the results in *(a)* English, *(b)* maths and *(c)* science Key Stage 2 Sat tests trialed by the School Curriculum and Assessment Authority at The Strand Junior School in Grimsby in (i) 1993–94 and (ii) 1994–95 in terms of the percentages of Year six pupils attaining National Curriculum levels 1 to 6. [24266]

Ms Estelle Morris: Information on Key Stage 2 performance for 1993–94 and 1994–95 for named schools is not available.

HOME DEPARTMENT

Domestic Violence

Dr. Cable: To ask the Secretary of State for the Home Department what initiatives the Government propose to address domestic violence; and what central government funding will be available for local and voluntary projects in this field in 1998–99. [23511]

Mr. Michael: The Government are committed to tackling domestic violence and are currently developing a strategy to combat it both through prevention and through support to those who have already been victimised. This will include improving public awareness of the issue and of the help that is available to victims.

Central Government provide core funding to the Women's Aid Federation in England, Wales, Scotland and Northern Ireland, and capital and revenue funding for women's refuge spaces. Through the Special Grants Programme, funding has also been made available to Women's Aid Federation (England) to develop training opportunities, resources and facilities for local refuges.

Other central Government provision for local projects includes funding through the Urban Programme for projects in Scotland to help women and children suffering from domestic violence and other forms of abuse: funding from the Welsh Office for local projects in Wales: and funding for local projects in England through the Single Regeneration Budget Challenge Fund.

Prison Education Budget

Mr. Cox: To ask the Secretary of State for the Home Department if he will make a statement on the current prison education budget for prisons in England and Wales; and what was the outturn figure for 1995–96. [23289]

Ms Quin: The outturn figure for spend on prison education in 1995–96 was £36,956,000. That is very close to the outturn figure for 1996–97, which was £34,481,000. The Prison Service estimates that in 1997–98, it will have spent just over £36 million.

Each governor has responsibility for deciding how his or her establishment's budget should be allocated for all purposes, including education. But my right hon. Friend is aware of concerns at planned levels of education spending in some Prison Service establishments. The Government see education in prisons and Young Offender Institutions as an important part of the criminal justice strategy, and all policy priorities and spending plans are subject to the outcome of the Comprehensive Spending Review.

Meanwhile:

- governors are being encouraged to make education provision more purposeful—targeting it specifically at achieving the overall aim of reducing re-offending;
- education is increasingly being provided as an integral part of a managed sentence with specific aims;
- there is a significant rise in the number of prisoners undertaking nationally accredited courses with clear start and finish points with the result that fewer prisoners are engaged in full-time education;
- alternative ways of delivering basic education are under development, such as training industrial instructional officers to teach basic skills in the workplace.

Obscene Material

Mr. Maude: To ask the Secretary of State for the Home Department what plans he has to ensure that on-line service and access providers, including telecommunications companies, take legal and administrative responsibility for ensuring that material which is transmitted or delivered by them does not include obscene material. [23578]

Mr. Michael: Generally, the position in law is that what is illegal off-line is illegal on-line. The Obscene Publications Act 1959 therefore applies to material published via the Internet as does specific legislation relating to child pornography (the Protection of Children Act 1978, as amended). Everyone, including service and access providers and telecommunications companies, bears responsibility for their own conscious acts and omissions and are responsible for the material published to the extent that they are aware of it.

It follows that there is a strong incentive for service providers to act to uphold the law. The Internet Watch Foundation—a self-regulatory body funded by the United Kingdom Internet industry—was established in September 1996. It provides a "hotline" to which anyone can report material on the Internet which they consider may be potentially illegal. If the material is likely to be illegal under United Kingdom law, and it originates outside the United Kingdom, a report is passed through the National Criminal Intelligence Service to the enforcement authority in the country of origin. If it originates in the United Kingdom, a report is passed to the relevant service provider as well as the relevant United Kingdom police force. Service providers may then ask the user to remove the material or cease the activity on United Kingdom servers; or ultimately may do this directly themselves.

I understand that service providers are diligent when they are made aware of illegal material and regularly co-operate with the police in the course of any investigation, for example, in identifying the originator of the potentially illegal material or activity.

Wheel Clamping

Mr. Mullin: To ask the Secretary of State for the Home Department what plans he has to regulate the activities of wheel-clamping firms; and if he will make a statement. [23299]

Mr. Michael: The Government are considering the regulation of wheel-clamping in the context of the introduction of statutory measures to regulate the private security industry as a whole. We have recently conducted a consultation exercise seeking the views of the industry,

the police and others on the type and scope of regulation which might be considered for the private security industry. A number of parties who have an interest in wheel-clamping, including the Automobile Association and the Royal Automobile Club, responded to this exercise. We intend to develop practical proposals which will protect the rights and safety of the public without introducing unnecessary bureaucracy.

Metropolitan Police

Dr. Cable: To ask the Secretary of State for the Home Department what was the cost to the Metropolitan Police of supporting the work of *(a)* the Association of Chief Police Officers and *(b)* other outside organisations in the last year for which figures are available. [23984]

Mr. Michael: The Commissioner tells me that the cost of the Metropolitan police's share of supporting the Association of Chief Police Officers (ACPO) Secretariat in the financial year 1997–98 is £139,033. The cost of time spent by senior officers in the Metropolitan Police on ACPO business is not captured separately. The total cost to the Metropolitan Police of supporting the work of other organisations is not collected centrally. However, the financial cost to the Metropolitan Police of supporting any named organisation can be provided if it is needed.

Dr. Cable: To ask the Secretary of State for the Home Department what are the extra training costs *(a)* in respect of the Metropolitan Police and *(b)* nationally, as a result of the tenure policy; and what increases are planned in (i) recruitment and (ii) funding to take account of such retraining. [23964]

Mr. Michael: The Commissioner informs me that there has been no increase in the Metropolitan Police's training budget as a result of the introduction of the tenure policy and that there are no plans to increase the number of recruits in response to the policy, although he plans to recruit 1,650 officers in the financial year 1998–99 from within existing budgets. Information in respect of other forces in England and Wales could be obtained only at disproportionate cost.

No additional funding to police forces to take account of the introduction of tenure policies is planned, nor would we expect there to be any significant implications for training.

Dr. Cable: To ask the Secretary of State for the Home Department how many uniformed officers were on beat duty *(a)* in London and *(b)* in Twickenham (i) at the latest available date and (ii) 12 months previously. [23963]

Mr. Michael: The Commissioner of Police of the Metropolis has provided the available information as follows:

Uniform Constables performing street duty

	Twickenham	*Metropolitan police service*
Average per day in September 1997	56.5	[1]4,155.0
Average per day in September 1996	57.1	[1]4,306.9

[1] As a result of problems with the Metropolitan Police's computer system, these figures do not include the following Divisions: Brixton; Chingford; Forest Gate; Hackney; and Shoreditch and Golders Green.

Dr. Cable: To ask the Secretary of State for the Home Department if he will make a statement on the recruitment targets for the Metropolitan Police Service in *(a)* 1997 and *(b)* 1998. [23935]

Mr. Michael: The Commissioner of Police of the Metropolis tells me that he is currently planning the following staffing levels:

	Police officers	*Civil staff*	*Traffic wardens*
31 March 1998	26,800	13,488	1,180
31 March 1999	26,950	[1]13,372	1,020

The latest figure the Metropolitan Police has on recruitment of officers in the financial year 1997–98 is 1,181 officers. Strength as at 31 March 1997 was [2]26,677. The Commissioner tells me that in order to replace wastage and reach his 31 March 1999 police target, the Metropolitan Police plan to recruit 1,650 new officers during 1998–99 financial year.

[1] This includes the effect of major outsourcing contracts.

[2] This figure include officers seconded to the Metropolitan Police but not those seconded out to regional crime squads and central services.

Combined Emergency Service (London)

Dr. Cable: To ask the Secretary of State for the Home Department if he will make a statement on discussions over the creation of a combined emergency service for London, involving the fire and ambulance services. [23932]

Mr. George Howarth: There are no discussions taking place about the creation of a combined fire and ambulance service for London. From time to time, the services discuss whether there are opportunities for co-operation, for example, in the use of accommodation or in the provision of emergency assistance to casualties, where a fire appliance is first in attendance at an incident. As part of the Home Office Comprehensive Spending Review, fire service interests in England and Wales have also been asked to consider whether there is greater scope for collaboration with other emergency services.

Police Stations (London)

Dr. Cable: To ask the Secretary of State for the Home Department which police stations in London *(a)* ceased operation and *(b)* ceased to offer a 24-hour service in (i) 1996 and (ii) 1997. [23943]

Mr. Michael: The Commissioner has provided the following information:

Year	*Stations closed*	*Stations with reduced "front desk" hours*
1996	Cobham	Collier Row
	East Molesey	Finchley
	Stoneleigh	Harold Hill
		Hornchurch
		Pinner
		Rainham
		Shooters Hill
1997	Hendon	Albany Street
	Mill Hill[1]	Brockley
	Shooters Hill	Bushey
	Tottenham Court Road	Earlsfield

Year	Stations closed	Stations with reduced "front desk" hours
1997 cont	Vine Street	Edgeware
	West Hendon[1]	Eltham
	Winchmore Hill	Esher
		Gipsy Hill
		Lee Road
		New Malden
		Potters Bar
		Southgate
		Surbition
		Sydenham
		Teddington
		Tower Bridge
		Westcombe Park
		Whetstone

[1] These stations were replaced by a new station at Colindale.

CS Gas

Dr. Cable: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the introduction of CS gas on the number of assaults and injuries to police officers in London. [23934]

Mr. Michael: The information is not available to make a full assessment of the impact of the introduction of CS gas on the number of assaults and injuries to police officers in London. Following trials in six operational common units, the Commissioner approved the issue of CS spray across the Metropolitan Police in October 1997. Fifty of the 97 Operational Command Units are now using CS sprays. The remainder are expected to do so by the end of March 1998. The Commissioner informs me that between July 1997 and January 1998, Metropolitan Police officers discharged CS spray on 128 separate incidents. In 102 of those incidents, officers were uninjured.

Drugs-related Crimes (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for the Home Department how many drug-related crimes there were in Northumberland in each of the last three years for which figures are available. [24026]

Mr. Michael: Figures on the number of drug-related crimes are not available either nationally or for Northumberland because of the difficulty of identifying and separating drug-related offences from other sorts of offending in order to produce dependable statistics. Recorded crime is generally collected and published according to the type of offence as defined by statute.

Child Safety and Parenting Orders

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what estimate he has made of the increase in the number of children who will be made the subject of a care order as a result of the operation of the child safety order provisions of the Crime and Disorder Bill; [23972]

(2) what estimate he has made of the increase in numbers of *(a)* probation officers, *(b)* social workers, *(c)* local authority education staff and *(d)* health authority staff which will be occasioned by the child safety and parenting provisions of the Crime and Disorder Bill; [23969]

(3) if he will provide a breakdown of his estimate that the additional costs of child safety orders and parenting orders will not exceed £4 million per annum. [23970]

Mr. Michael: The costs of implementing the youth justice measures contained in the Crime and Disorder Bill, including the child safety order and the parenting order, will depend on the use which the courts make of the new powers and the effect of the measures on offending behaviour. The Government have indicated in their White Paper "No more excuses: A new approach to tackling youth crime in England and Wales" (Cmd 3809) that it will pilot many of the youth justice measures, including the child safety order and the parenting order.

Pilot trials will enable an accurate estimate to be made of the costs and savings that will result when these measures are fully implemented. The financial memorandum of the Crime and Disorder Bill estimated that, depending on how the parenting order and the child safety order are used, additional costs will not exceed £4 million. This is broken down as follows:

Parenting orders: £3.75 million

Child safety orders: £0.25 million

We expect the parenting order to be used more widely than the child safety order because the former will be available in a wider range of circumstances. The parenting order will be available for parents of convicted young offenders, for parents of children who have been made the subject of an anti-social behaviour order, sex offender order or child safety order and for parents who have been convicted of failing to send their children to school.

The Financial Memorandum of the Crime and Disorder Bill sets out the effects of the Bill on public service manpower. These proposals are not anticipated to have a significant impact on public service manpower. The way that youth justice services are provided within the youth offending teams, established under the Crime and Disorder Bill, will be a matter for local decision by local authorities, the police, the probation service and health authorities. The youth justice plan which the Bill requires local authorities to draw up in consultation with the other agencies will have to set out how youth justice services in their area are to be provided and funded and how youth offending teams are to be composed and funded.

It is too early to say how many care orders will be made for breach of the requirements for a child safety order. This will be one of the issues about which the pilots will provide information.

Children (Crime)

Mr. Clappison: To ask the Secretary of State for the Home Department how many children, aged *(a)* 10 and *(b)* 11 were convicted of offences which would be punishable with imprisonment in the case of a person aged 21 years or over in (i) the last year for which figures are available and (ii) each of the preceding 10 years. [23966]

Mr. Michael: The information is given in the table.

Number of children aged 10 and 11 respectively, convicted at all courts of an offence which is punishable with a custodial penalty[1] by type of offence, 1986–1996

England and Wales

Year	Age	Convictions by type of offence carrying a custodial penalty[1]			
		Indictable offences[2]	*Summary non-motoring offences*	*Summary motoring offences*	*Total all offences*
1986	10	142	33	13	188
	11	590	59	33	682
1987	10	76	17	3	96
	11	445	53	2	500
1988	10	78	13	3	94
	11	345	41	6	392
1989	10	67	12	1	80
	11	263	52	—	315
1990	10	61	14	5	80
	11	276	52	8	336
1991	10	32	12	2	46
	11	237	54	4	295
1992	10	48	12	—	100
	11	266	62	4	332
1993	10	45	9	—	54
	11	271	56	—	327
1994	10	41	6	—	49
	11	242	40	3	285
1995	10	40	10	1	51
	11	259	80	1	340
1996	10	25	14	—	39
	11	221	60	—	281

[1] Under the Criminal Justice Act 1991 custodial penalties are available from the common minimum age of 15 for both boys and girls (previously the minimum age was 14 for boys and 15 for girls).
[2] Children aged 10 and 11 convicted at the Crown Court may be sentenced to be detained for up to the adult maximum, including life, under section 53 of the Children and Young Persons Act 1933, as amended by the Criminal Justice and Public Order Act 1994.

Mr. Clappison: To ask the Secretary of State for the Home Department if he will list the names of the respondents to his Tackling Youth Crime consultation paper who *(a)* were in favour of the local child curfew scheme, *(b)* were against the local child curfew scheme and *(c)* commented that the age range for the scheme should not be limited to those below 10 years of age. [23971]

Mr. Michael: In responding to the consultation paper, "Tackling Youth Crime" by 8 December 1997, organisations commented on the nature and details of proposals to introduce local child curfew schemes. Overall, the responses from the following organisations and individuals:

(a) were broadly in favour of the principle of introducing local child curfews schemes.

Salford City Council
Stockton on Tees Borough Council
Leicestershire County Council
Adhocracy Ltd.
Rossendale Council
Berkshire Youth Justice Service
Berkshire Probation Service
Canterbury City Council
Lancashire Police Authority
Rugby Borough Council
North Tyneside Council
Inner London Magistrates Youth Panel
West Sussex County Council
Hereford and Worcester County Council
Sheffield Social Services
Stockton on Tees Borough Council
National Association of Social Workers in Education
Newark and Sherwood District Council
Tendring District Council
West Yorkshire Magistrates' Association
Lee Westlake
Torfaen County Borough
South Shropshire District Council
North Hertfordshire District Council
Surrey Police Authority
Pembrokeshire County Council
Dartford Borough Council
North East Derbyshire District Council
Harrogate and Ripon Magistrates' Courts
Cheshire County Council
Warwickshire Probation Service
Nottinghamshire Magistrates' Courts Service
Middlesbrough Borough Council
West Yorkshire Probation Service
Justices' Clerk's Society
NCH Action for Children
City and County of Swansea
Forest of Dean District Council
Sheffield Magistrates' Court
K. Lucy
Slough Borough Council
Kent County Council
Hyndburn Borough Council
North Somerset County Council
Standing Conference of Principal Youth and Community
H. Morgan
Erewash Borough Council
Inner London Probation Service
Bristol City Council
Bromsgrove District Council
East Hampshire District Council
Ryedale District Council
New Forest District Council
Church of England
City of Westminster London Borough
Children's Society
Vale of Glamorgan Council
Walsall Social Services
Public Constituency Consultation by Lorna Fitzsimmon.

(b) were largely against the principle of introducing local child curfew schemes.

Manchester Youth Justice Service
Hertfordshire Police Authority
National Council of Voluntary Child Care Organisation
City of Coventry
Dudley Metropolitan Borough
Hampshire Youth Justice Committee
Cheshire County Council Youth Justice Team
Children's Play Council
National Children's Bureau
Crime Concern
London Association for Youth Justice
Brighton and Hove Council
Corporation of London
Legal Committee of Council of Her Majesty's Stipendiary Magistrates
London Borough of Harrow
Association of Teachers and Lecturers
Birmingham City Council

Gwent County Borough Council
British Youth Council
Inner London Magistrates' Court Service
Wandsworth London Borough
National Association of Probation Officers
East Riding of Yorkshire Council
D. Parish
Merton Borough Management Team for Youth Justice
Society of Education Officers
Sunderland Social Services
Somerset County Council
Halton Intermediate Treatment Scheme
Save the Children
Divert Trust
Dorset Police
Neath Port Talbot County Borough Council
Hackney London Borough
Derby City Council
Kingston upon Hull City Council
North East Lincolnshire Council
Standing Committee for Youth Justice
Redcar and Cleveland Council
Hertfordshire County Council
University College of London
Royal Philanthropic Society
Surrey Youth Justice Team
Nottinghamshire County Council
North West Surrey Youth Panel
Redbridge Youth Justice Team
Bolton Social Services
Criminal Bar Association
Blackburn with Darwen Borough Council
Association of Chief Officers of Probation.

(c) commented that the age for the scheme should not be limited to those below 10 years of age.

Rugby Borough Council
Labour Lawyers (Crime)
Adhocracy Ltd.
City of Coventry
NCH Action for Children
Chelmsford Borough Council
Nottinghamshire County Council
Dartford Borough Council
West Sussex County Council
Harrogate and Ripon Magistrates' Courts
Nottinghamshire Magistrates' Courts Service
West Sussex County Council
Sussex Police Authority
Aylesbury Vale District Council
Rossendale Council
Slough Borough Council
Tonbridge and Malling Borough Council
Merton Borough Management Team for Youth Justice
London Borough of Hounslow
Middlesbrough Borough Council.

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what research has been carried out or commissioned by his Department into *(a)* the need for, and *(b)* the effects of the imposition of custodial sentences on children aged *(a)* 10 and *(b)* 11 years; [23967]

(2) what representations he has received in favour of the introduction of custodial sentences for children aged *(a)* 10 and *(b)* 11 years. [23968]

Mr. Michael: The Government's proposals to reform custodial arrangements for 10 to 17-year-olds are set out in the White Paper, "No More Excuses—A new approach to tackling youth crime in England and Wales" (Cmnd 3809). These proposals will provide for a more coherent and effective custodial framework for the sentencing and remand of young offenders, where this is necessary and appropriate.

The proposals include a new constructive and more flexible custodial sentence for 10 to 17-year-olds, the Detention and Training Order, which will replace the Sentences of Detention in a Young Offender Institution (for 15 to 17-year-olds) and the Secure Training Order. The Government do not propose to change the existing provisions under section 53 of the Children and Young Persons Act 1933 to impose custodial sentences on 10 to 17-year-olds convicted of "grave crimes". The new Order will be introduced only for 12 to 17-year-olds in the first place. The Government will introduce the Detention and Training Order for 10 and 11-year-olds only should it prove necessary or desirable to do so; this will be subject to Parliamentary approval. The new Detention and Training Order will provide a clear focus on preventing offending in line with proposed new statutory aim for the youth justice system. It will allow young offenders to be placed in secure accommodation appropriate to their age and maturity.

In developing their proposals on the Detention and Training Order, the Government have taken advice from my right hon. Friend's Task Force on Youth Justice, which is composed of experts with experience of youth justice. A summary of the Task Force's advice was placed in the Library on 2 December.

There is no Home Office research on the effect of custodial sentences on children of 10 and 11 years old, partly because of the very small number of children in this age group who are sentenced to custody under the existing provisions.

Immigration and Nationality Directorate

Mr. Edward Davey: To ask the Secretary of State for the Home Department what is the average time taken by the Immigration and Nationality Directorate to process to completion applications for British citizenship; and if he will make a statement. [23917]

Mr. Mike O'Brien: At 31 December 1997, the Nationality Directorate was taking on average 15.8 months from receipt to completion for Nationality applications.

Working practices and organisation in the Nationality Directorate are currently being looked at internally in order to improve the service to applicants. Next year, the introduction of the Caseworking Programme in the Immigration and Nationality Directorate will produce efficiency savings which will speed up the processing of these applications.

Court Welfare Service

Mrs. May: To ask the Secretary of State for the Home Department what plans he has to review the operation of the Court Welfare Service. [24116]

Ms Quin: Her Majesty's Inspectorate of Production carried out a thematic inspection of the operation of the court welfare service last year, concluding that overall the work was being carried out to a good standard. A copy of the report, which was published in November, is in the Library. I have no present plans to ask the Inspectorate to carry out a further inspection of this aspect of the probation service's work, although we are currently considering it, along with the service's other responsibilities, as part of the Comprehensive Spending Review.

British Citizenship Applications

Mr. Wigley: To ask the Secretary of State for the Home Department what steps the Government is taking to reduce the length of time applicants for British citizenship wait before receiving decisions on their cases. [24291]

Mr. Mike O'Brien: I refer the hon. Member to the answer given to the hon. Member for Northavon (Mr. Webb) on 17 December 1997, *Official Report*, column *172*.

Performing Animals (Licences)

Mr. Caplin: To ask the Secretary of State for the Home Department (1) how many licences issued under the Performing Animals (Regulation) Act 1925 have been cancelled in the last 10 years; [24065]

(2) what legal obligation there is on local authorities to hold copies of licences issued under the Performing Animals (Regulation) Act 1925; and what procedure is available for a holder of a licence to cancel a licence when it is no longer needed; [24063]

(3) how many animals were listed in total on the licences issued under the Performing Animals (Regulation) Act 1925 in each of the last 10 years. [24064]

Mr. George Howarth: Regulation of the use of animals under the Performing Animals (Regulation) Act 1925 is undertaken by a system of registration, and not by a system of licensing. A person training or exhibiting animals must register with the relevant local authority.

Section 1(2) of the 1925 Act provides that every local authority should keep a register of persons who exhibit or train animals.

Under section 4(2) of the 1925 Act, where a person is convicted of an offence under the Act, or the Protection of Animals Act 1911, the court can order the name of the person to be removed from the register. Information on the number of such removals is not held centrally.

The number of animals listed in the registration documents held by the Home Office, in each of the last 10 years, is as follows:

1988: 1,416
1989: 1,355
1990: 1,090
1991: 613
1992: 2,040
1993: 2,857
1994: 143
1995: 611
1996: 151
1997: 545.

Probation Service

Mr. Stringer: To ask the Secretary of State for the Home Department if he will place in the Library the reports of studies commissioned on the effectiveness of the probation service. [24243]

Ms Quin *[holding answer 20 January 1998]:* It is our standard practice to place in the Library copies of reports by Her Majesty's Inspectorate of Probation of thematic inspections and inspections of the quality and effectiveness of area probation services. We also place in the Library reports prepared as part of the Home Office Research Programme, an important part of which involves evaluating both the effectiveness of work carried out by probation services, with a view to developing good policy and practice, and the implementation of new policy initiatives involving the probation service, with a view to establishing the extent to which the intended aims are being achieved.

Counterfeit Goods

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many convictions there have been in each year since 1987 for *(a)* manufacturing and *(b)* trading in counterfeit goods. [23996]

Mr. Michael: The information held centrally by my office on the number of convictions under the appropriate legislation is given in the table. It does not distinguish offences involving manufacture or trade nor the type of item involved.

It should also be noted that the information is based on returns made by the police to the Home Office and although these include offences where there has been no police involvement, such as those prosecutions instigated by Government Departments (in this case local authority trading standards offices) and private organisations and individuals, the reporting of these types of offence is known to be incomplete.

Information is given for the years 1986, 1988, 1990, 1992, 1994 and 1996. To supply further data would be at disproportionate cost.

Number of offenders convicted for offences associated with counterfeit offences by type of offence, 1986 to 1996

England and Wales

Legislation	*1986*	*1988*	*1990*	*1992*	*1994*	*1996*
Indictable offences						
Copyright, Design and Patents Act 1988 which revoked (as from 1 August 1989) the Copyright Act 1956	20	22	37	77	47	100
Trade Descriptions Act 1988	1,133	1,171	1,082	1,226	1,247	852
Trade Marks Act 1994 which repealed (as from 1 October 1994) the Trade Marks Act 1938	—	—	—	24	82	334
Summary offences						
Copyright, Design and Patents Act 1988 which revoked (as from 1 August 1989) the Copyright Act 1956	56	57	n/a	n/a	n/a	35
Trade Descriptions Act 1988	6	5	4	12	10	9
Trade Marks Act 1994 which repealed (as from 1 October 1994) the Trade Marks Act 1938	—	—	n/a	n/a	n/a	8

n/a = Not available.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what was the value of counterfeit *(a)* clothing, *(b)* perfumes and *(c)* jewellery seized by the police in each year since 1987. [23998]

Mr. Michael: Information relating to the seizure by the police of counterfeit goods is not collated centrally. Neither do the police record information in a form which would enable the information requested to be collated.

Game Licences

Mr. Boswell: To ask the Secretary of State for the Home Department what plans he has to abolish or modify the current licences to take game. [23857]

Mr. George Howarth *[holding answer 20 Janaury 1998]:* The purposes of the game laws are to regulate the close seasons and assist in the prevention of poaching. The Government are planning to consult about the effectiveness of the present system of licensing.

Firearms Compensation

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department how many staff have been deployed to the Firearms Compensation Section; and if he will increase the number in order to accelerate payments under the compensation scheme. [24137]

Mr. Michael: The full staff complement for the Firearms Compensation Section had been set at 52 persons. It was not possible to maintain the initial full complement of 52 staff because of normal staff turnover. Whenever staff of the Firearms Compensation Unit leave or move on, it is our policy to replace them as quickly as possible. At present, efforts at recruiting additional staff are in hand as part of a range of measures to deal with the outstanding payments as quickly as possible. Data processing staff are being introduced to help with the initial registration of claims, allowing the existing staff to concentrate more on processing and authorising payments. Overtime is also worked on a regular basis.

Prisoners (Drugs)

Mr. Flynn: To ask the Secretary of State for the Home Department what are the total numbers of prisoners who have been found in random tests to have taken *(a)* cannabis, *(b)* heroin and *(c)* other illegal drugs since the tests were first introduced; what percentage of prisoners had taken the drugs in each case; and what changes have taken place in the proportions of the three categories of drugs. [24045]

Mr. George Howarth: Table A shows the total number of random tests and the numbers of prisoners who tested positive for cannabis, the opiates and other drugs in each quarter since the first in which all prisons undertook mandatory drug testing. Laboratory screening does not differentiate between heroin and other opiates, so it is not possible to provide figures for heroin alone. Table B shows the percentage of random tests positive for cannabis, the opiates and other drugs in each quarter. It indicates the changes there have been in positive random test results over time. Figures for October to December 1997 are not yet finalised.

Table A: Positive random mandatory drug tests, first quarter 1996–97 to second quarter 1997–98

Drug type	*April–June 1996*	*July–September 1996*	*October–December 1996*	*January–March 1997*	*April–June 1997*	*July–September 1997*	*Totals*
Cannabis	2,723	2,746	2,947	3,046	2,996	2,490	16,948
Opiates	680	840	838	734	615	618	4,325
Others[1]	348	289	274	330	318	259	1,818
Total tested	13,594	13,858	14,244	14,946	14,946	14,915	86,503

[1] The other drugs tested for are; cocaine, methadone, amphetamines, benzodiazepines, barbiturates and, optionally, LSD.

Table B: Random mandatory drug tests, percentages positive for cannabis, opiates and other drugs First quarter 1996–97 to second quarter 1997–98

Drug type	*April–June 1996*	*July–September 1996*	*October–December 1996*	*January–March 1997*	*April–June 1997*	*July–September 1997*	*Overall*
Cannabis	20.0	19.8	20.7	20.4	20.0	16.7	19.6
Opiates	5.0	6.1	5.9	4.9	4.1	4.1	5.0
Others[1]	2.6	2.1	1.9	2.2	2.1	1.7	2.1

[1] The other drugs tested for are; cocaine, methadone, amphetamines, benzodiazepines, barbiturates and, optionally, LSD.

Mr. Flynn: To ask the Secretary of State for the Home Department what is his estimate of the proportion of illegal drugs discovered in random tests in prisons for which the source was *(a)* relatives of inmates visiting the prison, *(b)* others visiting the prison, *(c)* prison staff and *(d)* other sources, in the past three years. [24047]

Mr. George Howarth: There are no centrally compiled figures from which such an estimate could be drawn, and obtaining such an estimate could be undertaken only at disproportionate cost.

Prisoners (Alcohol)

Mr. Flynn: To ask the Secretary of State for the Home Department if he will list the prisons where alcohol has been consumed by inmates in the past three years. [24046]

Mr. George Howarth: There are no centrally compiled records of where alcohol has been consumed by inmates in the last three years. However, since the beginning of 1997, records have been kept of prisoners charged and found guilty under the new Prison Rule concerning the

consumption of alcohol. The total for 1997 was 80 proven adjudications, including those for aiding and/or attempting the principal offence.

The establishments involved were as follows:

	Number
Askham Grange open (female)	7
Aylesbury Young Offenders Institution (YOI)	1
Dorchester local	1
Drake Hall open (female)	2
East Sutton Park open (female)	1
Elmley local	1
Ford open	2
Full Sutton Closed Training Prison (CTP)	9
Grendon open	10
Haslar remand	1
Hewell Grange open	4
Hollesley Bay open	6
Hollesley Bay YOI	2
Kirkham open	1
Kirklevington CTP	4
Leyhill open	5
Long Lartin CTP	3
North Sea Camp open	1
Sudbury open	2
Thorn Cross YOI	8
The Verne CTP	1
Wealstun CTP	1
Wealstun open	7

Immigration Advisers

Mr. Grant: To ask the Secretary of State for the Home Department what plans he has to control immigration advisers. [25045]

Mr. Straw: Our manifesto committed us to controlling unscrupulous immigration advisers. We have examined the options for delivering this commitment and I will tomorrow place at 9 am a copy of a consultation paper in the Library. Copies of the consultation paper will be sent to interested parties and further copies will be available on request. Comments are invited by 23 March.

IT Equipment

Mr. Barnes: To ask the Secretary of State for the Home Department what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23241]

Mr. Straw: In disposing of surplus information technology equipment, the Home Office initially attempts to redeploy it to replace old equipment or meet new requirements. Where this is not possible, equipment is passed to disposal companies for destruction or refurbishment and resale as appropriate.

Intelligence Files

Mr. Barnes: To ask the Secretary of State for the Home Department if he will instruct M15 to halt its proposed destruction of its intelligence files on individuals and organisations until arrangements have been put in place to assess the way in which these files were compiled. [23411]

Mr. Straw: The Security Service's policy is to destroy only those files which it no longer requires to carry out its statutory functions or which are judged not to be of historical importance or both. I see no need to interfere with that policy in the way proposed by my hon. Friend.

DEFENCE

Meat Procurement

Mr. Key: To ask the Secretary of State for Defence if he will list by country of origin the percentage, based on value, of *(a)* pork, *(b)* lamb and *(c)* beef procured for the armed forces by (i) NAAFI and (ii) other for each of the five years to 1 October 1997; and if he will make a statement. [23975]

Mr. Spellar *[holding answer Monday 19 Janaury 1998]:* I refer the hon. Member to the answer I gave to the hon. Member for Montgomeryshire (Mr. Öpik) on 13 January 1998, *Official Report*, column 157, in which I gave an estimate on the breakdown of the 12 month period to September 1998. Figures for previous years do not exist.

Booker Foodservice began supplying food to the Armed Forces on 1 October 1997 under the terms of a contract agreed under the previous administration. That contract states that Booker should obtain meat, and for that matter all other products, at the best market prices in order to obtain best value for money for the taxpayer.

Low Flying

Mr. Laurence Robertson: To ask the Secretary of State for Defence if he will make a statement on the medical or scientific advice used to ascertain whether noise levels caused by low-flying aircraft are harmful; when noise levels from low-flying aircraft were measured in the Tewkesbury area and what the results were; and what measures are being taken to reduce the risk from the noise of low-flying aircraft. [24134]

Mr. Spellar: My Department has been involved in research into environmental noise and health for many years, supported by the National Physical Laboratory, the Institute of Sound and Vibration Research of the University of Southampton, the University of Salford, and the Medical Research Council. Restrictions on the heights, speeds and operating procedures of military aircraft in the UK reflect medical and scientific advice, and are designed to ensure that noise exposures experienced on the ground are not harmful. As part of our continuing research, a noise measurement trial is currently being carried out at a location near Tewkesbury. The aim is to present the findings at an international conference on noise later this year.

Aviation Movements

Mrs. Dunwoody: To ask the Secretary of State for Defence what was the number of military aviation movements over the last five years in United Kingdom-controlled airspace. [24481]

Mr. Spellar: The total number of military aviation movements using the air traffic control system managed by the London, Scottish and Manchester air traffic control centres is as follows:

	Number
1993	32,546
1994	30,817
1995	31,953
1996	32,434
1997	30,565
Total	158,315

Details relating to other military aviation movements, including military aircraft crossing controlled airspace, are not held centrally and can be provided only at disproportionate cost.

WALES

Schools (Revenue Support)

10. **Mr. Donald Anderson:** To ask the Secretary of State for Wales how much additional revenue support has been allocated to Welsh schools in 1998–99; and if he will make a statement. [21972]

23. **Dr. Marek:** To ask the Secretary of State for Wales how much additional revenue support has been allocated to Welsh schools in 1998–99; and if he will make a statement. [21985]

Mr. Hain: We have allocated £50.267 million additional revenue funding and I have made it clear that the bulk of this must go into schools budgets. Swansea will receive some £3.5 million.

Meat Labelling

11. **Mr. Soames:** To ask the Secretary of State for Wales what representations he has received from consumers relating to the labelling of meat in supermarkets. [21973]

Mr. Win Griffiths: In the last few months, the Department has received two letters from consumers on this matter.

Welsh Assembly

12. **Mr. Fabricant:** To ask the Secretary of State for Wales if he will make a statement on the site for the National Assembly for Wales. [21974]

Mr. Ron Davies: I issued a consultation paper on 8 December which invites the people of Wales to comment on the location of the National Assembly for Wales. There have been several hundred responses so far. The consultation period ends on 30 January and I expect to announce a decision by early March 1998.

13. **Mrs. Ann Winterton:** To ask the Secretary of State for Wales what estimate he has made of the annual running costs of the proposed Welsh assembly. [21975]

Mr. Ron Davies: I refer the hon. Member to the oral answer I gave today to the hon. Member for South Dorset (Mr. Bruce).

Mr. Loughton: To ask the Secretary of State for Wales what representations from north Wales he has received regarding the siting of the Welsh Assembly. [21967]

Mr. Ron Davies: I have already received a number of representations from North Wales about the location of the National Assembly for Wales, and may receive more during the remaining period of my consultation with the people of Wales.

Tree Planting

14. **Sir Sydney Chapman:** To ask the Secretary of State for Wales if he will encourage tree planting in the Principality. [21976]

Mr. Win Griffiths: We are fully committed to increasing the area of woodland in Wales and we will continue to offer grant aid and advice to landowners to encourage them to plant trees. For example, the Forestry Commission has recently introduced Challenge Funds for creating forests on bracken land in Wales and for establishing native woodlands in National Parks. We shall also be taking steps to encourage the creation of new woodlands on derelict land throughout Wales. Of course, the key to really significant increases in our woodland area is reform of the Common Agricultural Policy. This is one of our principal objectives in Europe, and we are discussing the options with our European partners.

Inward Investment

16. **Mr. Flynn:** To ask the Secretary of State for Wales what new proposals he has in respect of inward investment. [21978]

Mr. Hain: We will continue to seek to build and improve on our successful record on inward investment. Since the election we have secured 66 new projects promising over 7,000 new and safeguarded jobs and capital investment of over £445 million.

24. **Mr. Barry Jones:** To ask the Secretary of State for Wales if he will make a statement on the prospects for inward investment in Wales. [21986]

Mr. Hain: Since the election 66 investment projects have been recorded which forecast over 7,000 new and safeguarded jobs and capital expenditure of over £445 million. This augurs well for the future and I believe the prospects for future inward investment are good.

27. **Mr. Flight:** To ask the Secretary of State for Wales what has been the trend of new inward investment announcements for Wales over the last three months. [21990]

Mr. Hain: In the last three months there has been a number of significant announcements in respect of new inward investment and major reinvestment projects in Wales. During that period 2,150 new jobs have been forecast, involving capital investment of some £226 million, compared with 1,500 new jobs and capital investment of £198 million for the same period a year ago.

Health Service

17. **Mr. Simon Hughes:** To ask the Secretary of State for Wales if he will make a statement on Her Majesty's Government's strategy for the NHS in Wales. [21979]

Mr. Win Griffiths: The Government's strategy for the NHS in Wales is set out in the White Paper "NHS Wales: Putting Patients First" (Command Paper number 3841), which was published on 15 January. Copies are available in the Library of the House.

Beef on the Bone

18. **Mr. Chope:** To ask the Secretary of State for Wales what representations he has received regarding the ban on beef on the bone. [21980]

Mr. Win Griffiths: I have received numerous representations regarding the prohibition on the sale of bone in beef products.

Beef Farming

20. **Mr. Keith Simpson:** To ask the Secretary of State for Wales if he will make a statement on the state of beef farming in Wales. [21982]

Mr. Win Griffiths: My right hon. Friend the Minister of Agriculture, Fisheries and Food announced proposals for a one-off £85 million package on 22 December 1997, *Official Report*, columns *677–98*. It included £60 million under the terms of the agrimoney compensation rules and £25 million for Hill Livestock Compensatory Allowances. This aid is contingent upon approval by the European Commission and will be in addition to the £1.4 billion already budgeted to support the beef sector during the current financial year. This is in addition to significant funding in 1997–98 for the beef sector. Every effort is being made to have the export ban lifted. Nevertheless the beef sector remains in long term structural surplus and reform of the CAP beef regime is essential.

Cold Weather Payments

22. **Mr. Gill:** To ask the Secretary of State for Wales what representations he has received from Welsh pensioners regarding the Cold Weather Payments (Wind Chill Factor) Bill. [21984]

Mr. Win Griffiths: No representations have been received from Welsh pensioners regarding the Cold Weather Payments (Wind Chill Factor) Bill.

Home Starts

25. **Mr. Martyn Jones:** To ask the Secretary of State for Wales what is his estimate of the number of home starts for Wales in 1998–99. [21987]

Mr. Win Griffiths: I estimate that there will be around 9,300 starts in 1998–99. The recently announced spending plans for Tai Cymru will allow 2,300 starts and this will be supplemented by a further 50 housing association starts funded by local authorities under the capital receipts initiative. In the private sector, work is expected to commence on more than 6,900 new homes.

Hill Farmers

26. **Mr Greenway:** To ask the Secretary of State for Wales what plans he has to increase support to hill farmers. [21989]

Mr. Win Griffiths: I refer to the statement made by my right hon. Friend the Minister of Agriculture, Fisheries and Food on 22 December 1997, *Official Report*, columns *677–98*.

Dental Services

Mr. Öpik: To ask the Secretary of State for Wales what action he is planning to take in 1998 to assist those in rural areas of Wales who do not have access to an NHS dentist. [21977]

Mr. Win Griffiths: In July of last year I announced that I was making £2.5 million available to finance a package of proposals for developing primary care in Wales. This included £250,000 to extend the Welsh Office dental initiative to attract new dentists into Wales. The package also contained £500,000 to finance an Equity Fund which can be used to tackle any deficiencies in NHS dental provision which cannot be addressed by the dental initiative.

Tourism Grants

Mr. Hoyle: To ask the Secretary of State for Wales what assessment he has made of the benefits which section 4 tourism grants have provided in Wales. [21981]

Mr. Hain: The scheme was last reviewed in September 1995. It has proved to be a cost effective mechanism for stimulating investment in tourism.

Livestock Market

Mr. Livsey: To ask the Secretary of State for Wales if he will make a statement on the state of the farm livestock market in Wales. [21983]

Mr. Win Griffiths: Trade at livestock markets has been affected by the wider problems facing farmers recently, particularly beef producers. Since September 1997, prices and the number of animals traded have both been on a generally downward trend. The Government announced on 22 December 1997, *Official Report*, columns 677–98, a substantial one-off aid package of £85 million to help alleviate the current difficulties that producers face. In the longer term, the Government believe that there needs to be a substantial restructuring of the European beef industry and we will be having early consultations with the farming industry on this.

Poor People

Mr. Pond: To ask the Secretary of State for Wales if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23339]

Mr. Hain: The Welsh Office continually evaluates its policies using a variety of methods. Our objective is to spread prosperity throughout Wales, and to offer educational and employment opportunities for all.

The best way of improving the living standards of most people at the bottom of the income distribution is to help them into work, and we are implementing a range of policies under the New Deal to achieve this aim.

We have also established a Social Exclusion Programme to help co-ordinate action across the Welsh Office and to find new and more integrated ways of tackling the worst problems.

Road Safety

Mr. Barry Jones: To ask the Secretary of State for Wales how he proposes to improve road safety in the vicinity of schools in Deeside. [24157]

Mr. Hain: Children are a road safety priority. Road safety education is an integral part of our approach to reducing road accidents amongst all school children complementing publicity, enforcement and engineering measures. For example, we provide the services of the Traffic Education Adviser for Wales to promote road safety education, particularly through the medium of the Welsh language. We are also supportive of projects which encourage children to take the bus to school or walk and cycle in safety.

I have established the Welsh Transport Advisory Group to provide advice on the development and implementation of an integrated and sustainable transport policy for Wales. The Advisory Group are looking specifically at Safe Routes to School initiatives and will be advising shortly on action which might be taken in this area.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Wales what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23236]

Mr. Ron Davies: Under a Private Finance Initiative the Department's IT equipment is provided, owned and disposed of by Siemens Business Services. IT equipment that SBS cannot use for spares is sold to a third party for recycling.

Health Common Services Authority

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales (1) what plans he has to enable the functions of the Welsh Health Common Services Authority to be carried out after the proposed abolition of the authority; [23778]

(2) if he will make a statement on the future of the Welsh Health Common Services Authority. [23779]

Mr. Win Griffiths: The activities now carried out by the Authority will be located in the Assembly, health Authorities or NHS Trusts and a review group established by the Department is now considering options. It will report in the Spring.

A483

Dr. Marek: To ask the Secretary of State for Wales if he will give the projected traffic volumes on the A483 Wrexham bypass at public inquiry stage and the actual levels since the road was opened. [24279]

Mr. Hain: Records of the projected traffic volumes at the time of the public inquiry held in 1970 are no longer available. Annual average daily flows since the bypass was opened are as follows:

Census year	*Annual average daily flow*
1996	34,796
1993	36,785
1988	24,323
1984	14,562
1974	[1]7,900

[1] Based on an average August day.

DUCHY OF LANCASTER

IT Equipment

Mr. Barnes: To ask the Chancellor of the Duchy of Lancaster what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government Departments or agencies; and what arrangements have been made in this respect. [23244]

Mr. Peter Kilfoyle: Within my Department and its Agencies, IT equipment which becomes surplus in one area of operations is, whenever possible and cost-effective, re-used elsewhere. Where this cannot be achieved, and subject to the requirements of security, surplus equipment is sold at market value to members of staff, to charitable organisations or to the private sector.

HEALTH

Dental Services

Mr. Kidney: To ask the Secretary of State for Health what has been *(a)* the budget for general dental services and *(b)* its outturn for England for each year since April 1992. [22990]

Mr. Milburn: General Dental Services (GDS) expenditure is not cash limited, so there is no set annual budget. The original vote provision, and final gross net expenditure in the GDS in England for the financial years 1992–93 to 1996–97 is shown in the table.

General Dental Service: Gross expenditure for the financial years 1992–93 to 1996–97

England

£ million

	Outturn		*Provision made in main estimate*	
Year	*Gross expenditure*	*Net expenditure*	*Gross*	*Net*
1992–93	1,305.9	911.1	1,215.2	768.6
1993–94	1,221.7	854.7	1,258.5	851.1
1994–95	1,279.4	896.1	1,324.8	926.5
1995–96	1,289.5	908.4	1,392.0	973.4
1996–97	1,323.1	940.1	1,412.9	988.8

Hospital Patients (Telephone Inquiries)

Mr. Vaz: To ask the Secretary of State for Health what is the average time taken for a telephone inquiry to be

dealt with in respect of locating a patient *(a)* for all hospitals in the UK and *(b)* at Leicester Royal Infirmary; and what steps he proposes to decrease this time. [23192]

Mr. Milburn: Information on telephone inquiries dealt with by hospitals is not collected centrally.

Mr. Vaz: To ask the Secretary of State for Health what guidelines exist for dealing with telephone inquiries at *(a)* all major hospitals and *(b)* Leicester Royal Infirmary in respect of the locating of patients within hospitals. [23190]

Mr. Milburn: There are no guidelines for dealing with telephone inquiries at all major hospitals. With regards to guidelines for the Leicester Royal Infirmary National Health Service Trust, Professor David Barnett has been asked to write to my hon. Friend with this information as soon as possible.

Leicester Royal Infirmary

Mr. Vaz: To ask the Secretary of State for Health (1) how many telephone receptionists there are at Leicester Royal Infirmary; how many receptionists were on duty at Leicester Royal Infirmary on the morning of 6 January; and what computer problems were experienced at Leicester Royal Infirmary on the morning of 6 January; [23189]

(2) what steps he proposes for the modernisation of computer technology to deal with telephone inquiries at Leicester Royal Infirmary in respect of the location of patients. [23191]

Mr. Milburn: This is a matter for Leicester Royal Infirmary National Health Service Trust. We have asked the acting Chairman of Leicester Royal Infirmary NHS Trust, Professor David Barnett, to write to my hon. Friend with this information as soon as possible.

Hormonal Replacement Therapies

Maria Eagle: To ask the Secretary of State for Health if he will list those area health authorities which allow the prescribing of ProGest hormonal replacement therapy cream as a supplement instead of drug-based HRT. [23322]

Mr. Milburn: The information requested is unavailable. National Health Service doctors can arrange for their patients to receive complementary medicine treatment such as ProGest for their patients if they feel that there is a need for such treatment.

ME Association

Mr. Kidney: To ask the Secretary of State for Health what support his Department has provided for the ME Association; and what plans he has for future support. [23494]

Mr. Boateng: The Department has funded the Myalgic Encephalomyelitis Association through the Section 64 scheme of grants £37,000 from 1995–96 to 1997–98 and £94,673 for their Development of Support Services project from 1995–96 to 1997–98. Also, Department of Health officials have recently agreed to a meeting with the ME Association to discuss the Royal Colleges' Report on Chronic Fatigue Syndrome/ME and other concerns.

Medical Workforce Standing Advisory Committee

Dr. Tonge: To ask the Secretary of State for Health when he intends to implement the Campbell Report on medical manpower. [23365]

Mr. Milburn: The main recommendations of the Third Report of the Medical Workforce Standing Advisory Committee (MWSAC)—the Campbell report—are for the annual intake to UK medical schools to increase by 1,000, a 20 per cent. increase over the target of 4,970 for the year 2000, together with a range of measures to improve the recruitment and retention of doctors.

A number of MWSAC's recommendations coincides with the Government's own thinking and should be welcomed. But the recommendation on increased medical school intake has very significant implications, and will need careful examination.

The Government will announce their decisions on all MWSAC's recommendations in a few months' time in the light of the Comprehensive Spending Review.

Psychotherapy Services

Dr. Tonge: To ask the Secretary of State for Health (1) what plans he has for reducing the time patients currently have to wait for psychotherapy services; [23466]

(2) on what basis ministers intend to plan for future levels of mental health services with particular reference to *(a)* counselling and *(b)* psychotherapy. [23470]

Mr. Boateng: The National Health Service Executive review of psychotherapy services published in 1996 contains practical guidance for the health service on the problems of psychotherapy, including local strategy to reduce waiting times.

NHS Doctors

Dr. Tonge: To ask the Secretary of State for Health what action he intends to take over the predicted shortfall of doctors in the NHS; and how this will be financed. [23467]

Mr. Milburn: The Government are advised by the Medical Workforce Standing Advisory Committee (MWSAC) on the future balance of medical workforce supply and demand in the United Kingdom and on the intake into UK medical schools. Their third report was published recently.

MWSAC's main recommendations are for the annual intake to UK medical schools to increase by 1,000, a 20 per cent. increase over the target of 4,970 for the year 2000, together with a range of measures to improve the recruitment and retention of doctors.

A number of MWSAC's recommendations coincide with the Government's own thinking and should be welcomed. But the recommendation on increased medical school intake has very significant implications, and will need careful examination.

The Government will announce their decision on all of MWSAC's recommendations in a few months' time in the light of the Comprehensive Spending Review.

Dr. Tonge: To ask the Secretary of State for Health what plans he has for the better utilisation of married women doctors in the NHS, who may be unable to work full-time. [23468]

Mr. Milburn: I announced last September a five point action plan for the National Health Service setting out our human resources strategy for the future of the NHS, based on the underlying values of fairness, efficiency and flexibility. This encompasses family friendly employment policies—flexible working arrangements which allow for greater integration of all members of the workforce both in the primary and secondary care environments. These policies are essential if the NHS is to make the best use of staff and sustain the NHS as an attractive employer to people.

We accept that the number of opportunities for flexible working needs to be maximised in order to minimise potential wastage among those doctors who find traditional working patterns too restricting.

A number of key initiatives are contributing towards the need to develop family-friendly employment policies. These are summarised in the Health Department's written evidence of September 1997 to the Review Body on Doctors' and Dentists' Remuneration, copies of which have been placed in the Library.

Back Pain

Mrs. Ballard: To ask the Secretary of State for Health if he will increase the resources available for the treatment of back pain; and if he will make a statement. [23940]

Mr. Boateng: The Government recognise that back pain is a serious health problem and its treatment involves a wide range of services within the National Health Service. Health Authorities are given general allocations for hospital and community health services to commission health care services for their resident population. General practitioners provide general medical services. It is currently for individual health authorities to decide the level and type of services commissioned in partnership with GPs locally and through consultation with other agencies and local people, taking account of local circumstances and national policies.

Drug Addicts

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many beds are available for drug addict patients in the Northumberland Health Authority area. [24025]

Ms Jowell: None. Northumberland Health Authority has a contract with Newcastle City Health National Health Service Trust for access to a range of services, including in-patient admissions at the Regional Addictions Service at Plummer Court.

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many drug addict patients were treated for detoxification in Blyth Valley *(a)* in 1994, *(b)* 1995, *(c)* 1996 and *(d)* 1997; and how many returned for detoxification again. [24024]

Ms Jowell: Information in the form requested is not collated by Northumberland Health Authority or the Community Substance Misuse Team.

Elderly Mentally Ill Patients

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many elderly mental illness beds Northumberland Health Authority provides. [23987]

Mr. Boateng: Northumberland Health Authority directly (or indirectly through a Total Fund managed by general practitioners in Tynedale) purchases in-patient mental health care for elderly people from the Northumberland Mental Health National Health Service Trust in the following locations.

Location	*Number of beds*	*Type of service*
Tynedale Social Services	20	Assessment, respite and continuing care
Berwick Infirmary	6	Assessment, respite and continuing care
Blyth Social Services	8	Assessment, respite care
Blyth Community Hospital	14	Continuing care
St. George's Hospital	20	Assessment, respite care
St. George's Hospital	46	Continuing care and respite care
St. George's Hospital	20	Assessment/treatment of elderly functionally ill

Source:
Northumberland Health Authority, January 1998.

Methadone

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many patients in Blyth Valley are injecting Methadone. [24021]

Ms Jowell: We do not hold the information requested centrally, although the Department of Health's Statistical Bulletin "Drug Misuse Statistics" for the six month period ending 31 March 1996 includes some related data for Northumberland and copies have been placed in the Library.

Northumberland Health Authority report that since the introduction of the Blyth Pilot Supervised Methadone Administration scheme in November 1996 the leakage of methadone onto the illegal market has been reduced, if not eliminated, and the police have not recovered any methadone in Blyth.

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many patients are being prescribed Methadone under supervision in Blyth Valley through the Methadone clinic, substance misuse team and family doctors. [24023]

Mr. Milburn: The Northumberland Health Authority has reported that at the end of November 1997 a total of 69 individuals were supported within the Blyth Pilot Supervised Methadone Administration Scheme.

Opencast Mining

Mr. Ronnie Campbell: To ask the Secretary of State for Health what data he has collated on medical surveys in the United Kingdom linking dust from opencast mining with high levels of illness among those living close to the workings. [24035]

Ms Jowell: The Department of Health, jointly with the Department of the Environment, Transport and the Regions, is currently funding a project designed to look

at the effects of opencast mining on health. This project, which started in August 1996, is being undertaken at Newcastle University and is due to be completed this year. The research will improve our understanding of this issue substantially.

The Department is also aware of a recently published study of air pollution and lung function which was undertaken in West Wales and this is currently being considered. A view on the implications, if any, of opencast mining on the health of the local community arising from this study will be issued later in the year.

Cannabis

Mr. Flynn: To ask the Secretary of State for Health what plans the Government have to fund research into the use of cannabis for medicinal purposes. [24042]

Mr. Boateng: Department of Health officials, including professionals, are keeping the available research into the therapeutic use and risks of cannabis under review. Since 1996, expenditure on this activity through the Policy Research Programme has amounted to £10,705. The Department has not recently commissioned basic research in this area. The Medical Research Council provides support for two grants in the general area of therapeutic use of cannabis, amounting to £149,000, both on the role of cannabinoid receptors. The MRC do not support any work specifically into the treatment of particular conditions with cannabis.

Mr. Flynn: To ask the Secretary of State for Health how many times cannabis was prescribed in England between 1968 and 1971; and for which illnesses. [24038]

Mr. Boateng: In this period data for 1970 only are held. In 1970 no prescriptions were dispensed for cannabis.

Mr. Flynn: To ask the Secretary of State for Health when he plans to meet the British Medical Association to discuss the therapeutic use of cannabis. [24327]

Mr. Boateng: We have no plans to meet the British Medical Association (BMA) to discuss the therapeutic use of cannabis in the near future. However, the Chief Medical Officer and Department of Health officials are meeting with the BMA on 10 March to discuss this issue.

Maternity Hospitals

Mr. Alan Johnson: To ask the Secretary of State for Health how many maternity hospitals in England are isolated from pathology, radiology, intensive care and other general hospital facilities; and what are *(a)* their locations and *(b)* their approximate distance from such facilities. [23911]

Mr. Milburn: The information requested is not held centrally. It is for health authorities and National Health Service trusts to organise local services to meet local needs.

Diabetes Research

Mr. Syms: To ask the Secretary of State for Health what estimates his Department has made of the likely amount to be spent on research into diabetes in the current year; and how this compares with spending in the last five years. [23914]

Ms Jowell: It is estimated that in the 1997–98 financial year the Department of Health's Policy Research Programme will spend £266,000 on research into diabetes. The total value of studies currently being funded is £1 million.

This compares with funding over the last five years of:

1992–93: £189,000
1993–94: £288,000
1994–95: £366,000
1995–96: £488,000
1996–97: £434,000.

A range of research projects related to diabetes is also being carried out under the centrally funded National Health Service Research and Development Programmes. For example, a study of digital imaging techniques for monitoring diabetic retinopathy will cost £388,644 in total.

The main agency through which the Government support medical and clinical research is the Medical Research Council. The Council spends approximately £3 million a year on research directly into diabetes.

Unleaded Fuel Pollution

Mr. Flynn: To ask the Secretary of State for Health what estimate he has made of the impact on the number of deaths caused by air pollution of the introduction and use of unleaded fuel. [24039]

Ms Jowell: The Committee on the Medical Effects of Air Pollutants (COMEAP) has recently published a major report quantifying the health effects of air pollution. The Committee concluded that current levels of air pollution probably play an important role in precipitating the deaths of at least 12,000–24,000 people each year, though stressed that air pollution is likely to be one of a number of factors affecting the clinical condition of seriously ill people.

COMEAP was able to estimate the health effects for sulphur dioxide, particles and ozone only where a reliable assessment using available scientific evidence could be made and this did not include lead.

There is no evidence to suggest that exposure to airborne lead is a source of death in the United Kingdom. Lead has more subtle toxicological effects, for example on the development of intellectual function in children. The reduction in blood lead concentrations that has occurred during the period when sales of leaded petrol have declined has been encouraging and would suggest that the toxic effects may have also been reduced, though this is difficult to demonstrate. It is also likely that the level of lead in dust and particulate matter will have declined as a result.

One of the measures that the Government are supporting is a ban on the general marketing of leaded petrol in Europe which was agreed at the Environment Council meeting in June 1997 and which will take effect from 1 January 2001.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Health what is his Department's policy regarding the recycling of information technology equipment within his

Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23239]

Mr. Boateng: When information technology equipment is no longer required for the purpose for which it was bought it will, if possible, be reallocated for other use within the Department or its agencies. Decisions on whether equipment within the Department can be re-allocated or sold are made by the Department's central information technology user support branch. Where there is no further requirement for equipment, it will be sold to the highest bidder. The Department's agencies have similar policies.

NHS Treatment

Mr. Oaten: To ask the Secretary of State for Health if he will list the number of patients, by individual health authority, who received NHS treatment in the last three years. [24277]

Mr. Boateng: Information has been placed in the Library showing the number of Finished Consultant Episodes (ordinary hospital admissions and day cases), by the health authority of treatment. The figures are for England and cover the years 1993–94, 1994–95 and 1995–96, the latest available.

National Performance Framework

Ms Ryan: To ask the Secretary of State for Health when he will publish the consultation document on the national performance framework referred to in the Government's White Paper "The New NHS". [24662]

Mr. Milburn: We are publishing the consultation document today. Copies have been placed in the Library.

Liverpool Blood Centre

Mr. Tipping: To ask the Secretary of State for Health if he will place the report written by Professor John Cash on the organisation of the Blood Transfusion Service in the Library. [24386]

Mr. Boateng: Professor Cash is currently finalising his report on the services provided by the Liverpool Blood Centre. We propose to publish the report and the Government's response. Copies will be placed in the Library in the usual way.

Written Answers to Questions

Thursday 22 January 1998

HOUSE OF COMMONS

Land Mines

Mr. Bruce George: To ask the President of the Council, pursuant to the answer of the Secretary of State for Defence of 12 January 1998, to the hon. Member for Monmouth (Mr. Edwards), *Official Report*, column *130*, if she will make it her policy to provide for the Bill to implement the Ottawa Convention to be subject to pre-legislative scrutiny. [24177]

Mrs. Ann Taylor: The Government have already said that they plan to introduce legislation as soon as the Parliamentary timetable allows. We will consider nearer the time the most appropriate way.

Mr. Bruce George: To ask the President of the Council which Department will be in charge of the legislation to give effect to the provisions of the Ottawa Convention. [24178]

Mrs. Ann Taylor: The Foreign and Commonwealth Office is the lead Department.

INTERNATIONAL DEVELOPMENT

Aid (Rules for Use)

Mr. Hancock: To ask the Secretary of State for International Development, pursuant to her answer of 12 January, *Official Report*, column *86*, which programmes will have a lower priority as a result of her policy to give programmes to combat poverty a higher priority; and what reductions in funding these programmes will receive. [24087]

Clare Short: The final allocation of our resources between programmes for 1998–99 and subsequent years is currently being considered. Priority will be given to interventions which combat poverty. The shift in spending priorities will be detailed in our annual report which we expect to publish next month.

Mr. Hancock: To ask the Secretary of State for International Development, pursuant to her answer of 12 January, *Official Report*, column *86*, what measures she proposes to prevent aid being used for military purchases from countries other than the United Kingdom. [24088]

Clare Short: Department for International Development funding for development projects overseas is subject to existing detailed and stringent procedures involving regular and careful review at the design, implementation and evaluation stages to ensure that they fully meet the developmental purpose for which they are intended, as required in the Overseas Development and Co-operation Act 1980, and are not used for inappropriate military or other purposes.

As I made clear in my answer of 12 January 1998, there is not and will not be any link between aid and sales of British arms equipment.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Coastguard

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the funding for the Coastguard Agency. [22871]

Ms Glenda Jackson: The Government intend to merge the Coastguard Agency and the Marine Safety Agency on 1 April 1998 to create a new Agency, to be known as the Maritime and Coastguard Agency (the Chief Executive of which will be Mr. Maurice Storey, currently a Director of Stena Line UK). The budget for the new Agency in 1998–99 will be higher than the sum of the current year budgets of the two existing agencies. The longer term funding of the Agency is being considered in the context of the Comprehensive Spending Review, in which we shall of course give due priority to safety and counter-pollution activities.

Advisers

Sir Robert Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the special advisers in his Department, the Minister to whom each is responsible and the subjects on which they advise. [23193]

Mr. Prescott: Joe Irvin and Joan Hammell advise me on all my areas of responsibility both as Secretary of State and Deputy Prime Minister. Paul Hackett and Darren Murphy are part-time advisers, who together make up the equivalent of 1 full-time adviser's post, and cover regional and local government issues. David Taylor acts as a part-time, unpaid adviser mainly on regeneration and regional issues.

Kate Davies and Tony Grayling advise my right hon. Friend the Minister of Transport on transport issues.

Use Classes Order

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the Use Classes Order 1987. [23681]

Mr. Caborn: There are no plans to review the Order, although we keep under consideration the need for amendments in the light of representations received.

London Boroughs (Landholdings)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what is the acreage of land and its current value that is owned by each of the London borough councils. [23285]

Mr. Caborn: This information is not held centrally.

Roads (Greater London)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the present major road *(a)* developments and *(b)* improvements that are currently being implemented within the Greater London area. [23290]

Ms Glenda Jackson: Taking "road developments" as the building of new roads and "road improvements" as major enhancements to an existing road, the information for local authority projects costing over £2 million and Highways Agency projects costing over £3 million is as follows. Information on lower value projects, privately promoted road projects and maintenance led projects could be obtained only at disproportionate cost. London-wide traffic management programmes are also excluded.

Road Developments

1. Bexleyheath Southern Relief Road and Pedestrianisation, LB Bexley—the relief road is open to traffic but the pedestrianisation has yet to be completed.
2. Hounslow Town Centre Relief Road, LB Hounslow—the relief road is open to traffic but further works are yet to be completed.
3. Future A12, Hackney—M11 Link Road, Highways Agency—the new road is expected to be open to traffic in mid 1999.
4. Future A13, Wennington—Mar Dyke, Highways Agency—the new road is expected to be open to traffic in late 1998.
5. Future A13, West of Heathway—Thames Avenue, Highways Agency—the new road is expected to be open to traffic in mid 1999.

Improvements

1. Bexleyheath Town Centre Traffic Management Scheme, LB Bexley—due for completion mid 2000.
2. Woolwich Road Improvement, LB Greenwich—due for completion 1998.
3. Uxbridge Town Centre Improvements, LB Hillingdon—due for completion mid 1998.
4. Harrow Road/Ladbroke Grove Widening, LBs Westminster and Kensington & Chelsea—due for completion mid 1999.
5. A240 North-South Strategy, LB Kingston—due for completion mid 1999.
6. A11 Stratford Gyratory Modifications, LB Newham—due for completion early 1998.
7. Oxford Street Improvements, LB Westminster—due for completion 2002.
8. Wood Green Spouters Corner Improvement, LB Haringey—due for completion 1999.
9. A406 North Circular Road, Fore Street Underpass, Highways Agency—due to open to traffic early 1998.

Poor People

Mr. Pond: To ask the Secretary of State for the Environment, Transport and the Regions if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23338]

Mr. Prescott: Many of my departments policies directly address the problems of the poorest 30 per cent. of the population. Examples include: social housing provision; many regeneration initiatives; the rough sleepers initiative; the Home Energy efficiency scheme; and measures to promote transport accessibility.

My department has an extensive research programme which evaluates the impact of these and other policies, and particular attention is placed on assessing whether policies are reaching disadvantaged people and deprived areas. For example, my department is undertaking an extensive evaluation of the SRB challenge fund which includes an assessment of how far funds have gone to deprived areas, and residents surveys to assess whether deprived people are benefiting from the initiative. We have also carried out extensive evaluations of the Rough Sleepers Initiative which have assessed the contribution of the different elements of the RSI to meeting the housing and support needs of people sleeping rough. Through the five yearly English House Conditions Survey we are also able to look at how the circumstances of the poorest households change over time.

More generally, we have commissioned a pilot study in three areas in order to trace how far public expenditure taken as a whole is being targeted on deprived areas where many of the poorest 30 per cent. of the population live.

Of course, I consider the implications for the poor and socially deprived in framing all my policies, whether this is a direct aim of those policies or not.

Water Industry

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in improving the record of the water industry in respect of *(a)* leakage, *(b)* water quality and *(c)* value for money for consumers. [23697]

Mr. Meacher: My right hon. Friend the Deputy Prime Minister announced at the water summit in May 1997 a 10-point action plan to help secure a reliable, efficient and environmentally sustainable water industry which recognises that its primary duty is to meet the needs of its customers. The Government are looking for a sustained commitment from the water companies to the actions identified and is asking them for updates on their summit-related activities. There has been considerable progress.

(a) Since the water summit the Director General of Water Services has set mandatory leakage targets for every water company to meet by the end of 1998–99. These will mean a 16 per cent. reduction in total leakage below companies' own targets for 1997–98.

(b) The quality of drinking water is high. 99.7 per cent. of the 3.1 million tests carried out in England and Wales during 1996 met the relevant standards. Data for 1997 are still being collected by the Drinking Water Inspectorate and will be published later this year.

(c) On prices, the Government look to the Director General to set tough new price limits, in his next periodic review of water price limits to apply from 1 April 2000, which represent the best value for money, given the industry's service and environmental obligations. As part of the drive towards meeting leakage targets, all companies now provide free supply pipe leakage detection and repair services for domestic customers.

In addition, the Government are undertaking a fundamental review of utility regulation. The Government want the regulatory framework to deliver value, quality and choice to consumers while providing incentives to managers to innovate and improve efficiency.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many sewage treatment plants in the United Kingdom include ultra-violet treatment systems; and if he will list their locations. [23716]

Angela Eagle: A list from the Environment Agency on locations of the thirty-five sewage treatment works which include ultra-violet treatment in England and Wales is attached in the table. The information relating to Scotland and Northern Ireland is a matter for my right hon. Friends the Secretaries of State for Scotland and for Northern Ireland respectively.

Waste Water Treatment Works in England and Wales with UV Disinfection as at January 1998

Agency Region	*Treatment Works*
South West	Lyme Regis
	Exmouth
	Menagwins (St. Austell)
	St. Columb Major
	Gorran Haven
	Ashford (Barnstaple)
	Porthilly (Rock)
	Trecerus (Padstow)
	Porthleven
	St. Agnes
Southern	New Romney (Littlestone)
	Dymchurch
	Camber
Thames	None
Anglian	Newton Marsh
	Mablethorpe
	Wells–Next–The–Sea
	Heacham
	West Mersea
	Kings Lynn
North East	None
North West	Newbiggin
	Ashkham–in–Furness
	Silloth
Midlands	None
Welsh	Newgale
	Aberystwyth
	Llanelli (Bynea)
	Tywyn/Aberdyfi
	Criccieth
	Laugharne
	Amroth
	Tenby
	Dale
	Llangrannog
	Pwllhelli
	Treborth (Bangor)
	Beaumaris

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effectiveness of ultra-violet treatment of sewage. [23719]

Angela Eagle: Ultra-violet treatment of sewage effluent can be a cost effective method of achieving microbiological water quality standards at some locations. It has been shown to inactivate a wide range of micro-organisms.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce legislation to require ultra-violet treatment of sewage. [23720]

Angela Eagle: Legislation is not needed for this. The type of treatment process used to meet required water quality standards is a matter for the discharger and the environmental regulator.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what research he has commissioned into the effectiveness of ultra-violet treatment of sewage. [23718]

Angela Eagle: The Department published comprehensive reviews of sewage disinfection techniques in 1988 and 1992, both of which examined the effectiveness of ultra-violet treatment. They were published by Consultants in Environmental Sciences Ltd. A further review, jointly funded by this Department, the Environment Agency and the water industry, on the fate of enteroviruses through sewage treatment processes, is currently in progress.

Countryside

Mr. Hesford: To ask the Secretary of State for the Environment, Transport and the Regions when the Government's proposals on the right to roam will be published; and if he will make a statement. [23819]

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the consultation paper on access to the countryside to be published. [23808]

Mr. Meacher: The Government plan to issue for consultation shortly their proposals for giving greater freedom for people to explore open countryside.

Gipsies

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about Circular 18/94, in relation to the Police and Criminal Justice Act 1994; and if he will make a statement. [23831]

Ms Armstrong: Sections 77 to 79 of the Criminal Justice and Public Order Act 1994 give all local authorities powers to deal with unauthorised camping, and my Department's Circular no. 18/94, "Gypsy Sites Policy and Unauthorised Camping", gives advice to local authorities on the use of these powers.

My Department has received a number of representations, both from local authorities and from groups representing gypsies and travellers, about the advice in Circular 18/94. We have commissioned a research project to consolidate existing good practice for local authorities in dealing with unauthorised camping, with a view to producing guidance. We will be consulting the Local Government Association and others on a draft of that guidance in the spring.

Professional Divers

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the assessed *(a)* short and *(b)* long term health risks to professional divers; and if he will make a statement.[23813]

Angela Eagle: The assessed short-term health risks to professional divers include:

1. decompression illness ("bends");
2. barotrauma;
3. cerebral arterial gas embolism;
4. inert gas narcosis;
5. oxygen toxicity;
6. hypoxia (lack of oxygen);
7. carbon dioxide toxicity;
8. toxicity from other gases, for example carbon monoxide contamination;
9. hyperthemeia and hypothermia;
10. high pressure neurological syndrome in deep diving;
11. infections;
12. transient decreases in haemoglobin levels and lung function during the period of saturation dives.

The longer-term health effects of professional diving are becoming better appreciated as medical knowledge has increased. These longer-term health effects include:

1. dysbaric osteonecrosis;
2. decrease in lung function;
3. changes in neurophysiological function;
4. changes in psychological function;
5. changes in retinal function;
6. changes in audiological function.

The Health and Safety Executive is currently commissioning further research to investigate the potential long-term health effects associated with working in hyperbaric environments.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of United Kingdom nationals who have registered as professional divers broken down by category for each year since 1979. [23817]

Angela Eagle: All divers at work who dive in UK waters are required to hold a diving certificate issued by the Health and Safety Executive under the Diving Operations at Work Regulations 1981. The following information shows the numbers of UK nationals who have been awarded HSE diving certificates since 1981. Divers working in the UK before the Regulations came into force were exempted from this requirement and consequently do not appear in the table.

	Type of Diving Certificate awarded				
Year	*Part 1*	*Part 2*	*Part 3*	*Part 4*	*Total*
1982	341.00	162.00	181.00	220.00	904.00
1983	332.00	153.00	129.00	101.00	715.00
1984	357.00	143.00	162.00	118.00	780.00
1985	443.00	148.00	157.00	113.00	861.00
1986	298.00	94.00	118.00	116.00	626.00
1987	103.00	98.00	110.00	133.00	444.00
1988	110.00	118.00	150.00	168.00	546.00
1989	162.00	147.00	167.00	165.00	641.00
1990	214.00	120.00	226.00	156.00	716.00
1991	272.00	98.00	277.00	427.00	1,074.00
1992	212.00	56.00	241.00	338.00	847.00
1993	224.00	73.00	277.00	409.00	983.00
1994	294.00	46.00	306.00	391.00	1,037.00
1995	187.00	36.00	274.00	407.00	904.00
1996	158.00	13.00	144.00	272.00	587.00
1997	179.00	24.00	130.00	162.00	495.00

Notes

1. HSE currently has four different diving competence standards, called Parts.

   Part 1 Basic Air Diving
   Part 2 Mixed Gas Diving
   Part 3 Air Diving Where No Surface Compression Chamber is Required On Site.
   Part 4 Air Diving With Self Contained Equipment Where No Surface Compression Chamber Is required on site.

2. Under the Parts there are nine variations of the diver training certificates.

HSE Part 1	basic air	— Unrestricted
HSE Part 2	mixed gas/bell	— Unrestricted
		— Restricted to bell diving in air range
HSE Part 3	onshore air	— Unrestricted
		— Restricted to diving in the Police Force
		— Restricted to diving in tanks
		— Unrestricted
HSE Part 4	SCUBA	— Unrestricted
		— Restricted to diving in tanks
		— Restricted to instruction of recreational divers (discontinued in June 1996)

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions who is responsible for the hyperbaric medical monitoring of professional divers once they have left the profession. [23816]

Angela Eagle: There is no statutory requirement for the hyperbaric medical examination of professional divers once they have left the profession.

However, the Health and Safety Executive is currently commissioning further research into the potential long-term health effects associated with working in hyperbaric environments. The subject group will include former commercial divers.

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions how much money offshore operators have contributed to hyperbaric medical research since 1979. [23814]

Angela Eagle: The total cost of hyperbaric medical research projects carried out by the Offshore Safety Division of the Health and Safety Executive (and the then Department of Energy) since 1979 is £6.2 million. The offshore industry's contribution is estimated as £1.4 million (approximately 20 per cent. of the total cost).

Tobacco Smoke

Mr. MacShane: To ask the Secretary of State for the Environment, Transport and the Regions if he will list environmental tobacco smoke as a hazardous substance under health and safety at work legislation. [23811]

Angela Eagle: There are at present no plans to do so. However we intend to review our policies on control of environmental tobacco smoke when we have considered the forthcoming report from the Scientific Committee on Tobacco and Health.

Millennium Experience

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the threat to *(a)* the environment and *(b)* public health of residual contamination which remains on the Millennium Experience site. [24220]

Angela Eagle: The Exhibition site has been subject to detailed ground investigation and assessment by British Gas Properties/Port Greenwich Ltd. who were the original owners and original polluters, to provide information on the presence of contaminants. English Partnerships bought the site from British Gas early in 1997 and has carried out further investigations.

These assessments have allowed English Partnerships to carry out a safe, practical strategy for the remediation of the site. Rehabilitation proposals have been drawn up in accordance with current guidance from the Interdepartmental Committee for Redevelopment of Contaminated Land and the Environment Agency. The overall rehabilitation strategy has also been discussed and agreed with both the Environment Agency and the Environmental Health Department of the London Borough of Greenwich. All aspects of the remediation work have been carried out to statutory health and safety standards.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if contaminated material found at the site of the Millennium Experience has been disposed of off-site. [24219]

Angela Eagle: The remediation strategy has involved the excavation of contaminated soils, treatment of the soils on site, the maximum re-use of material on the site and the disposal off-site of some of the soil to licensed landfill sites. The selection of sites for disposal is the responsibility of the contractors who, under the provisions of the Environmental Protection Act 1990, operate under a duty of care in the waste handling chain. All the sites used have been licensed by the relevant authority and are suitable for the material being disposed there.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if contaminated material has been buried on the site of the Millennium Experience. [24221]

Angela Eagle: Low levels of contaminated material, have been left in situ in accordance with current Government guidance for contaminated land. The site has been capped with a multi-layered clean-engineered capping material to isolate the site users from this material. Risk assessments have been carried out and the remediation has been designed to protect all possible users from harm.

Global Warming

Mrs. Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what estimate his Department has made of the contribution of aircraft pollution to global warming. [24329]

Ms Glenda Jackson: Aircraft currently contribute some 2-3 per cent. of anthropogenic CO_2 emissions. They also emit NOx, which at altitude may cause a similar global warming effect. The total aircraft contribution to global warming is estimated as being ~0.05 watts per sq m (Wm-2), compared with the combined effect of industrial emissions of ~2 to 3 Wm-2. However, aviation emissions are expected to increase in the future because of the forecast world-wide growth in aviation. My Department will continue to work through the International Civil Aviation Organisation toward stricter emissions standards and to sponsor research on aviation and the environment.

Airport Landing Charges

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the landing charges for comparable airliners at the main United Kingdom and international airports and the changes in Heathrow landing charges since BAA's privatisation. [24066]

Ms Glenda Jackson: The table shows the charges for four typical airliners at Heathrow, Gatwick and Manchester airports compared with other major European airports in ECU.

Since privatisation in 1987, landing and parking charges at Heathrow for a Boeing 757–200 (an example of an aircraft that has been operating throughout the period) have risen by 62.9 per cent. in the peak period and by 69.7 per cent. off-peak. When allowance is also made for passenger charges the increase has been 12.1 per cent. in the peak (to £2,114) and 142 per cent. off peak (to £996). (These calculations have been made assuming that the Boeing 757–200 is operating an international flight with three quarters of its 196 seats occupied and that it will spend one hour parked at Heathrow).

Airport related charges per turn round 1995–96 (in ECU)

Airport	*Inter-continental Boeing 747-400 (peak)*	*Intra-EU A320-100 (off-peak)*	*Intra-EU Boeing 737-400 (off-peak)*	*Domestic ATR 42 (peak)*
Heathrow	6,552	2,067	3,798	499
Gatwick	6,560	1,703	2,777	393
Manchester	7,527	2,361	3,582	253
Amsterdam	6,531	1,798	2,769	420
Brussels	6,229	1,623	2,552	157
Frankfurt	7,923	2,272	2,933	624
Paris Charles de Gaulle	7,176	1,601	2,023	274

Source:
Appendix 5.6, Table 2 of Monopolies and Mergers Commission Report on the economic regulation of Manchester Airport plc. (published October 1997).
Note:
Peak and off-peak apply at London Heathrow only.
Airport-related charges include:
runway usage fees, passengers terminal charges, passenger transfer charges, parking charges, airbridge charges, security charges, terminal navigation charges, noise charges, night operations or lighting charges, fuel throughput charges, state-imposed departure taxes.

Pride of Bilbao

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what were the findings of the Marine Safety Agency's investigation

into the recent crossing to Spain of the Pride of Bilbao; and what assessment he has made of the Agency's investigation. [24056]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency, Mr. R.M. Bradley, to write to the hon. Member.

Letter from R. M. Bradley to Mr. Mike Hancock, dated 22 January 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your Question about the vessel "Pride of Bilbao".

The vessel recently completed a voyage from Bilbao to Portsmouth in poor weather conditions which worsened as the passage continued. The Master of the vessel was subsequently interviewed by MSA officials. It was established from weather forecasts available at the outset of the voyage that it was not unreasonable, on safety grounds, for the voyage to commence.

There were several slight injuries on board, the worst of which was a broken arm; no damage to the ship was sustained. All of the injuries sustained have been reported to the Marine Accident Investigation Branch for their consideration.

The MSA is content that the Master did not put to sea in overly adverse conditions and did not compromise safety in any part of the voyage.

Shropshire County Council

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the ability of Shropshire County Council to meet its statutory obligations in the next financial year within his proposed financial settlement. [24431]

Ms Armstrong: The Secretary of State has proposed for consultation that Shropshire's Standard Spending Assessment (SSA) in 1998–99 should be £170.325 million. SSAs are the Government's view of the level of net revenue expenditure that it would be appropriate for each local authority to incur, given overall national resources, to provide a level of service which is consistent across all local authorities. SSAs are calculated by formulae which use objective measures of spending need. We take account of statutory obligations when setting the level of SSA.

Child Pedestrian Accidents

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the United Kingdom record on child pedestrian accidents; and if he will make a statement on the progress of initiatives in this area. [24469]

Ms Glenda Jackson: The United Kingdom has one of the best road safety records in the world, but progress overall on child pedestrian safety has not been as good as in other areas. The previous administration set a target to reduce child pedestrian deaths from 1.3 to 1.0 per 100,000 children by the year 2000 using a combination of engineering, enforcement and education measures. In 1996 there were 1.1 child pedestrian fatalities per 100,000 children aged 0 to 14. Since then we have launched the 'Kerbcraft' initiative designed to encourage local communities to play a part in helping young children to understand the importance of road safety. Improving child safety will be one of the issues addressed in the road safety strategy exercise announced on 15 October.

London Underground

Mrs. May: To ask the Secretary of State for the Environment, Transport and the Regions when he will make an announcement about the future funding of London Underground, with particular reference to capital investment. [24671]

Ms Glenda Jackson: We are urgently developing proposals for a public/private partnership to provide London Underground with the funding it needs to increase investment and achieve the Underground that Londoners deserve. We will make an announcement when we have reached a decision.

Virgin Trains

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many co nplaints were received by the rail users' consultative committees about the services provided by Virgin Trains during *(a)* the quarter ended 31 December 1997 and *(b)* the equivalent period in 1996. [24771]

Ms Glenda Jackson: The Rail Users' Consultative Committees' complaints figures for the quarter ending 31 December 1997 are currently being collated by the Central Rail Users' Consultative Committee. I will write to the hon. Member when the figures requested are available and will place a copy of my letter in the Library of the House.

The complaints figures requested for 1996 are not available. Virgin Trains did not commence operation of passenger rail services until 5 January 1997.

Eastern Regional Development Agency

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on where the offices of the Regional Development Agency for the Eastern Region will be sited. [24497]

Mr. Caborn: It is not for Government to dictate where the Agency will be located. The agency itself will be best placed to decide where its offices should be.

Air Traffic Control

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on *(a)* the current delay in the development of the new air traffic control centre at Swanwick and *(b)* the implications for the proposed contract for the new Scottish centre at Prestwick. [24143]

Ms Glenda Jackson: The Chief Executive of National Air Traffic Services Ltd. (NATS) announced in July 1997 that there would be a delay to the operational date of the Swanwick centre. Following a review of the project plan, and consultation with NATS staff, users and the Government, the Board of the Civil Aviation Authority agreed a revised operational date of 1999–2000. NATS remain confident that this revised date is achievable, and have developed a robust and flexible implementation plan to bring the project to completion.

To date, the delay to the operational date of the Swanwick centre has had no impact on the proposed contract for the New Scottish Centre at Prestwick.

WALES

Sewage Treatment

Mr. Ruane: To ask the Secretary of State for Wales if he will list the coastal towns in Wales whose sewage receives ultra-violet treatment; and if he will list those towns for which ultra-violet treatment is proposed. [22027]

Mr. Win Griffiths: I am advised by the Environment Agency that ultra violet treatment has been installed at the following sewage treatment works operated by Dwr Cymru Cyf, some of which receive effluent from more than one location.

Llanelli
Laugharne
Amroth
Tenby
Dale
Newgale
Llangrannog
Aberystwyth
Tywyn/Aberdyfi
Criccieth
Pwllheli
Treborth (Bangor)
Beaumaris.

Dwr Cymru has stated that its long-term goal is to provide disinfection at all its coastal sewage treatment works.

Travellers

Mr. Barry Jones: To ask the Secretary of State for Wales what action he will take to assist communities affected by unauthorised encampments of travellers in Flintshire. [24159]

Mr. Win Griffiths: Land authorities and the police have powers under sections 66 and 77–79 of the Criminal Justice and Public Order Act 1994 to direct unauthorised campers, including travellers, to leave land where they are camped without permission.

Although these powers are discretionary, local authorities and the police have wide experience of dealing with unauthorised encampments and it is for them to decide whether the use of the powers is necessary.

Literacy

Mr. Wigley: To ask the Secretary of State for Wales what plans he has to ensure that the development of literacy in the Welsh language is included in the Government's plans to concentrate on maths and literacy in schools. [24292]

Mr. Ron Davies: English and Welsh are dealt with on a basis of equality in the targets we have set for improving standards of literacy. An additional £1.5 million will be available in 1998–99 through the Grants for Education Support and Training Programme to support the development of literacy strategies covering English and Welsh. Local Education Authorities will be able to use these funds in ways which reflect their own language policies.

Farm Support

Mr. Wigley: To ask the Secretary of State for Wales what steps the Government are taking to ensure that Welsh farmers receive their grant payments on time. [24294]

Mr. Win Griffiths: Significant overtime is being worked in the Welsh Office Agriculture Department's Divisional Offices, to help cope with the current delays in getting payments out to farmers. In 1997–98, the Welsh Office is investing an additional £1.4 million in better IT equipment and systems for the Agriculture Department, to secure long-term improvements. An Information Systems Strategy is examining options for investment in new IT programmes. In common with other aspects of delivery of services by Government, administration of Common Agricultural Policy schemes in the UK is being examined as part of the Comprehensive Spending Review.

ATTORNEY-GENERAL

Serious Fraud Office

34. **Mr. David Heath:** To ask the Attorney-General if he will make a statement on the role of the Serious Fraud Office in investigating fraud against the European Union. [22338]

The Attorney-General: The role of the Serious Fraud Office is to investigate and where appropriate prosecute those suspected of serious or complex fraud. The Director of the SFO takes the public interest into account in deciding whether to investigate an allegation of fraud. The fact that the fraud is against local or central government, including frauds involving European Union funds, would be a factor which tends to favour an investigation. The Director may also use her investigating powers to assist other judicial or prosecuting authorities abroad who may be investigating such cases of fraud.

Crown Prosecution Service

35. **Mr. John M. Taylor:** To ask the Attorney-General what representations he has received on the effect on morale in the Crown Prosecution Service of extending their rights of audience. [22340]

The Attorney-General: I know from discussions with members of the Crown Prosecution Service at all levels that the rights already granted are very welcome.

Treasury Solicitor's Office

Mr. Clifton-Brown: To ask the Attorney-General what plans he has to reform the operation of the Treasury Solicitor's Office. [22339]

The Attorney-General: The Treasury Solicitor's Department is currently carrying out a Comprehensive Spending Review of its objectives and spending programmes, on which decisions will be made in due course. Other than that, I have no plans to reform the Department's operations at present.

CULTURE, MEDIA AND SPORT

Digital Television and Radio

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport when he expects digital television and digital radio to be available in North-East Lancashire. [23374]

Mr. Fisher: The BBC and the Independent Television Commission (ITC) are responsible for planning the transmission of digital terrestrial television services. At present, plans are being formulated for the launch phase of digital television services from 81 transmission sites. I understand that the Winter Hill and Pendle Forest transmitters, which are both included in the 81 site plan, will provide digital terrestrial television services to North-East Lancashire. However, the precise coverage will not be known before transmission actually begins. Winter Hill should broadcast from the launch of digital terrestrial transmissions scheduled for later this year and Pendle Forest within 16 months of the launch.

The BBC has already commenced the transmission of digital radio services, and estimates that its national radio services will reach 60 per cent. of the UK population from twenty seven transmitter sites. I understand these BBC services are already available to significant parts of Lancashire. Increasing coverage, including the provision of services from the Pendle Forest relay, will be considered by the BBC as part of subsequent phases of development. The Radio Authority plans to advertise the national commercial digital radio multiplex in March and the projected speed of roll-out of the services it is to carry is one of the factors to be assessed in determining which applicant receives the licence. A local multiplex licence for Central Lancashire is scheduled to be advertised by the Radio Authority in January 2000.

Millennium Commission

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport (1) which local authority areas with populations of more than one million have *(a)* failed to win and *(b)* failed to propose a millennium project of £1 million or more; [24532]

(2) what audit the Millennium commissioners originally undertook to establish what projects of £50 million or more were appropriate for the United Kingdom; and what were their findings; [24531]

(3) how many projects have been commissioned by the Millennium Commission to date; of those how many *(a)* are experiencing financial difficulty, *(b)* have not secured matching funds and *(c)* have requested additional funds from the Millennium Commissioners; and what response has been made in each case; [24445]

(4) what (i) penalties will be imposed on and (ii) assistance will be offered by the Millennium Commissioners to projects which do not secure matching funds; and if he will make a statement on the role of the National Audit Office in this area; [24446]

(5) how many Millennium Commission projects will be completed by *(a)* 1 January 2000 and *(b)* 1 January 2001; [24449]

(6) where the financial liability rests for those Millennium Commission supported projects which fail to fulfil their original criteria. [24448]

Mr. Chris Smith: These are matters for the Millennium Commission. I shall reply to my hon. Friend in my capacity as Chairman of the Commission, and place copies of my reply in the Libraries of the House.

DEFENCE

Chemical and Biological Weapons (Iraq)

Mr. Cousins: To ask the Secretary of State for Defence what assessment he has made of *(a)* the stockpiles of and *(b)* the availability of production facilities for (i) chemical agent VX, (ii) ricin and (iii) anthrax in Iraq. [22973]

Mr. George Robertson: Before the Gulf war, Iraq had developed a significant chemical and biological warfare capability, a capability which she has since admitted using against Iran and has also deployed against her own people. The valuable work of the United Nations Special Commission (UNSCOM) over the past seven years has reduced, but not entirely eliminated, Iraq's capability in this field.

The possibility therefore, that Iraq retains a small number of chemical and biological agents, possibly including VX agent, ricin and anthrax, cannot be ruled out.

It has not been possible, for example, to confirm that all the VX agent which Iraq claims to have produced has been destroyed.

UNSCOM has reported the supervised destruction of a pilot VX production plant. But the production of small quantities of VX could still be concealed within university laboratories or the chemical industry.

In addition, whilst Iraq has told UNSCOM that it examined the potential of the plant toxin ricin without success, we cannot confirm that she has given a truthful account of her interest in ricin or that she has destroyed all stocks of the anthrax spores which she claims to have done. Again, Iraq could conceal production of biological warfare agents in facilities associated with biomedical research.

Even if she does not possess such stocks, Iraq could be capable of producing small quantities of chemical and biological agents; a significant capability. Since we cannot vouch for Iraq's intentions in the future, UNSCOM's work must continue until the UN Security Council are satisfied that Iraq is complying with all relevant resolutions of the United Nations.

Radioactive Waste

Mr. Hancock: To ask the Secretary of State for Defence what representations he has received from Portsmouth City Council requesting information concerning the dumping of *(a)* radioactive and *(b)* low-grade radioactive waste in the Portsmouth area. [23332]

Mr. Spellar: Officials within the Ministry of Defence have received a number of requests for information concerning the dumping of radioactive waste from

Portsmouth City Council. This has been supplied, subject to the constraints laid down in the Code of Practice on Access to Government Information.

Mr. Hancock: To ask the Secretary of State for Defence (1) what records his Department has collated in respect of the dumping of *(a)* radioactive and *(b)* low-grade radioactive waste in the Portsmouth City Council area; and if he will make the records available to the Council's Environmental Health Officer; [23377]

(2) what records his Department holds on the dumping of radioactive waste and low-grade radioactive waste in *(a)* the Fareham Borough Council, *(b)* the East Hampshire District Council and *(c)* the Rushmoor Borough Council area; and if he will make them available to the councils' environmental health officers; [23717]

(3) if he will make available records of the dumping of radioactive waste and low-grade radioactive waste, in the Havant Borough Council area, to the council's environmental health officer; [24058]

(4) if he will make departmental records on the dumping of radioactive waste and low-grade radioactive waste, in the Gosport Borough Council area, available to the council's environmental health officer. [24059]

Mr. Spellar: Although the Radioactive Substances Act 1960 does not apply to the Ministry of Defence, radioactive waste is disposed of from MOD sites under arrangements with the Environment Agency similar to those required by the Act. As part of these arrangements, information on local disposals is passed to the relevant councils. The MOD also holds some reports which relate to activities pre-dating these arrangements, most notably at Aldershot. In that instance both Rushmoor Borough Council and the Environment Agency are involved in discussions about the site. Information is also made available in response to specific requests under the terms of the Code of Practice on Access to Government Information.

Atomic Weapons Testing

Mr. Llew Smith: To ask the Secretary of State for Defence (1) what assessment he has made of the research conducted by the Medical Education Department of Dundee University into atomic test veterans' health;[23798]

(2) what recent communications his Department has had with the Australian Government concerning the study being undertaken by Dr. Rabbitt-Roff of Dundee University on the effects on British veterans' health of the atmospheric atomic tests conducted by the United Kingdom in Australia. [23809]

Mr. Spellar: I assume that the hon. Member is referring to the research work undertaken on behalf of the British Nuclear Test Veterans Association by Dr. Rabbitt-Roff. There is no substantive evidence in her work which would undermine in any way our total confidence in the conclusions of the report published by the National Radiological Protection Board (NRPB) in 1993 which were that participation in the testing programme had not had a detectable effect on the participants' expectation of life or on their risk of developing cancer or other fatal diseases. Unlike the NRPB findings, which were published in the *British Medical Journal*, the BNTVA's studies have not been peer reviewed and published in scientific journals.

My Department has not discussed this matter with the Australian Government.

Tomahawk Weapons

Mr. Hancock: To ask the Secretary of State for Defence what plans the Royal Navy has to purchase the Advanced Tomahawk Weapon Control System; and what estimate he has made of the cost. [24359]

Mr. Spellar: A submarine variant of the Advanced Tomahawk Weapon Control System is being purchased as part of the arrangements under which Tomahawk missiles are being procured. The cost of the ATWCS is some £18 million.

Mr. Hancock: To ask the Secretary of State for Defence what plans the Royal Navy has to upgrade its Tomahawk Missiles to Block IV standard; and at what cost. [24360]

Mr. Spellar: There are no plans to upgrade Royal Navy Tomahawk Missiles to Block IV standard.

European Regional Test Centre

Mr. Ainger: To ask the Secretary of State for Defence (1) if it is his intention to continue the United Kingdom commitment to NATO in respect of providing the European Regional Test Centre for interchangeability and interoperability of NATO small arms ammunition; and if he will make a statement; [24103]

(2) if the collective decision of NATO in 1993 that the European Regional Test Centre for testing certain ammunition should be based at Pendine has been amended following Pendine's certification; and if he will make a statement; [24101]

(3) if his Department or the Defence Evaluation and Research Agency have identified a single facility with the required range, size, technical facilities and experienced staff as an alternative to the European Regional Test Centre at Pendine; and if he will make a statement. [24102]

Mr. Spellar *[holding answer 20 January 1998]:* NATO's 1993 certification of the European Regional Test Centre facility at DERA Pendine has not been amended.

There are potentially a number of other sites in the UK that could conduct the small arms work for both MOD and NATO needs. The aim of the Ministry of Defence is to provide these capabilities in the most cost effective way to ensure best value for money for the UK and our NATO allies.

There are presently no plans to discontinue provision of a European Regional Test Centre for small arms ammunition. Our commitment is dependent on suitable and affordable facilities being available.

Mr. Ainger: To ask the Secretary of State for Defence how much was charged by the Defence Evaluation and Research Agency for the operation of the European Regional Test Centre for small and medium calibre ammunition at Pendine in each of the financial years since Pendine was certified. [24104]

Mr. Spellar *[holding answer 20 January 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Nick Ainger, dated 22 January 1998:

I am replying to your question to the Secretary of State about charges for the operation of the European Regional Test Centre and Pendine as this matter falls within my area of responsibility as Chief Executive of the Defence Evaluation and Research Agency.

The Pendine range, which includes the NATO European Regional Test Centre for small arms and medium calibre ammunition, was not part of the Defence Evaluation and Research Agency (DERA) until FY 95/6. During FY 93/4 and FY 94/5 the Pendine site was vote funded and direct charges were not made. Costs were allocated on a notional basis, with much of the site running costs funded via the vote. Reliable figures are therefore not available for these years.

Since FY 95/6 tasks have been costed individually and on a full recovery of costs basis. The total income from NATO work is:

1995/96: £120K

1996/97: £130K

1997/98: £150K (Estimate of end of year outturn).

During this period national work has produced the following income:

1995/96: £633K

1996/97: £1,041K

1997/98: £1,180K (Estimate of end of year outturn).

MOD also pays an annual maintenance charge to support the NATO and national facilities of:

1995/96: £137K

1996/97: £256K

1997/98: £303K.

I hope this information is helpful.

WE-177 Bomb

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 31 July 1997, *Official Report*, column *473*, which of the types of WE-177 Bomb have been assigned to the Royal Air Force. [24763]

Dr. Reid: All three variants of the WE-177 bomb have been in operational service with the Royal Air Force. As the hon. Gentleman will be aware from the reply my hon. Friend the Parliamentary Under-Secretary of State for Defence gave on 31 July 1997, *Official Report*, column *473*, the last of these bombs will shortly be withdrawn from service.

A maritime version of the Type A bomb was also in service with the Royal Navy until 1992.

Recruitment (Ethnic Minorities)

Dr. Kumar: To ask the Secretary of State for Defence what targets his Department sets in respect of the recruitment of ethnic minority personnel into the Armed Forces. [25490]

Dr. Reid: We have made clear, on a number of occasions, our determination that the Armed Forces should better reflect the ethnic composition of our society. As part of this commitment I am pleased to announce that, for the year starting in April, the goal for each Service will be that 2 per cent. of new recruits should be from the ethnic minorities, with that figure rising annually by 1 per cent. so that it reaches 5 per cent. by the end of the financial year 2000–02 and in time reflects the proportion of people from ethnic minority communities in the wider population.

These recruiting goals represent a major challenge for all in the Services, especially recruiting personnel, and will be reflected in the Ministry of Defence Departmental Plan. I am confident that they are realistic and provide a strong indication of our wish to make real, tangible progress in this area.

Joint Strategic Submarine Patrols

Mr. Key: To ask the Secretary of State for Defence what discussions have been held with the French authorities on joint strategic submarine patrols; and if he will make a statement. [24674]

Mr. George Robertson: Officials have discussed a wide range of subjects with their French counterparts relating to the maintenance of effective deterrence in changing circumstances within the Joint Nuclear Commission. There have been no discussions on the issue of joint UK/French deterrent patrols.

Exercise Senator 97

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his Answer of 12 November 1997, *Official Report*, column *580*, on Exercise Senator 97, in which part of Lincolnshire and at which MoD sites the exercise took place; how many county councils *(a)* participated and *(b)* were invited to participate in the exercise; and what lessons were learnt from this exercise. [24764]

Dr. Reid: Exercise SENATOR 97, which took place between 22 and 25 September 1997, was located in the Grantham area of Lincolnshire with the Strategic Co-ordination Group, under Lincolnshire Police chairmanship, based at Lincolnshire Fire Brigade Headquarters, Lincoln. Prince William of Gloucester Barracks was used as a convenient location for the main MoD response forces. Lincolnshire County Council participated in the exercise and was the only County Council invited to participate. Lessons learnt from the exercise will be reflected in an all-agency post exercise report which will be placed in the Library of the House in due course.

IT Equipment

Mr. Barnes: To ask the Secretary of State for Defence what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23277]

Mr. Spellar *[holding answer 21 January 1998]:* Since April 1994, a contract has been in place providing for the recycling of laser printer and ink jet printer cartridges. A scheme to recycle mobile phones is currently in negotiation.

The recycling of information technology equipment such as personal computers is currently the responsibility of local MOD management units and Agencies, and occurs either within their organisations or via third party suppliers. The Department is, however, currently seeking

to let a contract for recycling of information technology equipment. When a central contract is in place all MOD establishments and Agencies will be able to take advantage of this arrangement.

We have no specific arrangements covering the recycling of information technology equipment with other Government Departments or Agencies. However, the Disposal Sales Agency have in place arrangements to dispose of IT equipment which is unsuitable for recycling within the Department on the open market once it has been cleared of all classified information. Eighteen other Government Departments and Agencies outside the MOD currently make use of these arrangements to dispose of their IT equipment.

PRIME MINISTER

No. 10 Downing Street (Staff)

Ms Abbott: To ask the Prime Minster how many people work for him at No. 10 Downing Street; and of these how many are paid *(a)* from public funds and *(b)* by the Labour Party. [23025]

The Prime Minster *[holding answer 15 January 1998]:* There were 152 people working at No. 10 Downing Street on 1 January 1998. Of these, 145 were paid from public funds and seven Political Office staff were paid by the Labour Party.

European Commissioner

Dr. Fox: To ask the Prime Minister what discussions he has had with the right hon. Member for Yeovil (Mr. Ashdown) about the successor to Sir Leon Brittan as European Commissioner. [23711]

The Prime Minister: None.

Dr. Fox: To ask the Prime Minister what discussions he has had regarding the replacement British European Commissioner at the end of Sir Leon Brittan's term of office. [23712]

The Prime Minister: The members of the Commission were appointed for a five year period, ending on 6 January 2000.

Announcements will be made in the usual way in due course.

Millennium Compliance

Mrs. Gillan: To ask the Prime Minister if he will publish his response to the British North America Committee on millennium compliance issues. [23558]

The Prime Minister *[holding answer 16 January 1998]:* I refer the hon. Member to the statement my right hon. Friend the Chancellor of the Duchy of Lancaster made to the House on 27 November 1997, *Official Report,* columns *1104-05.*

IT Equipment

Mr. Barnes: To ask the Prime Minister what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23280]

The Prime Minister *[holding answer 21 January 1998]:* For this purpose my office is part of the Cabinet Office. I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Secretary, Office of Public Service on 21 January 1998, *Official Report,* column *600.*

Schengen Agreement

Mr. Bercow: To ask the Prime Minister when he was informed that the procedures for joining the Schengen Agreement under the Treaty of Amsterdam would be subject to unanimity. [24053]

The Prime Minister: I refer the hon. Member to the reply given to him today by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson), on 21 January 1998, *Official Report,* column *540.*

FOREIGN AND COMMONWEALTH AFFAIRS

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23761]

Mr. Robin Cook *[holding answer 19 January 1998]:* *(a)* (i) I was accompanied by my partner, Ms Gaynor Regan, on two visits within the UK. She accompanied me to CHOGM in Edinburgh on 23–27 October 1997. We travelled by RAF aeroplane. On 14 November 1997 I flew on a RAF aeroplane for an emergency meeting on Iraq with the US Secretary of State, Mrs. Albright. Ms Gaynor Regan accompanied me on that RAF aeroplane to Edinburgh. We both flew back commercially.

(a) (ii) There was no cost to public funds on either occasion.

(b) (i) No other FCO Minister has been accompanied by his or her partner on any visit within the UK.

(b) (ii) None.

Algeria

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the future progress of the EU-Algeria Partnership Agreement; and what assessment he has made of Algeria's commitments under the human rights clause of that Agreement. [24443]

Mr. Doug Henderson: The EU/Algeria Association Agreement is part of the Euro-Med process begun in Barcelona in 1995 and will provide for liberalised trade an enhanced political dialogue. The European Commission is currently negotiating the terms of the Agreement, including commitments by both parties to respect human rights and democratic principles. The EU/Algeria

Association Council set up under the agreement will allow discussion of compliance with all parts of the agreement once it enters into force.

BBC World Service

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral answer of 13 Janaury 1998, *Official Report*, column 141, what assessment he has made of the advantages of providing the BBC World Service in key languages. [24783]

Mr. Fatchett: Broadcasting in vernacular languages is an important element in the World Service's ability to reach its target audience. We and the World Service keep its 44 language services under constant review. New languages are introduced and others closed down to meet new priorities.

Heathrow (VIP Facilities)

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 12 January 1998, *Official Report*, column *23*, if he will list the equivalent figures for the use and cost of VIP facilities at Heathrow Airport for 1996. [24500]

Mr. Tony Lloyd: The information is in the following table.

(a)	*Number*	*(b)*	*Cost (£)*
May	902	May	172,755.55
June	1,097	June	210,102.92
July	1,176	July	225,233.40
August	1,109	August	212,401.22
September	1,375	September	263,346.87
October	934	October	178,884.35
November	1,043	November	199,760.57

The figures include use of VIP facilities by the British Council and the Bank of England. They also include VAT. The figures include use by Foreign and Commonwealth VIP visitors as well as HMG Ministers.

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by *(a)* month and *(b)* Minister the number of times each Government Minister has used VIP facilities at Heathrow Airport in the course of their official travel since 1 May. [24494]

Mr. Lloyd: Details of FCO Ministers are as follows:

	Secretary of State	*Mr. Lloyd*	*Mr. Fatchett*	*Mr. Henderson*
1997				
May	3	—	2	3
June	5	—	3	4
July	5	1	4	3
August	1	—	—	1
September	2	1	3	4
October	2	—	—	6
November	4	1	3	4
December	1	1	—	2
1998				
January	1	1	2	—

Baroness Symons has not used the VIP facilities at Heathrow Airport during this period.

My Department does not have readily available a breakdown of use by Ministers from other Government Departments. We shall ask Heathrow Airport Limited to prepare one and my noble Friend the Parliamentary Under-Secretary, Baroness Symons, will write to the hon. Member accordingly.

Correspondence

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs when the hon. Member for Walsall, North will receive a reply to his letter of 9 December regarding a constituent. [24519]

Mr. Fatchett: My noble Friend the Parliamentary Under-Secretary, Baroness Symons, sent a letter to my hon. Friend about this application on 20 January.

LORD CHANCELLOR'S DEPARTMENT

Poor People

Mr. Pond: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards of the poorest 30 per cent. of the population. [23346]

Mr. Hoon: This Department's aim is to ensure that all people, irrespective of means, can uphold their rights and fulfil their obligations, in particular through efficient and affordable courts and legal services, and by developing the civil law to meet society's needs. We will evaluate our policies in line with this aim.

Magistrates Court, Chelmsford

Mr. Burns: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the current status of proposals relating to the moving of Chelmsford magistrates court to Witham; and when he expects a final decision on this proposal to be taken. [24496]

Mr. Hoon: The Department has no proposals in respect of magistrates courts in Essex.

Decisions concerning the future of magistrates courts is for the relevant magistrates courts committee to determine. A local authority that contributes financially may appeal to the Lord Chancellor against a proposed closure. The procedure for such appeals is set out in section 56 of the Justices of the Peace Act 1997. In the absence of an appeal, however, the Lord Chancellor plays no part in the process.

I understand from the Essex magistrates courts committee that there are no current plans to move the Chelmsford magistrates court to Witham.

Overseas Visits

Mr. Wilshire: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 15 January 1998, *Official Report*, column *278*, what is the share of the cost of the official visit to Trinidad and Tobago attributable to Lady Irvine's attendance. [24499]

Mr. Hoon: Pursuant to my answer of 15 January 1998, *Official Report*, column *278* and my subsequent letter to the hon. Gentleman (a copy of which has been placed in the Library), the share of the cost of the official visit to Trinidad and Tobago attributable to Lady Irvine's attendance is approximately £2,350. The largest element of this is one business class return air fare from Heathrow to Port of Spain.

HOME DEPARTMENT

CS Gas

Mr. Baker: To ask the Secretary of State for the Home Department in respect of each police authority which has made CS gas available to officers, if he will give, the date of introduction, stating *(a)* how many cases of CS cross-contamination have been reported, *(b)* how many officer days have been lost, *(c)* how many claims for compensation have been filed and *(d)* how many awards of compensation have been made, giving the amount in each case. [24302]

Mr. Michael *[holding answer 20 January 1998]:* This information is not held centrally. At least 35 forces have introduced, or plan to introduce, CS spray. I am told that there are few, if any, cases in which officers are seriously affected by CS cross-contamination.

Mr. Baker: To ask the Secretary of State for the Home Department how many of the 588 officers who suffered cross-contamination effects during the CS Gas trials between 1 March and 31 August 1996 have *(a)* reported this cross-contamination as minor injury, *(b)* taken time off work as a consequence, *(c)* claimed compensation and *(d)* been awarded compensation, stating the amount in each case. [24283]

Mr. Michael: This information was not collected. The information available about cross-contamination suffered by police officers during the trials is contained in Chapter 4 of the Home Office Police Research Group report which was published in December 1996. A copy of the report is in the Library.

Immigration and Nationality Directorate

Mr. Allan: To ask the Secretary of State for the Home Department what estimates he has made of staffing levels at the Immigration and Nationality Directorate offices at Croydon on *(a)* 1 April 1998, *(b)* 1 April 1999 and *(c)* 1 April 2000. [24549]

Mr. Mike O'Brien: Current estimates are that there will be surpluses of Immigration and Nationality Directorate staff in Croydon of between 170 to 467 in the financial year 1998–99 and of a further 150 to 250 in 1999–2000.

Mr. Allan: To ask the Secretary of State for the Home Department what time scale he has planned for the implementation of the new computer system at the Immigration and Nationality Directorate offices at Croydon in respect of *(a)* initial installation, *(b)* pilot phase and *(c)* full operation. [24548]

Mr. Mike O'Brien: The contract to design, build, install and operate the new computer system in the Immigration and Nationality Directorate was awarded to Siemens Business Services under the Private Finance Initiative. It is accordingly for Siemens to plan the implementation, and the contract places on it the main financial consequences of any delay. There has recently been a delay of a few months to the original timetable for the installation and piloting of the solution. Siemens is preparing detailed plans and will shortly propose revised dates. I shall write to the hon. Gentleman when these have been agreed.

Mr. Allan: To ask the Secretary of State for the Home Department what sum is budgeted for the operation of the Immigration and Nationality Directorate offices at Croydon for the years *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000. [24547]

Mr. Mike O'Brien: The information requested is not available because the Immigration and Nationality Directorate budget is not apportioned by location or building. The total budget for the Directorate is £226 million in 1997–98 and £223.7 million in 1998–99. The budget for 1999–2000 will be set following consideration of the Comprehensive Spending Review.

Asylum Applications

Mr. Edward Davey: To ask the Secretary of State for the Home Department how many applicants for asylum to the Immigration and Nationality Directorate are awaiting decisions on their cases; how many refused applications are awaiting appeal; what is the date of the oldest application still to be processed; what is the date of the oldest refusal still awaiting appeal; and if he will make a statement. [23918]

Mr. Mike O'Brien: As at 31 December 1997, there were 51,795 applications for asylum in the United Kingdom, excluding dependants, awaiting an initial decision. As at the same date, there were 25,555 asylum related appeals awaiting determination. A large backlog of cases has developed over a decade and the Government are reviewing all aspects of asylum law to make the handling of cases faster. This year we are also computerising the case handling procedures which should help speed it up in the future.

I regret that reliable data for the other information requested are not available.

Cannabis

Mr. Flynn: To ask the Secretary of State for the Home Department if he will list the research initiatives involving cannabis which have been granted a licence. [24326]

Mr. George Howarth *[holding answer 21 January 1998]:* The information requested is as follows:

	Research initiative
Current licences	
Professor A. Smith, University of Oxford	Medical—effect of delta-9-THC and cannabis on the bladder reflex
Mr. D. Todd, James Paget Hospital	Medical—investigation claims of therapeutic benefits of cannabis
Dr. R. Pertwee, University of Aberdeen	Medical—neuropharmacology of cannabinoids
Dr. G. Hall, De Montfort University	Studies in Pharmacology

	Research initiative
Dr. D. Harvey, University of Oxford	Studies in Pharmacology
Professor F. Evans, University of London	Studies in Pharmacology
Professor M. Rubenstein, Liverpool John Moores University	Studies in Pharmacology
Professor P. Redfern, University of Bath	Studies in Pharmacology
Dr. R. Morgan, University of Sunderland	Studies in Pharmacology
Dr. K. Brain, University of Wales	Studies in Pharmacology
Dr. J. Smart, University of Portsmouth	Studies in Pharmacology
Dr. P. Dewick, University of Nottingham	Studies in Pharmacology
Dr. G. Lockwood, University of Manchester	Studies in Pharmacology
Mr. M. Aitken, University of Brighton	Studies in Pharmacology
Dr. P. Houghton, Kings College London	Studies in Pharmacology
Professor R. Richards, The Robert Gordon University	Studies in Pharmacology
Dr. C. Hunter, University of The West of England	Studies in Forensic Science
Dr. M. Cole, University of Strathclyde	Studies in Forensic Science
Professor D. Cowan, Kings College London	Drugs Testing
Expired licences	
Dr. G. M. Stern, Middlesex Hospital	Medical—effects of cannabis on Parkinson's Disease
Dr. P. Taylor, Bethlem Hospital	Medical—effects of cannabis on psychosis
Dr. A. Holdcroft, Hammersmith Hospital	Medical—effects of cannabis on familial Mediterranean fever

Mr. Ilsley: To ask the Secretary of State for the Home Department what research has been undertaken by the Government into the legalisation of cannabis following the report of the Wootton Commission. [24769]

Mr. George Howarth: Over the 30 years since the Wootton Commission published its report, the Home Office has undertaken studies of prevalence of cannabis (and other drug) misuse and attitudes towards legalising illicit drugs. I understand from my right hon. Friend the Secretary of State for Health that, although his Department has not recently commissioned basic research in this area, his officials, including professionals, are keeping the available research into the risks and medical use of cannabis under review.

Criminal Convictions

Mr. Barnes: To ask the Secretary of State for the Home Department if he will make a statement on the length of time taken between arrest and conviction of criminals. [22336]

Mr. Michael: Data on the exact period between arrest and conviction are not available. However, the magistrates courts Time Intervals Survey, published three times a year by the Lord Chancellor's Department, collects data on the time between offence and completion of magistrates courts proceedings. The latest available figures show that, in June 1997, the average time for defendants in indictable cases (including triable-either-way cases) was 132 days. This compares with 133 days in June 1996 and 132 in June 1995. Data collected by the Court Service show that the average time between committal and arraignment or start of trial in the Crown Court in 1997 was 12 weeks. This compares with 13 weeks in 1996 and 16 weeks in 1995.

The Government are determined to tackle delays in the criminal justice system. Delays impede justice, frustrate victims and bring the law into disrepute. The Government are particularly concerned by delays in dealing with persistent young offenders. A survey was recently conducted to establish a baseline for the Government's pledge to halve the time taken between arrest and sentence for persistent young offenders. That survey indicates that in 1996 the average time was 142 days. Many youth justice practitioners are already making efforts to tackle delay, with Government encouragement. My right hon. and learned Friend the Lord Chancellor wrote to the chairmen of youth court panels in May 1997 and a circular issued in October set out good practice and asked local agencies to set up fast-track schemes for persistent young offenders. The Government plan to contact youth justice practitioners in spring 1998 to find out what action has been taken to give effect to the circular's recommendations and, in particular, to establish fast-tracking schemes.

Following a public consultation exercise, the Government concluded that many of the recommendations of the Review of Delay in the Criminal Justice System had the potential substantially to reduce delay without impairing the quality of justice and accepted the majority of them. Those recommendations which require legislation are being implemented through the Crime and Disorder Bill currently before Parliament. The main recommendations relate to dealing promptly with straightforward guilty pleas, case management in magistrates' courts, Early Administrative Hearings in contested cases and starting indictable-only cases in the Crown Court.

In addition, to reinforce the effectiveness of these new procedures for case preparation and management, the Government will introduce the regime of statutory time limits for the prosecution of criminal cases provided for in the Prosecution of Offences Act 1985 but not yet implemented. Stricter time limits will be set for juvenile than adult cases and even tougher time limits will be imposed for persistent young offender cases.

Vessels (Fire Services)

Mr. Godman: To ask the Secretary of State for the Home Department how many vessels sought the assistance of fire services while in *(a)* territorial waters and *(b)* international waters in each of the past five yeawrs; of these what was the proportion of (i) bulk carriers, (ii) coastal vessels, (iii) tankers, (iv) warships, (v) fishing vessels and (vi) pleasure craft; and if he will make a statement. [23032]

Mr. George Howarth *[holding answer 21 January 1998]:* The readily available information on fires on vessels and other water craft at sea attended by local authority fire brigades is given in the table. Information on other types of incidents is not available.

Fires in vessels or water craft at sea attended by local authority fire brigades, by type of vessel, 1992 to 1996

United Kingdom *Number*

Type of vessel or water craft	*1992*	*1993*	*[1]1994*	*[1]1995*	*[1,2]1996*
Oil tankers	—	—	—	—	—
Defence vessels[1]	n/a	n/a	—	—	—
Fishing vessels[1]	n/a	n/a	2	7	1
Small craft, dinghies, etc.	9	13	1	6	6
Houseboats	—	—	—	—	—
Passenger vessels, ferries	—	—	1	—	—
Other ships	—	—	1	1	—
Barges, including narrowboats	—	—	—	—	—
Other water craft	—	—	1	2	—
All vessels	9	13	6	16	7

[1] Figures are based on sample records weighted to brigade totals, excluding "late" call and heat and smoke damage incidents (not recorded prior to 1994).

[2] Provisional.

[3] Included with other ships prior to 1994.

n/a = Not available.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 December 1997, *Official Report* column *433,* when the copy of the Home Department circular to chief fire officers will be placed in the Library. [24495]

Mr. George Howarth: The circular letter which provided guidance to chief fire officers on contingency planning for the year 2000 was issued on 7 January 1998. A copy has now been placed in the Library.

Mr. Mohammed Fayed

Mr. Gerald Howarth: To ask the Secretary of State for the Home Department (1) when he expects to conclude his consideration of Mr. Mohammed Fayed's application for British citizenship; and what factors will influence the timing of his decision; [24776]

(2) if he will defer making a final decision on Mr. Mohammed Fayed's application for British citizenship until the police have concluded their investigation into the theft of items from a Harrod's safe deposit box. [24777]

Mr. Mike O'Brien: It is not our practice to comment upon individual applications for British citizenship. Applications are decided when sufficient information is available for a judgment to be made as to whether or not an applicant meets the statutory requirements for citizenship.

Firearms

Mr. Beith: To ask the Secretary of State for the Home Department how many lawfully held firearms there were in England and Wales at the latest available date. [24362]

Mr. Michael: On 23 December 1996, there were 418,300 firearms held on 141,900 firearm certificates and 1,335,000 shotguns held on 638,000 shotgun certificates. The number of firearms which do not need to be held on a firearm certificate (i.e. low-powered airguns and antiques held as curiosities or ornaments) is not known.

Mr. Beith: To ask the Secretary of State for the Home Department how many firearm licences have been revoked in each of the last 12 months for which figures are available and in total in each of the last five years for which figures are available. [24364]

Mr. Michael: Statistics on firearm certificates are collected and published as part of an annual exercise and a monthly breakdown is not available. However, the totals for the last five years for which figures are available are as follows:

Year	*Shot gun certificates revoked*	*Firearm certificates revoked*
1996	1,163	392
1995	685	206
1994	753	193
1993	687	147
1992	630	146

Mr. Beith: To ask the Secretary of State for the Home Department if he will list each category of firearm which can be currently held legally by private individuals; how many licences have been issued for each of those categories of firearm in each of the last 12 months for which figures are available and in total in each of the last five years for which figures are available. [24363]

Mr. Michael: There are three categories of firearm which may legally be held by private individuals. These are firearms for which no certificate is required; firearms which are required to be kept on a police-issued shotgun certificate; and firearms which are required to be kept on a police-issued firearm certificate. Statistics for the latter two categories are collected and published as part of an annual exercise and a monthly breakdown is not available. However, the totals for the last five years for both the issue and renewal of shotgun and firearm certificates are contained in the following table:

Year	*Shotgun*		*Firearm*	
	Issued	*Renewed*	*Issued*	*Renewed*
1996	25,800	193,100	10,200	38,100
1995	24,800	195,900	10,900	38,500
1994	32,200	201,400	11,700	37,900
1993	31,100	195,800	10,900	37,300
1992	33,000	197,200	10,600	38,500

Wandsworth Prison

Mr. Cox: To ask the Secretary of State for the Home Department if he will make a statement on future developments relating to Wandsworth Prison. [24392]

Ms Quin: Planned development at Wandsworth prison in 1998–99 includes the following: upgrade of the fire and general alarm system on G, H and K wings; refurbishment of A and B wings; introduction of simple sanitation in the health care centre; provision of a new kitchen and

extension of the visits facility. The latter will entail the re-siting of the chapel and gymnasium. The application for a new gymnasium was submitted to Wandsworth Borough Council on 13 January and, if approved, the project will commence later this year.

The planning application submitted in May 1997 to provide a pre-release hostel, visitors' reception centre and car park outside the front of the prison will not be taken forward. Following negotiations with Neals Nurseries Ltd., which currently occupies part of this land, the Prison Service have agreed to grant it a further lease but will take back the rest of the land. This includes a stores building formerly owned by Neals Nurseries Ltd. which will be used as a receipt and dispatch store to enable the prison to enhance its industrial activities.

Immigration (Carriers' Liability)

Mr. Malins: To ask the Secretary of State for the Home Department if he will list the amount of charges *(a)* levied and *(b)* recovered, under the Immigration (Carriers' Liability) Act 1987 on (i) Biman, (ii) British Airways, (iii) PIA, (iv) Air Lanka, (v) Nigeria Airways and (vi) Ghana Airways for each year since 1987 for which figures are available. [23350]

Mr. Mike O'Brien: I am unable to disclose the payment record of individual carriers for reasons of commercial confidentiality. However, we are reviewing this policy of non-disclosure and intend to consult Government colleagues on this. I am able to say that a total of £112.8 million had been incurred by all carriers at 31 December 1997, of which £11.4 million (10.1 per cent.) remained outstanding.

Young Offenders Institution, Colchester

Mrs. Butler: To ask the Secretary of State for the Home Department what plans he has to continue the operation of the experimental regime at Colchester Young Offenders Institution. [25491]

Ms Quin: The Government are determined to pursue an active regime in Young Offender Institutions (YOIs) as part of their commitment to focus the youth justice system on the prevention of offending by young people. Statutory provision for this is contained in the Crime and Disorder Bill.

We are therefore continuing the experimental "high intensity training" regime which the previous Administration established at Thorn Cross YOI. Although, at £22,700 per place, this regime is more expensive than the cost of a typical YOI regime at £17,300 per place, the Thorn Cross programme has been shown to have a more sharply focused and better integrated set of activities. We believe therefore that Thorn Cross represents value for money.

However, we have been unable to reach the same conclusion with Colchester. Colchester YOI opened on 20 February 1997, initially for one year. The costs per place at Colchester, at £31,300, have been running at nearly twice those for a typical YOI and nearly £9,000 more than those at Thorn Cross. The Colchester regime has encouraged positive change in attitudes amongst young offenders but the available evaluation has not supported the contention that it has been more effective in preventing re-offending than other initiatives.

In view of this, and of the very high costs, we have concluded that Colchester YOI does not represent value for money. It will therefore close on 31 March 1998.

This decision in no way reflects on the hard work and commitment of the staff who have been involved with the experiment and to whom I pay tribute. Their work will assist us in improving regimes at other YOIs. We shall be using for this purpose the resources which we have saved from the closure of Colchester.

NORTHERN IRELAND

Royal Ulster Constabulary

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many members of the RUC are members of the Sir Robert Peel Memorial Royal Orange Lodge. [20790]

Mr. Ingram: Information on this is not available.

Council for Catholic Maintained Schools

Mr. Trimble: To ask the Secretary of State for Northern Ireland what assessment he has made of the extent to which the Council for Catholic Maintained Schools has complied with the requirements to provide a neutral working environment. [21595]

Mr. Worthington: None. All specified public bodies are required to carry out a formal review of their employment composition and practices at least once every three years. I understand the Council for Catholic Maintained Schools has complied with this requirement.

Plastic Baton Rounds

Ann Clwyd: To ask the Secretary of State for Northern Ireland if she will publish the guidelines on the use of plastic baton rounds by the Royal Ulster Constabulary. [20011]

Mr. Ingram: I refer my hon. Friend to an answer I gave to my hon. Friend the Member for Hackney, South and Shoreditch (Mr. Sedgemore) on 29 July 1997, *Official Report*, column 98, in which I said the relevant parts of the documents regarding guidelines were placed in the Library of the House. The RUC are currently engaged with their Association of Police Officers colleagues in Great Britain in reviewing the guidelines.

Social Exclusion Unit

Mr. Godman: To ask the Secretary of State for Northern Ireland what assessment she has made of the priorities announced by the Prime Minister for the Social Exclusion Unit in relation to Northern Ireland; and if she will make a statement. [22734]

Marjorie Mowlam: Problems of Social Exclusion exist in Northern Ireland as elsewhere in the United Kingdom. Their nature and extent, the circumstances in which they arise, and the appropriate responses are however different.

There is a resonance between the SEU's remit and the Northern Ireland Targeting Social Needs (TSN) initiative. Last year, the Standing Advisory Commission on Human Rights published their review of employment equality

issues in Northern Ireland. Their report included recommendations for the future development of TSN. I am now considering these recommendations as a matter of high importance and will decide on the most appropriate approach to tackling social exclusion in Northern Ireland in this context.

Probation Board

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many of the new members appointed on 1 December 1997 to the Probation Board for Northern Ireland have been Alliance Party candidates; how many of the new members responded to press advertising for appointees; and what level of fees and expenses will be available to members of the Board. [22899]

Mr. Ingram: Three new members have been Alliance Party candidates. Of the 16 members of the board, 10 were new appointees, all of whom responded to press advertisements, the other six being re-appointees. Regarding the level of fees and expenses, I understand that the Chairman of the Board currently receives a remuneration of £11,150 per year. The Deputy Chairman and members of the board receive an attendance allowance of £26.96 for each meeting lasting up to 4 hours and £53.92 for longer meetings. (This is currently under review). In addition, travel and other expenses are met.

Commission on Human Rights

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what percentage of the new members of the Standing Advisory Commission on Human Rights have been *(a)* SDLP members and *(b)* members of a Unionist party in the last five years; and if she will make a statement about the political balance of the Commission. [22905]

Marjorie Mowlam: One member of the Commission declared an association with the SDLP. Mr. Robert Mullan was a member from 1987 to 1993. None have declared being members of a Unionist party in the last five years.

The new Commission widely represents the political and community balance in Northern Ireland.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland who are the members of the Standing Advisory Commission on Human Rights; what is the perceived religious affiliation of each; which members have been identified as having, or having had, an association with a political party; and what other paid public appointments each holds. [22910]

Marjorie Mowlam: The Standing Advisory Commission on Human Rights membership is as follows:

Mr. Michael Lavery QC
Mr. Bob Cooper
Mr. Gerry Burns
Ms Joan Smyth
Mr. Paul Donaghy
Mr. Leslie Allamby
Mr. Robert Osborne
Mr. Robin Wilson
Ms Angela Hegarty
Mr. Ivan Topping
Mr. Robert Mullan
Mrs Margaret-Anne Dinsmore
Ms Clodach McGrory.

It is the Government's policy not to release the religious affiliation of each member, however the Commission has five catholics, seven protestants and one not known.

The Commission has two members who have declared an association with a political party. Ms Angela Hegarty stood for the NI Forum Election in 1996 for the Womens Coalition and Mr. Robert Mullan was a member of the SDLP from 1987 to 1993.

Mrs. Margaret-Anne Dinsmore holds two paid public appointments:- the NI Commissioner for the rights of Trade Union members, and the NI Commissioner for protection against Unlawful Industrial Action for which she receives £11,400 per annum in total.

Government House, Hillsborough

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will make a statement about the use by the Irish Government of Government House at Hillsborough for meetings with Northern Ireland political parties. [22901]

Marjorie Mowlam: One such meeting took place on 7 January, on matters relating to the multi-party talks. Hillsborough was a convenient venue for the participants, and I was happy to agree to the request to meet there.

Telecommunications Masts

Mr. McGrady: To ask the Secretary of State for Northern Ireland when she plans to introduce amendments to the Planning (General Development) (Northern Ireland) Order 1993 in respect of the planning regulations for the erection of mobile telecommunications masts. [22989]

Mr. Paul Murphy: Subject to a period of public consultation the amendments to the Planning (General Development) (Northern Ireland) Order 1993 are expected to be introduced in late April/early May this year.

Beef Bones Regulations

Mr. William Ross: To ask the Secretary of State for Northern Ireland when she expects to lay a statutory instrument to bring into force in Northern Ireland the changes in legislation covered by the Great Britain Statutory Instrument 1997 No. 2959. [23497]

Mr. Paul Murphy: Equivalent Northern Ireland legislation came into operation on 16 December 1997.

TREASURY

Bank of England

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer when he plans to announce the appointment of the next Governor of the Bank of England; and if he will a statement. [24545]

Mrs. Liddell: The Governor's current term of office runs to 30 June 1998. The Government will make an announcement in due course.

Reviews

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will list the HM Treasury reviews which will have been completed in time to inform the Budget statement on 17 March; and if he will make a statement. [24544]

Mr. Gordon Brown: The reviews that will inform the Budget are listed in the table:

	Lead department
Review	
Alcohol and tobacco fraud: a review aimed at reducing revenue losses through alcohol and tobacco fraud	Customs and Excise
Landfill tax: a review of the operation and level of the tax	Customs and Excise
Anti-avoidance: to consider the approach to the defeat and deterrence of tax avoidance schemes	Inland Revenue/ Customs and Excise
Capital gains tax: to produce a fairer tax, which encourages long-term investment	Inland Revenue
Venture Capital Trusts/Enterprise Investment Schemes: a review of VCT/EIS guarantee and asset backed arrangements	Inland Revenue
North Sea oil: a review of the North Sea fiscal regime	Inland Revenue/ Department of Trade and Industry/Treasury
Bus fuel duty rebate: to review differential rates of rebate to encourage lower emissions	Treasury
Tax and benefit reform: to explore the scope for the tax and benefit systems to act as an incentive to move off benefit and into work	Task Force under the chairmanship of Martin Taylor
Energy efficient materials (review completed)	Customs and Excise
Charities Review (a consultation paper will be published in the spring)	Treasury/Inland Revenue/Customs and Excise
Consultative documents	
Corporation tax	Inland Revenue
Individual Savings Accounts	Inland Revenue
Water pollution	Department of the Environment, Transport and the Regions

Public Sector Pay

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer when he plans to make a statement setting out the Government's response to the recommendations of the public sector pay review bodies; and if he will make a statement. [24546]

Mr. Darling: We expect to announce the Government's response shortly, when all the reports have been received in the usual way.

Chernobyl Children Life Line

Helen Jones: To ask the Chancellor of the Exchequer if he will estimate the amount of revenue likely to be raised in 1997–98 from airport taxes paid by the Chernobyl Children Life Line. [23313]

Dawn Primarolo *[holding answer 16 January 1998]:* I have no separate estimate of Air Passenger Duty paid by travellers sponsored by the Chernobyl Children Life Line

Child Benefit

Mr. Gibb: To ask the Chancellor of the Exchequer what is his estimate of the revenue which would be raised from taxing child benefit, assuming household total income were assessed for tax purposes. [24128]

Dawn Primarolo *[holding answer 20 January 1998]:* The yield from taxing child benefit based on household total income would depend on the precise system of assessment.

European Investment Bank

Sir Teddy Taylor: To ask the Chancellor of the Exchequer which body is responsible for supervising and directing the activities of the European Investment Bank; what are the financial obligations of the participant nations; and if all the necessary contributions have been made by participant nations. [24501]

Mrs. Liddell: The body responsible for supervising and directing the work of the EIB is the Board of Governors, which consists of Ministers, usually Finance Ministers, designated by each of the Member States. They represent the Member States as shareholders of the Bank.

The EIB's capital stands at 62 billion ECU. The subscribed capital actually paid-in by Member States amounts to 7.5 per cent. of which the UK's share (along with France, Germany and Italy as the largest subscribers to the Bank's capital) is 17.7 per cent. Under the terms of the 1990 capital increase, the UK was required to pay about £77 million in twice yearly installments over five years. These payments count as public expenditure.

The EIB makes a surplus on its lending operations, which in the past it has automatically added to its reserves. In 1996 (the latest year for which figures are available), the Bank made an operating surplus of 1.1 billion ECU thus bringing the level of reserves to almost 12 billion ECU. By a decision of the Board of Governors at its annual meeting in June 1997, it was decided to use part of the 1996 surplus to finance the four remaining payments due from each Member State in respect of the 1990 capital increase. The transaction putting this decision into effect took place on 30 June 1997. The UK's contingent liability on its subscribed capital available for call in the event that it may be required by the Bank to meet its obligations remain at 10 billion ECU.

Endangered Species

Mr. Baker: To ask the Chancellor of the Exchequer what recent figures he has obtained in respect of seizures by Her Majesty's Customs and Excise of *(a)* illegal imports into the United Kingdom and *(b)* illegal transit through the United Kingdom of species protected under CITES. [22970]

Dawn Primarolo *[holding answer 19 January 1998]:* The following table sets out the number of items seized in respect of endangered species in the last 3 years as reported by the Commissioners of Her Majesty's Customs and Excise in their Annual Report. Customs do not hold central statistics on the numbers of endangered species

found illegally in transit through the United Kingdom, though these would normally be seized unless operational circumstances dictated otherwise:

Year ended 31 March	*Live animals and birds*	*Plants*	*Parts and derivatives*
1995	2,305	480	29,916
1996	4,374	2,748	12,178
1997	[1]21,411	222	[2]223,596

[1] This figure includes 20,000 medicinal leeches.
[2] This figure includes three batches of oriental medicines comprising 218,520 pills.

Drug Smuggling

Mr. Flynn: To ask the Chancellor of the Exchequer how many operations were undertaken in the past three years on behalf of Her Majesty's Government by persons who were subsequently charged with drug smuggling offences. [23392]

Dawn Primarolo *[holding answer 19 January 1998]:* So far as Customs officials are concerned, no officer undertaking investigations into drug smuggling during the past three years has been the subject of criminal charges for drug smuggling offences.

European Central Bank

Mr. Redwood: To ask the Chancellor of the Exchequer what will be the cost of the United Kingdom's contribution to the European Central Bank's capital. [24716]

Mrs. Liddell: Under Article 9(c) of Protocol No. 11 to the EC Treaty, the Bank of England will be obliged to pay up its subscription to the capital of the ECB as a contribution to its operational costs on the same basis as national central banks of Member States with a derogation.

Article 48 of the Statute of the ESCB and the ECB provides that central banks of Member States with a derogation shall not pay up their subscribed capital unless the General Council decides that a minimal percentage has to be paid up as a contribution to the operational costs of the ECB.

Until the ECB is established, the General Council cannot take a decision on whether central banks of Member States with a derogation should pay up subscriptions to the capital of the ECB, nor decide what the contribution to the operational costs of the ECB should be.

Savings

Mr. Loughton: To ask the Chancellor of the Exchequer what assessment has been made of the likely loss of tax revenue to the Exchequer from switching out of former PEP investments above the £50,000 ISA ceiling into offshore roll-up funds after October 1999. [21505]

Dawn Primarolo: The gains on offshore roll-up funds are taxed to income tax at the investor's marginal rate on withdrawals from the fund, and expenses are often higher than for comparable UK investments. In these circumstances, only a limited amount of PEP funds are likely to switch to offshore roll-up funds.

Stamp Duty Reserve Tax

Mr. Colman: To ask the Chancellor of the Exchequer in what circumstances the powers to change the rate of stamp duty reserve tax applied to intermediaries and stock lending transactions contained in section 88B (5) and section 89AA (7) of the Finance Act 1986 may be exercised. [22898]

Dawn Primarolo: These powers were introduced by the previous Government, for reasons explained by the right hon. and learned Member for Rushcliffe (Mr. Clarke) on 24 October 1996, *Official Report*, column 6. The legislation does not limit the particular circumstances in which the powers may be exercised.

Own Share Purchases

Mr. Gibb: To ask the Chancellor of the Exchequer how many companies have submitted clearance applications under section 707 of the Income and Corporation Taxes Act 1988 with regard to transactions involving the purchase of own shares between *(a)* 2 July and 31 December 1997, *(b)* 2 July and 31 December 1996 and *(c)* 2 July and 31 December 1995. [22891]

Dawn Primarolo: Clearance applications under section 707, which involved the purchase by a company of its own shares, were received by the Inland Revenue as follows:

(a) between 1 July and 31 December 1995: 518
(b) between 1 July and 31 December 1996: 634
(c) five months 1 July to 30 November 1997: 489.

The figures for December 1997 are not yet available.

As statistics are compiled on a monthly but not daily basis, figures are given from 1 July rather than 2 July.

Charities

Mr. Hoyle: To ask the Chancellor of the Exchequer if he will make a statement on the Government's proposals to reform general taxation on charities. [23098]

Dawn Primarolo: The Chancellor announced a review of the taxation of charities on 2 July 1997. In the first phase of the review people were invited to contribute their views on how to improve the taxation system for charities, by 1 December 1997. The Government received almost two and a half thousand responses. The issues raised were interesting and wide ranging. My officials are currently engaged in a detailed evaluation of these replies. I hope to publish a Consultation document in the spring setting out the issues that we think deserve to be considered further. A further consultation period will follow thereafter.

Post-war Credits

Ms Oona King: To ask the Chancellor of the Exchequer how much money remains unclaimed from the total sum of post-war credits; what the Government propose to do with this money; and if he will make it his policy to use it to benefit the generation which provided it. [23706]

Dawn Primarolo: It is estimated that the amount of post war credits that remain unclaimed is £33 million. Approximately 200 post war credit claims per month are

still being received and therefore the amount unclaimed will remain in the post war credit fund to cover future claims.

Smuggling

Mr. Cotter: To ask the Chancellor of the Exchequer if he will meet his counterparts in other EU member states to discuss the impact on independent retailers of tobacco in the United Kingdom of illegal sales of tobacco imported from Belgium. [22225]

Dawn Primarolo: I have no present plans to do so. However, the European Commission, in consultation with Member States, is currently preparing a report on tobacco and alcohol fraud. A report on alcohol and tobacco smuggling and fraud is currently being prepared by Customs and Excise.

Mr. Cotter: To ask the Chancellor of the Exchequer if he will make representations to the relevant EU Commissioner on the impact on independent retailers of tobacco in the United Kingdom of illegal sales of tobacco imported from Belgium. [22224]

Dawn Primarolo: I have no plans to make such representations.

A report on alcohol and tobacco smuggling and fraud is currently being prepared by Customs and Excise.

Mr. Cotter: To ask the Chancellor of the Exchequer if he will introduce a scheme to compensate independent retailers of tobacco for loss of revenue as a result of being undercut by illegal sales of tobacco imported from Belgium. [22227]

Dawn Primarolo: No.

Mr. Cotter: To ask the Chancellor of the Exchequer if he will estimate the amount of revenue independent retailers lost as a result of being undercut by illegal sales of tobacco imported from Belgium in the last three years; and if he will commission independent research into this matter. [22226]

Dawn Primarolo: There is no official estimate of revenue lost by independent retailers from smuggling of tobacco from Belgium.

A report on alcohol and tobacco smuggling and fraud is currently being prepared by Customs and Excise in consultation with the trade and other Government Departments.

Mr. Cotter: To ask the Chancellor of the Exchequer what estimate he has made of the amount of crimes associated with the illegal resale of tobacco bought in Belgium; how many people HM Customs and Excise have arrested for such activity since 1993; if he will commission independent research into this matter; and if he will make a statement. [22223]

Dawn Primarolo: Information is not kept separately for crimes and arrests associated with the illegal resale of tobacco bought in Belgium.

Since 1993 Customs have made the following seizures of tobacco smuggled into the UK from the Single Market.

Financial year	*Number*
1993–94	878
1994–95	1,723
1995–96	2,071
1996–97	3,949

Customs have been working closely with the Kent Police in recent months to tackle both the smugglers and the associated crime in the Channel ports connected with their activities. Joint operations have proved very successful resulting in a number of arrests for both Customs and Police offences.

Mr. Fallon: To ask the Chancellor of the Exchequer what was the basis for the Financial Secretary's estimate, in HTV News on 4 December 1997, that tobacco smuggling amounts to a maximum of two and a half per cent. of all tobacco products sold. [22888]

Dawn Primarolo: Two and a half per cent. is a reasonable upper limit for the share of UK sales of cigarettes in 1997 represented by smuggled goods. This estimate is based on the survey of sea and Tunnel passengers conducted by HM Customs and Excise in June 1997 (reported in their News Release of 26 September 1997), and on their monitoring of smuggling by air passengers.

Mr. Cotter: To ask the Chancellor of the Exchequer when he expects to receive the Customs and Excise Report into smuggling, cross-border shopping and excise duties; and if he will make a statement. [22228]

Dawn Primarolo: The review team, which is looking into the effects on the Exchequer and industry revenue of alcohol and tobacco fraud, smuggling and cross-border shopping, are preparing a report for Ministers.

Far East

Mr. Loughton: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 December 1997, *Official Report*, column *479*, if he will revise his projections for GDP growth in the United Kingdom over the next three years in the light of the continuing financial crisis in the Far East. [24437]

Mrs. Liddell: A revised forecast will be published with the Budget on 17 March.

Cash Accounting

Mr. Fallon: To ask the Chancellor of the Exchequer what is his estimate of the number of extra audits likely to be conducted per annum as a result of the proposals announced by the Inland Revenue on 22 December to withdraw cash basis accounting for professional businesses; and what is his estimate of the average cost of such audits. [24290]

Dawn Primarolo: A change in the way a number of professional businesses calculate their taxable business profits would not increase the number of Inland Revenue self-assessment inquiries conducted per annum.

Mr. Fallon: To ask the Chancellor of the Exchequer what consultations he has held with the USA Internal

Revenue Service regarding the proposals announced by the Inland Revenue on 22 December to withdraw cash basis accounting for professional businesses. [24286]

Dawn Primarolo: None.

Mr. Fallon: To ask the Chancellor of the Exchequer (1) what percentage of businesses affected by the plan to withdraw cash basis accounting for professional businesses have fewer than *(a)* five, *(b)* 10 and *(c)* 20 partners; [24289]

(2) what is his estimate of the number of professional businesses that will be affected by the proposal to withdraw cash basis accounting for professional businesses, as announced by the Inland Revenue on 22 December; [24288]

(3) what is his estimate of the average extra tax burden faced by professional businesses as a result of the proposals announced by the Inland Revenue on 22 December to withdraw cash basis accounting for professional businesses; [24287]

(4) what is his estimate of the extra tax revenue that will be raised by the planned withdrawal of cash basis accounting for professional businesses, in financial years (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02. [24285]

Dawn Primarolo: On 22 December 1997 I announced the intention to withdraw the cash basis practices for professionals but views were sought on the details of the proposal, such as the suggested method for "catching up". The tax effect of the withdrawal will depend on the terms of the final arrangements, which at present are under consultation.

No reliable information is available of the total number of businesses currently on the cash basis. The objective of withdrawing these practices for those that do currently use the cash basis is to level the playing field for all businesses.

Charity Taxation

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the number of volunteering opportunities and jobs in uniform business rate exempt charity shops and the number of such properties; and if this relief is included in his review of charity taxation. [23683]

Dawn Primarolo: There are currently around 6,500 charity shops in the UK. These shops provide opportunities for around 175,000 volunteers. In addition, these shops employ around 8,500 full and part-time workers.

The Review of Charities' Taxation announced by my right hon. Friend the Chancellor in his July Budget has considered submissions across the range of tax issues, including business rates. However, the Department of the Environment, Transport and the Regions is currently to review the local government finance scheme and will shortly be issuing a consultation paper. This paper will cover the issue of business rate relief, and clearly it would not be sensible to duplicate it in the Tax Review. I have ensured that any letters received on this issue have been copied to the DETR.

Tax on Air Travel

Ms Osborne: To ask the Chancellor of the Exchequer what has been the income to the Treasury from tax on air travel since implementaiton of the tax. [24125]

Dawn Primarolo: The amount of air passenger duty collected to the end of December 1997 was just under £1,120 million.

Channel Islands

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimate he has made of the number of United Kingdom citizens who circumvent United Kingdom tax laws concerning their country of domicile by commuting from the Channel Islands to the United Kingdom on a daily basis. [23295]

Dawn Primarolo: This information is not available.

Taxation

Ms Hewitt: To ask the Chancellor of the Exchequer what proportion of income is paid in income tax and national insurance contributions, allowing for child benefit, in the tax year 1997–98 by *(a)* a single person with no children and *(b)* a sole earner in a married two-parent, two child family on earnings of (i) half of average earnings, (ii) three quarters of average earnings, (iii) average earnings and (iv) twice average earnings. [23928]

Dawn Primarolo: Estimates for 1997–98 are given in the table.

Income tax and NIC as a percentage of earnings in 1997–98 [1]

	Multiple of average earnings [2]			
	0.5	*0.75*	*1*	*2*
Single person with no children	20.9	24.9	26.9	30.7
Married sole earner with two children under 11 [3]	5.7	16.8	20.8	27.7

[1] National Insurance contributions are at standard class 1 rate for employees not contracted out of SERPs.

[2] Full time males on adult rates, all occupations.

[3] Net of child benefit.

Ms Hewitt: To ask the Chancellor of the Exchequer at what proportion of average male earnings *(a)* a sole earner in a married two-parent, two-child family and *(b)* a single person with no children start paying income tax in 1997–98; and how this compares with the position in (i) 1978–79 and (ii) 1967–68, allowing for family allowances/child benefit. [23927]

Dawn Primarolo: Estimates are given in the table. A single person with no children has a tax threshold equal to the personal allowance. For a married person with two children—assumed to be both aged under 11—the 'break-even' point is considered. This is the value of

earnings at which the income tax paid is equal to the money received through child benefit or family allowances.

	Percentage of average earnings[1]		
	1967–68	1978–79	1997–98
Married one earner with two children under 11[2]	69.7	56.5	47.7
Single person with no children	23.4	20.4	18.7

[1] Full time male on adult rates, all occupations.
[2] Assuming the full married couple's allowance is received.

Ms Hewitt: To ask the Chancellor of the Exchequer what was the change in *(a)* the level and *(b)* the value of personal tax allowances (i) from 1978–79 to 1990–91 and (ii) from 1990–91 to 1997–98 for (1) a single person with no children, (2) a lone parent with two children, (3) a married couple with one earner and two children, (4) a married couple with two earners and two children and (5) a cohabiting but unmarried couple with two earners and two children, taking into account child benefit. [23930]

Dawn Primarolo: The levels of tax allowances are given in the tables. The value of tax allowances to individuals is dependent on their income levels.

Current levels

	1978–79	1990–91	1997–98	Change 1978–79 to 1990–91	Change 1990–91 to 1997–98
Personal allowance	985	3,005	4,045	2,020	1,040
Married couple's allowance	550	1,720	[1]1,830	1,170	110
Additional personal allowance	550	1,720	[1]1,830	1,170	110
Child tax allowance (under 11s) (for each child)	100	—	—	–100	—

Revalorised to 1997–98 levels

	1978–79 Revalorised to 1997–98 levels	1990–91 Revalorised to 1997–98 levels	1997–98	Change 1978–79 to 1990–91	Change 1990–91 to 1997–98
Personal allowance	3,175	3,895	4,045	720	150
Married couple's allowance	1,770	2,230	[1]1,830	460	–400
Additional personal allowance	1,770	2,230	[1]1,830	460	–400
Child tax allowance	325	—	—	–325	—

Changes for the different families

	Change 1978–79 to 1990–91	Change 1990–91 to 1997–98	Revalorised change 1978–79 to 1990–91	Revalorised change 1990–91 to 1997–98
Single person no children	2,020	1,040	720	150
Lone parent two children	2,990	[1]1,150	530	[1]–250
Married couple one earner two children	2,990	[1]1,150	530	[1]–250
Married couple two earners two children	5,010	[2]2,190	1,250	[1]–100
Unmarried couple two earners two children	5,010	[2]2,190	1,250	[1]–100

[1] Married couple's/additional personal allowance is restricted to 15 per cent. in 1997–98.

Illegal Drugs

Mr. Cox: To ask the Chancellor of the Exchequer what has been the number of people suspected of carrying illegal drugs stopped and searched at ports of entry into the United Kingdom since 1 January 1997. [23291]

Dawn Primarolo: I regret that separate figures are not kept on the number of people stopped and searched specifically on suspicion of carrying illegal drugs. From 1 January to 30 September 1997 Customs staff at ports and airports stopped and searched 14,788 people on suspicion of carrying restricted or prohibited goods. Figures for the last quarter of 1997 are not yet available.

Employment Statistics

Ann Clwyd: To ask the Chancellor of the Exchequer when he will publish the results of the review into the evaluation and publication of the employment and labour force statistics. [24450]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Ms Ann Clwyd, dated 22 January 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question asking when the results of the review into the evaluation and publication of the employment and labour force statistics will be published.

The ONS have recently been reviewing the future presentation and dissemination of labour market statistics. Wide-ranging public consultation was initiated in the May 1997 issue of *Labour Market Trends*. A summary of responses was published in the October issue of *Labour Market Trends*. Copies of both editions are available in the House of Commons Library. Responses to the consultation indicated strong support for:

- ONS plans to provide an Integrated First Release covering all Labour Market Statistics.

- the proposals to give increased prominence to data from the Labour Force Survey.

It is taking longer than hoped to put together a comprehensive package that meets users' needs. An announcement about the future of labour market statistics will be made in the near future.

Drownings

Valerie Davey: To ask the Chancellor of the Exchequer how many school-aged children died in drowning accidents in the year 1996–97; and what percentage of those children were unable to swim. [24391]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Ms Valerie Davey dated 22 January 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics, to answer your question on the number of school-aged children who drowned in the year 1996–97.

Information for school-aged children's deaths from accidental drowning and submersion in England and Wales for the calender year 1996 is shown in the attached table. There is no information recorded showing whether these children were able to swim.

Information for 1997 is not available.

Deaths from accidental drowning and submersion (ICD E910[1]), England and Wales 1996

Description		*Age* 5 to 9	10 to 14	15 to 19
Total	M	5	8	18
	F	1	0	3
E910.1 While engaged in other sport or recreational activity with diving equipment	M	0	0	1
	F	0	0	0
E910.2 While engaged in other sport or recreational activity without diving equipment	M	1	3	7
	F	0	0	1
E910.4 In bathtub	M	0	0	0
	F	0	0	1
E910.8 Other [including in swimming pools]	M	2	3	4
	F	1	0	1
E910.9 Unspecified	M	2	2	6
	F	0	0	0

[1] International Classification of Diseases 9th revision.

CABINET OFFICE

Coal and Energy Policy

Mr. Redwood: To ask the Minister without Portfolio what responsibility he has for the coal industry. [23479]

Mr. Maude: To ask the Minister without Portfolio what responsibility he has for *(a)* coal and *(b)* energy policy. [23454]

Mr. Mandelson *[holding answer 16 January 1998]:* I am a member of EA(N), the Ministerial Sub-Committee on Energy Policy.

Ministerial Visits

Mr. Redwood: To ask the Minister without Portfolio if the accommodation, meals and entrance fees to Disneyland for himself and his accompanying civil servant were paid for entirely out of United Kingdom public funds during his recent visit to Florida. [24756]

Mr. Mandelson: Only the cost of travel and accommodation was paid for entirely from public funds.

Mr. Baker: To ask the Minister without Portfolio if he will publish the programme for his visit to Washington in early January. [24774]

Mr. Mandelson: I visited Washington from 4 to 5 January 1998. During my visit I attended an official dinner at the Ambassador's residence, undertook a programme of meetings at the White House, and met the media for the launch of Britain's EU Presidency.

Mr. Maude: To ask the Minister without Portfolio what was the cost to public funds of hotel accommodation for *(a)* himself and *(b)* the representative of the Consulate General in Miami during his trip to Florida. [24804]

Mr. Mandelson: The cost to public funds of my hotel accommodation will (subject to any exchange rate fluctuation) be in the region of £125, and an identical figure for the accompanying official from the British Consulate General in Miami.

DUCHY OF LANCASTER

E-mail

Mr. Vaz: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the Government's proposals to introduce on-line red boxes for ministerial use; when he expects them to come into use; and what measures will be taken to ensure the security and confidentiality of information held on on-line red boxes. [23566]

Dr. David Clark: The prototype electronic red box, which I launched last week, shows the possibilities for Ministers to take advantage of modern Information Technology, and the potential for reducing the time and effort needed to fill and transport old-style boxes. The prototype demonstrates the principles, and will doubtless evolve; there is no reason why the final electronic red box should look much different from a normal laptop computer. Progress will depend on practical experience, but I expect Ministers who wish to use the operational version will be able to do so later this year.

Information in an electronic red box merits protection to the same Government standards as are applied to the networks the box may be connected to. I shall not describe the security measures in fine detail, for obvious reasons. However, I can say that they will include strong access control features, Government-approved encryption, and clear guidance for users. The measures will be such that should an electronic red box go astray for any reason, the information in it will remain suitably protected.

TRADE AND INDUSTRY

Competition Bill

Mr. Boswell: To ask the President of the Board of Trade what discussions she has had with the utility regulators on the implications of the Competition Bill on regulatory jurisdiction on the sectoral regulators and the Office of Fair Trading. [24383]

Mr. Ian McCartney *[holding answer 21 January 1998]:* There has been regular and wide ranging discussions on the Competition Bill at official level between DTI and regulators' offices.

Broadcasting

Mr. Boswell: To ask the President of the Board of Trade what assessment she has made of the impact on *(a)* cable companies and *(b)* the level of competition of allowing BT early entry into the market to provide broadcast channels over their national networks. [24385]

Mrs. Roche *[holding answer 21 January 1998]:* The Government have been considering options for lifting the restrictions on public telecommunications operators' providing broadcast entertainment to the home over their national networks, and intends to publish a consultation document on this issue in the near future.

Gas Industry

Mr. Boswell: To ask the President of the Board of Trade how many people are employed in the United Kingdom gas industry; and how many of these are employed in gas-fired power generation. [24318]

Mr. Battle *[holding answer 21 January 1998]:* The latest available data show that in September 1996 38,300 people were employed in the downstream gas industry (i.e. the manufacture, transportation, distribution and supply of gaseous fuels). Those employed in gas fired power generation are regarded as part of the electricity generation industry and are not separately distinguished in centrally held statistics. However, it is estimated that around 700 people were needed to operate the 19 combined cycle gas turbine (CCGT) stations owned by the major power producers in Great Britain that were producing at the end of 1996.

Pre-paid Funerals

Mr. Caplin: To ask the President of the Board of Trade what plans she has to introduce measures to protect the rights of people who have bought pre-paid funerals. [24801]

Mr. Nigel Griffiths: The Government plan to introduce measures to ensure that consumers who purchase their funerals in advance are adequately protected. My objective will be to ensure that there is sufficient financial provision available so these consumers get the funeral which they have paid for. I am also concerned to ensure that there should be transparency in the marketing of pre-paid funerals so that consumers are clear as to what services they are purchasing and who is responsible for providing them.

Arms Sales

Mr. Corbyn: To ask the President of the Board of Trade what is the total level of export credit guarantee cover for arms sales to China. [24271]

Mrs. Roche *[holding answer 21 January 1998]:* ECGD has no exposure in respect of defence business with China.

Mr. Corbyn: To ask the President of the Board of Trade what is the total level of export credit guarantee cover for arms sales to Thailand. [24275]

Mrs. Roche *[holding answer 21 January 1998]:* From data readily available, total exposure under ECGD guarantees for defence business with Thailand was £46.5 million at the end of December 1997.

Mr. Corbyn: To ask the President of the Board of Trade what is the total level of export credit guarantee cover for arms sales to Singapore. [24272]

Mrs. Roche *[holding answer 21 January 1998]:* From data readily available, total exposure under ECGD guarantees for defence business with Singapore was £35.6 million at the end of December 1997.

Mr. Corbyn: To ask the President of the Board of Trade what is the total level of export credit guarantee cover for arms sales to South Korea. [24274]

Mrs. Roche *[holding answer 21 January 1998]:* From data readily available, total exposure under ECGD guarantees for defence business with South Korea was £76.7 million at the end of December 1997.

Mr. Corbyn: To ask the President of the Board of Trade what is the total level of export credit guarantee cover for arms sales to Indonesia. [24276]

Mrs. Roche *[holding answer 21 January 1998]:* From data readily available, total exposure under ECGD guarantees for defence business with Indonesia was £855.2 million at the end of December 1997.

Mr. Corbyn: To ask the President of the Board of Trade what is the total level of export credit guarantee cover for arms sales to Malaysia. [24273]

Mrs. Roche *[holding answer 21 January 1998]:* From data readily available, total exposure under ECGD guarantees for defence business with Malaysia was £208.2 million at the end of December 1997.

Antarctica

Mr. Corbyn: To ask the President of the Board of Trade what research her Department has evaluated on the sustainability of fish stocks around Antarctica and the effect on mammal population of their depletion. [24130]

Mr. Battle: Scientists from the British Antarctic Survey play an active role in support of the work of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). All data received from fisheries research/surveys, fishing vessels and scientific observers are evaluated by the Scientific Committee of CCAMLR prior to the Commission's annual meeting.

The Scientific Committee estimate stock sizes, recommend catch levels and assesses interactions within the Antarctic ecosystem, including mammal populations.

Inward Investment (London)

Mr. Cox: To ask the President of the Board of Trade (1) what has been the breakdown of jobs created in the Greater London area from inward investment in each of the last three years; [24528]

(2) if she will make a statement on the inward investment made into the Greater London area in each of the last three years. [24527]

Mr. Ian McCartney: Inward investment made into Greater London and the breakdown of jobs as a result over the last three years is as follows:

Year	*Number of projects*	*Number of new jobs*	*Number of safeguarded jobs*	*Total number of associated jobs*	*Total investment £000*
1996–97	40	2,651	1,205	3,856	123,160,000
1995–96	23	2,588	2,235	4,823	96,754,000
1994–95	2	27	0	27	—

The figures are based on information provided by companies at the time of announcement of the decision to invest.

There is no requirement to notify the Department of Trade and Industry and so the figures include only those projects where the Invest in Britain Bureau (IBB) and its regional partners (LFC) were involved or which have come to their notice.

Multinational Companies

Mr. Matthew Taylor: To ask the President of the Board of Trade if the Government will seek an amendment to the Multilateral Agreement on Investments to include a legally binding obligation for multinationals to provide an independent environmental and social audit in their annual reports. [24518]

Mrs. Roche: We do not intend to seek such an amendment—the MAI is not an appropriate vehicle for international rule-making on company reports.

Inward Investment (Northumberland)

Mr. Ronnie Campbell: To ask the President of the Board of Trade how many jobs have been created in Northumberland since 1992 as a result of inward investment. [24031]

Mrs. Roche: Inward investment projects from 1992 are expected to create 1,800 new job opportunities in Northumberland.

Business Links

Mr. Ronnie Campbell: To ask the President of the Board of Trade how many staff are employed in *(a)* the Northumberland Business Link and *(b)* Business Links in the United Kingdom as a whole. [24033]

Mrs. Roche: The information is given in the list:

(a) Twenty two staff are employed by Business Link Northumberland.

(b) Business Links are independent private sector companies. How many staff each Business Link employs is decided by their local management and these numbers are not collected centrally.

Mr. Ronnie Campbell: To ask the President of the Board of Trade how many requests for information were received by Northumberland business link's marketing information centre in each of the last three years. [24032]

Mrs. Roche: Business Link Northumberland does not have a Marketing Information Centre as such but does operate an Information Service. The number of inquiries recorded by this Service in each of the last three years was as follows:

1994–95: 1,050

1995–96: 1,595

1996–97: 782.

The apparent drop in the figures in 1996–97 is considered to have resulted from a change to the recording arrangements from recording all inquiries whatever their nature to recording only requests for business information.

Post Offices

Mr. Cox: To ask the President of the Board of Trade if she will make a statement on her Department's policy on keeping post offices open in urban areas of the United Kingdom. [23803]

Mr. Ian McCartney: The Government are committed to the maintenance of a nationwide network of post offices.

Kenya (Exports)

Mr. Cox: To ask the President of the Board of Trade if she will make a statement on the value of British exports to Kenya in the last 12-month period for which figures are available. [23804]

Mrs. Roche: In the 12 months to November 1997, UK exports of good to Kenya were worth £231 million. Figures for UK exports services to Kenya are not available.

Unsolicited Faxes

Mr. Jenkin: To ask the President of the Board of Trade what representations she has received concerning the use of unsolicited fax transmissions as a means of advertising; what plans she has to regulate this activity; and if she will make a statement. [23834]

Mrs. Roche: Ministers in this Department have received five representations concerning the use of unsolicited fax transmissions as a means of advertising since taking office last May. Measures are already in place to deal with the problem of unsolicited faxes. The telecommunications and telephone selling industries have established a Fax Preference Service to help residential customers reduce the number of faxes they receive. Customers who have a fax machine in their residential

premises may register for inclusion in a database against which companies selling via fax "clean" their mailing lists. In addition, under the Telecommunications Act 1984, UK companies using fax marketing are subject to a class licence which contains measures aimed at limiting the nuisance which can be caused by unsolicited faxes. Anyone sending unsolicited faxes must cease doing so to any particular person on receipt of a written request from them, or face possible enforcement action, including the removal of their right to operate a telecoms system, by Oftel. The Department therefore has no plans at present to take further action against the transmission of unsolicited commercial communications through facsimile machines.

Export Licences

Ann Clwyd: To ask the President of the Board of Trade (1) how many arms export licences for Saudi Arabia have been *(a)* applied for, *(b)* granted and *(c)* rejected since 1992, in each case listing the categories of equipment they cover; [23003]

(2) how many arms export licences for Kenya have been *(a)* applied for, *(b)* granted and *(c)* rejected since 1992, in each case listing the categories of equipment they cover; [23004]

(3) if she will list the number of arms export licences for Indonesia which were *(a)* applied for, *(b)* accepted and *(c)* rejected since 1992 by category of equipment covered; [23037]

(4) if she will list the number of arms export licences for Turkey which were *(a)* applied for, *(b)* accepted and *(c)* rejected since 1992 by category of equipment covered. [23046]

Mrs. Roche: I will write to my hon. Friend as soon as possible and place a copy of that reply in the Library of the House.

Trade (Argentina)

Mr. Cox: To ask the President of the Board of Trade if she will make a statement on the value of trading between the United Kingdom and the Argentine *(a)* currently and *(b)* in each year from 1994 to 1996. [24077]

Mrs. Roche: Data on UK trade in goods with Argentina are given in the table. Data on UK trade in services with Argentina are not available.

UK Trade in goods with Argentina 1994–96 and January–November 1997

£ million

	UK exports	*UK imports*
1994	229	171
1995	234	252
1996	332	285
January–November 1997	463	242

Source:
HM Customs and Excise data.

Mr. Cox: To ask the President of the Board of Trade (1) what measures her Department is taking to support British exporters to the Argentine; [24079]

(2) what action she is taking to promote trade between the United Kingdom and the Argentine. [24078]

Mrs. Roche: My noble Friend the Minister for Trade took a trade mission to Argentina in September 1997. Trade opportunities in Argentina are also promoted throughout the United Kingdom in a variety of ways, including seminars, conferences and publications, with the support of my Department and its Export Promoter for Argentina. The full range of overseas trade services are available to individual exporters, such as supported trade missions to and trade fairs in Argentina.

Internet

Mrs. Gillan: To ask the President of the Board of Trade what investigations she has undertaken into the prices charged by telecommunications companies to United Kingdom Internet providers for leasing data circuits to other European countries. [24007]

Mrs. Roche *[holding answer 19 January 1998]:* The Department has not conducted any specific investigations into the prices charged by telecoms companies to United Kingdom Internet providers for leasing data circuits to other European countries, and neither has Oftel. I understand that Oftel has not received any representations about this matter, but that it would be happy to consider any such representation which it may receive.

Mrs. Gillan: To ask the President of the Board of Trade what discussions she has with her European Union counterparts on *(a)* the Internet and *(b)* charges for telephone and data circuits between European countries. [24016]

Mrs. Roche *[holding answer 19 January 1998]:* These issues are regularly discussed in the European Union Telecommunications Council. On 26 February I expect to chair discussion in the Council on:

a Commission communication on Globalisation and the Information Society, looking at international co-ordination of policies towards the Internet; and

a Commission communication on Member States' implementation of European Union telecommunications legislation, including the directive on Leased Lines.

Mrs. Gillan: To ask the President of the Board of Trade what discussions she has had with her United States counterpart on the subject of the Internet with particular reference to delays in reorganising the domain name system. [24004]

Mrs. Roche *[holding answer 19 January 1998]:* I and my officials have remained in close contact with the US administration on the future governance of the Internet Domain Name System. We have also supported European Commission action in this area. Much of the delay in reaching a satisfactory outcome to this issue is due to the need to ensure a robust solution which fully represents the interests of all classes of Internet stakeholders in all regions of the world, and anticipates future needs.

Mrs. Gillan: To ask the President of the Board of Trade what assessment she has made of the effect that the diversion of intra-European Internet traffic to the United States has on the United Kingdom Internet industry. [24015]

Mrs. Roche *[holding answer 19 Janaury 1998]:* Industry views are divided, both as to whether the present traffic routing adopted by Internet service providers in the UK has a harmful effect on their competitiveness, and

whether it is caused by the high prices for leased lines to European destinations compared to trans-Atlantic rates. The presence in the United States of the majority of websites in the world makes it necessary for service providers throughout Europe to lease lines to the US, spare capacity on which can be cheaply used to access each others' networks. I do however share industry's concern at high intra-European leased line prices. I am confident that the full liberalisation of the European Union telecoms market from this month will bring about a rapid and significant fall in these prices.

Mrs. Gillan: To ask the President of the Board of Trade what are her priorities in respect of policies on the Internet during the United Kingdom's presidency of the European Union. [24002]

Mrs. Roche *[holding answer 19 January 1998]:* I attach very strong importance to ensuring that we achieve an environment in the European Union which will foster the development of the Internet. I aim to take this agenda forward during the UK Presidency through discussion of the issues of converging technologies, on Globalisation and the Information Society and on the EU Internet Action Plan.

Amway

Mrs. Gillan: To ask the President of the Board of Trade what representations her Department has received since 1 May on the operation of Amway; if she will publish her responses; what investigations her Department has made into the operations of Amway; what representatives of Amway her Ministers have met since 1 May 1997; and what meetings representatives of her Department have held with individuals to discuss the operation of the company. [24001]

Mr. Nigel Griffiths *[holding answer 19 January 1998]:* The Department has received numerous letters from one individual and a letter from the hon. Lady on 15 October. I have placed a copy of my reply to her in the Library of the House, but regard other replies as personal to the recipient.

In line with established practice in such cases. Ministers do not confirm or deny whether investigations are taking place or not.

Ministers of this Department have not met representatives of the company during the period in question, nor have officials had any meetings.

Action 2000

Mrs. Gillan: To ask the President of the Board of Trade if Action 2000 will define the levels of millennium compliance for each sector of industry. [24378]

Mrs. Roche *[holding answer 20 January 1998]:* Action 2000 is encouraging businesses in all sectors of the economy to decide quickly what steps they need to take to make their critical systems compliant, and will be taking a particular interest in the plans of businesses in key sectors. Action 2000 will aim to benchmark the existing level of compliance across all sectors of the economy and monitoring progress.

Biotechnology

Dr. Kumar: To ask the President of the Board of Trade what steps her Department is taking to develop manufacturing activity in the biotechnology sector. [24070]

Mr. Battle: My Department is committed to getting the climate right for the development of the UK's biotechnology sector. We support a range of research through the Research Councils and technology transfer through, for example, LINK, EUREKA and SMART and specific Biotechnology Challenges to encourage the start-up and growth of new companies.

These measures will help sustain the strong science base and catalyse industrial research and development needed to underpin future manufacturing and production in this sector.

Biochemical Engineering

Dr. Kumar: To ask the President of the Board of Trade (1) what assessment she has made of the impact of reductions in the level of support for biochemical engineering research and training in the Biotechnology and Biological Sciences Research Council budget; [24071]

(2) what assessment she has made of the level of Government support required in respect of biochemical engineering research and training over the next five years. [24069]

Mr. Battle: Government support for biochemical engineering research and training is primarily the responsibility of the Biotechnology and Biological Science Research Councils (BBSRC). In accordance with its Royal Charter and the well-established relationship between the Research Council and Government, it is for the BBSRC to determine the nature and level of its support for areas of research and training, drawing on the advice of its research and user communities.

I understand that the BBSRC has recently commissioned a review of all its biochemical engineering research and training chaired by Professor Bernard Atkinson, which is due to report in the early summer of 1998.

Employment Law (Seafarers)

Mr. Prosser; To ask the President of the Board of Trade if she will list those sections of United Kingdom employment law from which British merchant seafarers are presently excluded. [24167]

Mr. Ian McCartney: Section 199(1) of the Employment Rights Act 1996 specifies provisions in that Act from which mariners—whatever their nationality—are excluded where they are employed in a UK registered ship under a crew agreement approved by the Secretary of State. The provisions in question are sections one to seven (concerning the right to a written statement of employment particulars), Part II (protection of wages) and sections 86 to 91 (minimum period of notice).

Section 199(4) of the 1996 Act specifies provisions from which merchant seamen are excluded. These are sections eight to ten (right to itemised pay statement), sections 50–54 (time off work) and Part XII (payments where an employer is insolvent).

Other exclusions from the 1996 Act, as set out in section 196, apply equally to seafarers and other employees working wholly or mainly outside Great Britain, except that section 196(5) and 199(6) provides that certain of these exclusions do not apply to seafarers in certain circumstances.

Equivalent provisions applying in Northern Ireland are included in Article 242 of the Employment Rights (Northern Ireland) Order 1996.

Ethical Trading

Dr. Tonge: To ask the President of the Board of Trade what progress has been made in discussions with industry and commerce on ethical trading and the labelling of goods to give information on the ethics of their production. [22872]

Mrs. Roche: Increasingly companies are responding to consumers interests by voluntarily adopting codes of practice to help ensure the ethical production of their goods, including those originating overseas. The Government support the Ethical Trading Initiative, a partnership between business, non-governmental organisations and unions which aims to promote the use of such codes, the pursuit of best practice in monitoring them and developing a positive engagement between importers and suppliers to help the latter comply with the codes. The ultimate aim is the universal ethical production of goods sold in the UK. Some goods are already marketed with an indication of ethical production, and moves towards widespread transparency will be welcomed.

Electricity Cabling

Mr. Wigley: To ask the President of the Board of Trade what representation she has received from electricity consumers, concerning the laying of underground cables in North West Wales. [24293]

Mr. Battle: One letter has been received which raised the question of underground cables in North West Wales since the General Election last May.

HEALTH

Edgware Hospital

Mr. Dismore: To ask the Secretary of State for Health if he will make a statement concerning the review of Edgware Hospital. [22591]

Mr. Milburn: Following Barnet Health Authority's review of local health services to be provided from the Edgware Hospital site, the health authority has now submitted the recommendations from the review. I am pleased that the process of public consultation adopted by the health authority has achieved a considerable degree of local support and a high level of consensus on the range of services to be provided.

The review has produced workable proposals about the general direction and future of the Edgware Community Hospital. Barnet Health Authority and the Barnet Healthcare National Health Service Trust, working closely with representatives of the local community, will now need to develop these proposals in more detail to satisfy the formal approval processes.

Hospital Trusts (Car Parks)

Mr. Bob Russell: To ask the Secretary of State for Health how much was received by each hospital trust which has a car park contract operated by Controlled Car Parking, in the last financial year for which figures are available; and if he will estimate the profit made by CCP on each contract in the last financial year for which figures are available. [24166]

Ms Jowell: The information requested is not collected centrally.

Breast Screening

Mr. Stinchcombe: To ask the Secretary of State for Health how many breast screening units are not able to screen all women in the 50 to 64 years of age category every three years; and if he will make a statement. [24338]

Mr. Boateng: As at July 1997, 32 units in England were having some difficulty maintaining a three-year screening interval and as a result some women are having to wait longer than three years between screenings. Most of the 32 are less than three months behind schedule.

The Government have made clear that adherence to national standards and rigorous quality control is essential to deliver an effective breast screening programme. Regional Directors of Public Health have been instructed to review the performance of the breast screening programme in their region and, where necessary, agree action plans so that national standards are met, including screening intervals.

Mr. Stinchcombe: To ask the Secretary of State for Health what account his Department has taken in allocating funds for breast screening of demographic changes. [24340]

Mr. Boateng: The number of women eligible for screening is rising steadily as a result of the post-war baby boom, with a projected increase of almost 10 per cent. between 1997 and 2002. Demographic pressures on the health service as a whole are taken into account in discussion between the Department and Her Majesty's Treasury on public expenditure.

Mr. Stinchcombe: To ask the Secretary of State for Health if he will make a statement on the number of women aged between 65 and 75 who attend breast screening. [24339]

Mr. Boateng: In 1995–96 (the most recent figures available), 57,535 women aged 65 and over were screened for breast cancer. This is a significant increase on the 1994–95 figure of 39,193, and the Government are delighted that more women than ever aged 65 and over are requesting National Health Service mammogram. We do not collect date specifically on the number of women aged 65 to 75 screened each year.

Acheson Report

Mr. Dalyell: To ask the Secretary of State for Health, pursuant to the letter (reference S/J/PSO/11213/97) when he expects to receive the Acheson Report relating to accident involvement. [22797]

Ms Jowell: Sir Donald Acheson is expected to report to Ministers in spring 1998, with the full report of the Independent Inquiry into Inequalities in Health to be published in the summer.

Rohypnol

Mr. Hoyle: To ask the Secretary of State for Health if the Government will ban the drug rohypnol. [24673]

Ms Jowell: Rohypnol is the proprietary name for flunitrazepam, a prescription-only medicine for the short-term treatment of insomnia. It is not prescribable under the National Health Service but may be supplied under private prescription. In view of its attractiveness to drug misusers for self-administration it is already controlled under the Misuse of Drugs Act 1971.

There are no plans at present to withdraw the drug rohypnol. Because of concern about possible misuse of rohypnol the manufacturers have modified the formulation, including a dye that will show up in a drink. This new formulation has been approved by the United Kingdom licensing authority and we understand that it will be marketed in the near future.

The Government plan to bring forward amending legislation shortly which will increase the amount of regulation on the drug in the UK, including making it an offence to possess the drug without lawful authority.

GP Fundholders

Helen Jackson: To ask the Secretary of State for Health what trainjng general practice fundholders receive on how to handle personnel matters; and what plans his Department has to improve such training. [23044]

Mr. Milburn: General practitioner fundholders are expected to equip themselves with the skills to perform the full range of their management duties. Regulation 23(7) of the National Health Service (Fund-holding Practices) Regulations 1996 provides for the practice fund management allowance to be used to meet the cost of training members of the practice and their staff.

The White Paper, "The New NHS" (Cmnd 3807) sets out the Government's intention to develop Primary Care Groups which will succeed the GP fundholding scheme and other current purchasing and commissioning arrangements. The training and development needs of Primary Care Groups will need to be kept under review by all concerned as the new arrangements evolve.

Care Leavers

Mr. Streeter: To ask the Secretary of State for Health what recent research findings are available from the assessment of services for care leavers, following the Government commitment to monitor the implementation of the Children Act 1989 as it relates to provisions for children leaving care. [23945]

Mr. Boateng: A major research study of leaving care schemes was commissioned by Government following implementation of the Children Act 1989. The research was undertaken by Leeds University and published in 1995 under the title "Moving On". Copies have been placed in the Library.

Further research was commissioned in 1995 from Sheffield University to study the extent to which the extended families of care leavers might offer personal support during the transition to independence. The fieldwork has been completed and the study will be published shortly under the title "Leaving Care in Partnership".

Neuroleptic Drugs

Mr. Flynn: To ask the Secretary of State for Health what new proposals he has to reduce excessive prescribing of neuroleptic drugs to residents of homes for the elderly. [24755]

Mr. Milburn: The responsibility for prescribing, including repeat prescribing, of medication rests with the doctor who has clinical responsibility for the patient's treatment. We have no present proposals to issue guidance on the prescribing of drugs specifically to residents of homes for the elderly.

The Department provides support for doctors in their clinical decisions, providing information through the British National Formulary, the Drug and Therapeutics and Medicines Resource Centre Bulletins and the Prescribers' Journal, copies of which are available in the Library. Advice is also available from most general practitioners' computer systems which have drug databases with facilities to flag up potential interactions with other drugs or diseases, and when patient review is due. We also encourage the use of community pharmacists in the review and management of medication.

Fibre

Mr. Martyn Jones: To ask the Secretary of State for Health what is Her Majesty's Government's recommended daily amount for fibre; and what assessment he has made of the amounts recommended by other organisations. [24459]

Ms Jowell: The Committee on Medical Aspects of Food and Nutrition Policy (COMA), in its Report, "Dietary Reference Values for Food Energy and Nutrients for the United Kingdom" published in 1991, set a Dietary Reference Value (DRV) for the population average intake of non-starch polysaccharide (dietary fibre) at 18 grams per day. In setting this DRV COMA took account of the recommendations of other national and international bodies in this area. Copies of the Report are available in the Library.

SOCIAL SECURITY

Disability Living Allowance

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to her answer to the hon. Member for Bradford, North (Mr. Rooney) of 22 December 1997, *Official Report*, columns *459–61*; if she will estimate the *(a)* regional distribution and *(b)* distribution between household income bands based on quartiles of the income range of claimants of disability living allowance care, disability living allowance mobility and attendance allowance in each year from 1992–93. [22994]

Mr. Denham: The information requested is set out in the tables.

People in receipt of DLA and AA in 1992–93 by Govnerment Office region

Government Office region	Disability Living Allowance: Care[1]	Disability Living Allowance: Mobility[1]	Attendance allowance[2]
North	35,500	64,200	—
Yorkshire and Humberside	57,800	103,000	—
East Midlands	41,400	70,600	—
East	39,600	63,300	—
London	56,000	74,100	—
South East	57,000	80,100	—
South West	40,600	61,600	—
West Midlands	59,400	95,300	—
North West	67,100	124,800	—
Merseyside	28,000	49,800	—
England	482,400	787,000	760,200
Wales	40,500	81,600	56,400
Scotland	67,000	113,200	73,800
All	589,900	981,800	890,300

People in receipt of DLA and AA at 1993–94 by Government Office region

Government Office region	Disability Living Allowance: Care[1]	Disability Living Allowance: Mobility[1]	Attendance Allowance[2]
North	44,800	73,800	—
Yorkshire and Humberside	73,400	116,900	—
East Midlands	51,200	80,600	—
East	49,600	73,600	—
London	72,300	93,000	—
South East	67,700	94,600	—
South West	46,800	69,100	—
West Midlands	75,400	112,000	—
North West	84,600	141,100	—
Merseyside	37,000	57,800	—
England	602,600	912,500	815,100
Wales	53,900	94,100	64,800
Scotland	85,100	130,600	82,400
All	741,600	1,137,100	962,400

People in receipt of DLA and AA at 1994–95 by Government Office region

Government Office region	Disability Living Allowance: Care[1]	Disability Living Allowance: Mobility[1]	Attendance Allowance[2]
North	56,600	87,200	—
Yorkshire and Humberside	88,000	132,200	—
East Midlands	61,100	90,200	—
East	60,400	83,600	—
London	89,400	109,900	—
South East	80,900	108,500	—
South West	57,600	80,700	—
West Midlands	92,200	128,700	—
North West	102,700	160,100	—
Merseyside	46,200	66,000	—
England	735,100	1,047,100	884,500
Wales	67,300	110,100	72,500
Scotland	105,600	151,100	89,500
All	908,100	1,308,400	1,046,500

People in receipt of DLA and AA at 1995–96 by Government Office region

Government Office region	Disability Living Allowance: Care[1]	Disability Living Allowance: Mobility[1]	Attendance Allowance[1]
North	69,300	99,200	48,200
Yorkshire and Humberside	105,500	150,500	103,200
East Midlands	73,700	102,500	75,700
East	71,700	95,000	91,500
London	106,700	127,600	106,100
South East	93,600	122,000	121,200
South West	69,300	93,100	97,100
West Midlands	109,000	146,400	111,300
North West	123,700	179,200	126,400
Merseyside	55,400	74,000	40,800
England	878,100	1,189,600	921,400
Wales	82,200	125,500	80,000
Scotland	124,600	170,700	107,000
All	1,084,900	1,485,700	1,108,500

People in receipt of DLA and AA at 1996–97 by Government Office region

Government Office region	Disability Living Allowance: Care[1]	Disability Living Allowance: Mobility[1]	Attendance Allowance[1]
North	80,400	108,800	52,700
Yorkshire and Humberside	120,000	163,500	106,600
East Midlands	84,700	111,800	81,800
East	83,100	103,600	94,100
London	124,000	142,600	108,300
South East	106,500	133,500	122,600
South West	80,400	102,900	106,400
West Midlands	122,800	158,600	116,700
North West	63,300	80,500	132,100
Merseyside	143,200	196,600	43,500
England	1,008,400	1,302,400	964,700
Wales	97,800	139,100	86,800
Scotland	142,500	188,000	114,900
All	1,248,700	1,629,500	1,166,400

Source:

Analytical Services Division: 5 per cent. data.

Notes:

[1] Figures relate to 28 February.

[2] Figures relate to 31 March.

1. No figures by region for AA are available prior to 1995–96 because of the lack of a reliable regional indicator in the data.

Position in the household income distribution of benefit units in receipt of Disability Living Allowance or Attendance Allowance (GB)

1995–96 *Per cent.*

Quartile	DLA (care)	DLA Mobility	DLA	AA	Either AA or DLA
Bottom 25 per cent.	16	15	17	14	16
Next 25 per cent.	39	41	41	40	41
Next 25 per cent.	32	32	31	32	31
Top 25 per cent.	13	12	12	13	12
All	100	100	100	100	100

1994–95

Per cent.

Quartile	*DLA (care)*	*DLA (mobility)*	*DLA*	*AA*	*Either AA or DLA*
Bottom 25 per cent.	13	13	15	12	14
Next 25 per cent.	44	44	44	44	44
Next 25 per cent.	31	30	30	30	31
Top 25 per cent.	12	14	12	12	11
All	100	100	100	100	100

1992–93 and 1993–94 financial years combined in UK

Per cent.

Quartile	*DLA*	*AA*	*Either AA or DLA*
Bottom 25 per cent.	13	10	12
Next 25 per cent.	42	51	46
Next 25 per cent.	34	31	32
Top 25 per cent.	10	8	9
All	100	100	100

1. The estimates for the financial years 1994–95 and 1995–96 are based on the Family Resources Survey (FRS).

2. The estimates for the combined financial years 1992–93 and 1993–94 are based ont he Family Expenditure Survey (FES). As the FES has a smaller sample size than the FRS we have combined two financial years and not provided estimates for the separate components of DLA.

3. The measure of income used is household equivalised net income before housing costs (BHC). Measured income will include the value of the DLA and AA received. The distribution of recipients changes if the value of DLA and AA from household income as in the following table.

Position in the household income distribution of benefit units in receipt of Disability Living Allowance or Attendance Allowance (GB)

1995–96

Per cent.

Quartile	*Household income includes the value of AA/DLA*	*Household income excludes the value of AA/DLA*
Bottom 25 per cent.	16	39
Next 25 per cent.	41	34
Next 25 per cent.	31	19
Top 25 per cent.	12	7
All	100	100

1. Incomes are equivalised to adjust for household size and composition. No adjustment is made to household income to reflect any additional needs that people with disabilities might have.

2. Recipients in institutions are not covered by the Family Resources Survey.

3. The FRS is a sample survey and all estimates must be treated as approximate.

4. FRS estimates are available on a GB basis only as the FRS doesn't cover Northern Ireland and NI has no equivalent survey. FES estimates relate to the UK.

5. Results show the proportion of benefit units receiving AA and DLA by position of the benefit unit in the household distribution of income. A benefit unit is defined as a single adult or couple together with any dependent children . A household can comprise more than one benefit unit, for example a pensioner living with their grown up children.

6. Sample sizes are such that differences between the years are unlikely to be statistically significant.

7. For the income distribution which excludes benefits the knock on effect on Income Related Benefit receipt has not been estimated, though this is likely to be small on average.

8. As the question is using a series of years the FES comparable measures of income and FES comparable grossing factors have been used on the FRS.

Pensioner Incomes

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate for the current year and for 1992 average pensioners income from all sources *(a)* for all pensioners and *(b)* for the age groups (i) over 75 years of age, (ii) over 80 years of age and (iii) over 85 years of age. [23669]

Mr. Denham: The information requested is set out in the table.

	1995–96		*1992*	
	Mean gross income (£)	*Sample*	*Mean gross income (£)*	*Sample*
All pensioner units	196.80	2,000	181.00	2,183
Pensioner units where the head is aged over 75	173.20	731	148.00	778
Pensioner units where the head is aged over 80	170.80	391	136.70	376
Pensioner units where the head is aged over 85	191.70	133	135.70	122

Source:

The Pensioners' Incomes Series 1995–96 based on the Family Expenditure Survey.

Notes:

1. The latest year for which information is available is 1995–96.

2. Pensioner Units are defined as single (non-cohabiting) persons over State pension age or couples (married or cohabiting) where the man, defined as the head, is over State pension age.

3. All figures are in July 1995 prices and are rounded to the nearest 10 pence.

4. Figures based on small numbers of pensioner units are subject to sampling error. Therefore, year on year comparisons of small groups, particularly those pensioner units aged over 85, may not be robust.

Incomes

Ms Hewitt: To ask the Secretary of State for Social Security what is the net income of (i) married couple with one earner and two children, (ii) a lone parent with two children and (iii) a single person with no children, on gross earnings of *(a)* half of average earnings, *(b)* three-quarters of average earnings, *(c)* average earnings and *(d)* twice average earnings allowing for child benefit; and what is the net income of the same groups after allowing for council tax. [23929]

Mr. Keith Bradley: The information is in the tables.

Net income of a married couple with one earner and two children

£

	Gross earnings	*Net income before Council Tax*		*Net income after Council Tax*	
		LA tenant	*Private tenant*	*LA tenant*	*Private tenant*
Half of average earnings	183.80	163.35	163.35	151.75	151.75
Three-quarters of average earnings	275.70	191.38	167.98	179.78	156.38
Average earnings	367.60	252.95	222.64	241.35	211.04
Twice average earnings	735.20	499.83	469.52	488.23	457.92

Net income of a lone parent with two children

£

	Gross earnings	Net income before Council Tax		Net income after Council Tax	
		LA Tenant	Private Tenant	LA Tenant	Private Tenant
Half of average earnings	183.80	164.61	164.33	155.81	155.53
Three-quarters of average earnings	275.70	197.43	168.96	188.63	160.16
Average earnings	376.60	259.00	228.69	250.20	219.89
Twice average earnings	735.20	505.88	475.57	497.08	466.77

Net income of a single person with no children

£

	Gross earnings	Net income before Council Tax		Net income after Council Tax	
		LA Tenant	Private Tenant	LA Tenant	Private Tenant
Half of average earnings	183.80	111.17	87.06	103.67	79.56
Three-quarters of average earnings	275.70	172.75	148.64	165.25	141.14
Average earnings	367.60	234.32	210.21	226.82	202.71
Twice average earnings	735.20	481.20	457.09	473.70	449.59

1. The weekly average earnings figure of £367.60 has been taken from "Labour Market Trends", published by the Office for National Statistics. It represents national weekly average earnings for all full-time employees at April 1997.

2. For family types with two children, one child is assumed to be under five and the other between five and 10-years-old.

3. The net income figures in the table reflect each family's net weekly income after income tax, National Insurance Contributions, housing costs and all income from benefits (including Child Benefit) have been taken into account.

4. Net incomes also depend on whether or not the family are local authority (LA) or private tenants, since this affects the amount of rent payable and also (possibly) the amount of housing benefit received. Net incomes for both LA tenants and private tenants are included in the table.

5. Each family type is assumed to live in local authority or private rented property appropriate to its size, and to pay average amounts of rent and council tax at April 1997.

6. No Council Tax Benefit is payable in any of the situations covered: earnings are too high.

Councillors' Allowances

Mr. Bob Russell: To ask the Secretary of State for Social Security if she will bring forward proposals to exclude members' allowances received by councillors when calculating benefits and other entitlement. [24156]

Mr. Keith Bradley: We have no immediate plans to change the way councillors' allowances are treated when calculating benefits although we are keeping the individual benefit rules under review. Councillors do already enjoy some important concessions in the benefits system which are not available to other people.

Lone Parents

Mrs. Ballard: To ask the Secretary of State for Social Security what estimate she has made of the projected change in the numbers of lone parents over the next 10 years. [23522]

Mr. Keith Bradley: The information is not available in the form requested. Neither the Office for National Statistics, which is responsible for demographic statistics on the family, nor the Government Actuary's Department produces projections of the number of lone parent families.

The Department of Social Security makes its own projections for planning purposes and these indicate that the number of lone parent families in Great Britain could increase by about 500,000 to over 2 million by 2006. Such estimates are subject to considerable uncertainty and may over-estimate growth over the next 10 years.

Ms Julie Morgan: To ask the Secretary of State for Social Security if the level of advice and guidance and staffing available in the pilot projects of the Lone Parent Initiative will be matched when the national roll-out takes place. [24111]

Mr. Keith Bradley: The Government plan to continue providing a high quality service once the New Deal for Lone Parents is extended nationwide. Precise staffing levels have yet to be decided but the intention is that advice and guidance available to lone parents and their Personal Advisers will match that available in the eight pilot areas.

Notes:

1. From April 1998, for the New Deal for Lone Parents programme, will be delivered to all lone parents nationally making a new or repeat claim for Income Support.

2. From October 1998, for the New Deal for Lone Parents programme, will be delivered to all lone parents nationwide, existing and new claimants.

Mr. Cousins: To ask the Secretary of State for Social Security if she will list the number of claimants and the number of new claims of *(a)* lone parent benefit and *(b)* lone parent premium in the Newcastle Benefits Agency district in each year since 1992. [22984]

Mr. Keith Bradley: The administration of Social Security Benefits is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Jim Cousins, dated 21 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if she will list the number of claimants and the number of new claims of (a) lone parent benefit and (b) lone parent premium in the Newcastle Benefits Agency (BA) district in each year since 1992.

The information is not available in the format requested. Lone parent benefit details are not readily available and could be obtained only at disproportionate cost. Similarly, the number of new claims to Income Support (IS) which include the entitlement to lone parent premium could be obtained only at disproportionate cost.

The following figures relate to the number of IS customers in the BA's Newcastle District, which includes the Newcastle St. James and Newcastle East offices, who were in receipt of lone parent premium from 1992 to 1996 and for 1997 the higher rate of the family premium, which from April 1997 replaced the lone parent premium. They do not include those lone parent customers who are pensioners nor those registered sick who would qualify for a higher

rate premium such as a pensioner or disability. These figures are a snapshot taken at the ene of November in each year; they are the latest available and may be subject to amendment.

Year	Number of cases
1992	7,625
1993	7,645
1994	7,663
1995	7,616
1996	7,529
1997	6,977

I hope you find this reply helpful.

Child Benefit

Mr. Duncan Smith: To ask the Secretary of State for Social Security what plans she has to review the operation of child benefit. [24492]

Mr. Keith Bradley: Our manifesto commitment is clear: we will retain Child Benefit where it is universal today, from birth to age 16, and uprate it at least in line with prices.

An inter-Departmental review of all the arrangements for financial support for young people choosing to stay in education beyond compulsory school age is continuing. Child Benefit for 16–18 year olds is part of that review.

Welfare to Work

Mr. Duncan Smith: To ask the Secretary of State for Social Security in what circumstances those individuals who have refused to take up one of the four options under the welfare–to–work scheme and had their jobseeker's allowance removed for four weeks will *(a)* go back onto jobseeker's allowance for six months and *(b)* go onto income support. [24552]

Mr. Keith Bradley: Jobseeker's Allowance is intended for people who are out of work for reasons beyond their own control. Young people who unreasonably perpetuate their own unemployment by refusing to take up one of the four options offered under the New Deal will be subject to benefit sanctions for as long as they continue to refuse. There is no fifth option of a life on benefit.

Young people will not qualify for Income Support unless they do so under current arrangements.

State Earnings-related Pension Scheme (Rebate)

Mr. Duncan Smith: To ask the Secretary of State for Social Security what is the publication date for the Government Actuary Department's report on upgrading the SERPS rebate; and what are the terms of reference for the report. [24491]

Mr. Denham: I refer the hon. Member to the reply I gave my hon. Friend the Member for Vauxhall (Kate Hoey) on Friday 16 January 1998, *Official Report*, column *344*, which explained that a copy of the report I have received from the Government Actuary has been placed in the Library of both Houses. Its terms of reference are clearly set out in the introduction of the report.

Orders to set new rebate levels from April 1999, with an accompanying report from the Government Actuary, will be brought before both Houses shortly.

Mortgage Protection Policies

Mr. Webb: To ask the Secretary of State for Social Security what is the effect of *(a)* income from mortgage protection policies and *(b)* income from other loan insurance policies on entitlement to income-related social security benefits. [24713]

Mr. Keith Bradley: Payments from a mortgage payment protection insurance policy (MPPI) are treated as income for income-related benefit purposes. In Income Support and Jobseeker's Allowance (Income-Based) different rules apply depending on whether or not payment is made directly to the lender or the borrower. If payment is made direct to the lender, the full amount is ignored including capital repayments, endowments, PEPs, building insurance and mortgage payment protection premiums and any ineligible interest payments. The only exception to this is when Income Support Mortgage Interest (ISMI) commences and MPPI is already in payment, the MPPI income is offset against the amount of ISMI due. If paid direct to the borrower, the amount taken into account is the excess after housing costs and related insurance premiums have been deducted.

Income from other types of loan insurance is treated in the same way as most other types of income. It is disregarded if, under the terms of the policy, it is payable to a third party only (in this case, normally the creditor). If it is paid to the insured person it will be taken into account. It may also be taken into account if it is being paid to a third party but could be paid to the insured person.

This approach to the treatment of income in the income-related benefits has been unchanged for many years. Representatives of the insurance industry have recently approached the Department and are having discussions with officials about the application of the rules.

AGRICULTURE, FISHERIES AND FOOD

Hill Farming

4. Mr. Connarty: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to assist hill farmers. [22304]

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what further steps he proposes to take to assist hill livestock farmers; and if he will make a statement. [22326]

Dr. John Cunningham: In my statement to the House on 22 December 1997, I set out proposals for a special aid package worth £85 million to the livestock industry. Hill Farmers will be particular beneficiaries. Consultation on the detailed arrangements are continuing with the European Commission, and I hope to announce these shortly.

Farm Incomes

13. Mr. Hinchliffe: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to monitor farm income in Yorkshire. [22314]

Mr. Rooker: Farm incomes in Yorkshire are monitored through the Farm Business Survey, conducted in this part of the United Kingdom by Askham Bryan Agricultural College. The college publishes the results annually in "Farming in Yorkshire". It is expected that the next edition of this report, covering results for 1996–97, will be published in February 1998.

22. **Mr. Robathan:** To ask the Minister of Agriculture, Fisheries and Food if he will meet farmers from Leicestershire to discuss the fall in farm incomes during 1997. [22324]

Mr. Rooker: I have no plans to meet farmers from Leicestershire, but I am always ready to listen to farmers or their representatives.

Fisheries

14. **Mr. Wilkinson:** To ask the Minister of Agriculture, Fisheries and Food what are the Government's priorities with regard to reform of the CFP. [22315]

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food which aspects of the Common Fisheries Policy he is seeking to reform. [24762]

Mr. Morley: The Government are pursuing a wide-ranging agenda of improvements to the Common Fisheries Policy. Our priorities include making the CFP a more effective instrument for conservation, improving enforcement, introducing a greater regional dimension into decision-making, strengthening the economic benefits that countries derive from their quotas and improving the way we manage quotas in the UK.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if the United Kingdom share under the 1983 allocation relating to fisheries will remain constant irrespective of any new members joining the EU *(a)* during and *(b)* after the transitional period to the Common Fisheries Policy has expired. [23700]

Mr. Morley: The Government are committed to maintaining the UK's share of fish established under the principle of relative stability both up to and after the review of the Common Fisheries Policy in 2002.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what benefits he seeks to achieve for British fishermen by reform of the Common Fisheries Policy. [24761]

Mr. Morley: By improving the Common Fisheries Policy, the Government seek to safeguard fish stocks and secure a sustainable future for the sea fishing industry.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food (1) what procedure he will follow to achieve reform of the Common Fisheries Policy; [24712]

(2) what is his time scale for achieving reform of the Common Fisheries Policy. [24711]

Mr. Morley: The Common Fisheries Policy as a whole will be reviewed by the Council of Ministers in 2002. However, the Government are working to achieve improvements before then by promoting measures in the areas which it has identified as priorities.

Food Standards and Safety

15. **Mr. Ben Chapman:** To ask the Minister of Agriculture, Fisheries and Food in addition to the Food Standards Agency, what plans the Government have to promote improved food standards and safety throughout the country. [22316]

Mr. Rooker: We are acting essentially as if the Agency were already in place. We continue to strengthen our approach to food safety issues, giving clear priority to the protection of public health and building on our commitment to openness, transparency and responsiveness to the consumer.

26. **Dr. Gibson:** To ask the Minister of Agriculture, Fisheries and Food what further research is being carried out by his Department to ensure the safety of UK meat products. [22328]

Mr. Rooker: The Department funds a substantial programme of research to ensure the safety of meat and meat products. This focuses on the control of foodborne zoonoses and potential zoonoses, meat hygiene and food hygiene. The results of this research, which includes work on transmissible spongiform encephalopathies, contribute to the data on which policy decisions and actions are based. In all, it is expected that some £16 million will be deployed in this way during the 1997–98 financial year.

Milk Quotas

16. **Mr. Drew:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of milk quotas. [22317]

Mr. Morley: Current legal authority for the milk quota system is due to expire at the end of March 2000. We are pressing for reform of the dairy regime in Brussels to help our industry compete effectively on world markets. Detailed legislative proposals are expected from the Commission in March this year and these will be the subject of careful scrutiny and negotiation.

Beef Farming

17. **Mr. David Heath:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to visit Somerset to discuss the beef sector with local farmers. [22318]

Dr. John Cunningham: I have no specific plans to visit beef farmers in Somerset in the near future. However, I continue to have meetings with the National Farmers Union and other organisations representing farmers interests, when matters affecting the beef sector arise.

Pigs (Tail Docking)

18. **Mr. Mullin:** To ask the Minister of Agriculture, Fisheries and Food what plans he has to enforce the regulations relating to the tail docking of pigs; and if he will make a statement. [22319]

Mr. Morley: The regulations concerning the tail docking of pigs are enforced by the State Veterinary Service. We have instructed our Veterinary Officers to pay particular attention to this practice when carrying out their inspections.

Genetically Modified Organisms

19. **Mr. Pickthall:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with food retailers about genetically modified organisms. [22320]

Mr. Rooker: I have held a number of meetings with food retailers since May where I have explained the Government's determination to ensure that all foods which contain genetically modified material are both safe and clearly labelled.

Common Agricultural Policy

20. **Sir Teddy Taylor:** To ask the Minister of Agriculture, Fisheries and Food which specific changes to the CAP would receive his support. [22322]

Mr. Rooker: The Government will support proposals to reform the CAP which would secure a more market oriented policy with lower overall costs and which do not discriminate against UK farmers.

Beef Ban

21. **Mr. Russell Brown:** To ask the Minister of Agriculture, Fisheries and Food what progress he is making on lifting the ban on British beef. [22323]

Mr. Rooker: The Commission has approved a draft proposal for the Export Certified Herds Scheme which will be presented to the Standing Veterinary Committee very soon. The scheme would operate in Northern Ireland initially but the principles could be extended to Great Britain once the computerised tracing system is fully functional.

In October we submitted proposals for a UK scheme to export beef from cattle born after 1 August 1996 (Date Based Export Scheme). In its Opinion of 9 December the Scientific Steering Committee gave a positive response to the principle of a Date Based Export Scheme. Officials are currently discussing the next steps with the Commission.

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food what research his Department evaluated from other EU countries prior to its decision to ban the sale of beef on the bone. [22321]

Mr. Rooker: The research into BSE infectivity on which the Spongiform Encephalopathy Advisory Committee based its recent advice on dorsal root ganglia and bone marrow was carried out in the UK. The Committee keeps under review research findings worldwide, but, in the absence of any relevant research results from other countries, this particular advice was based solely on UK research.

Beef

23. **Mr. Grogan:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to improve confidence in British beef. [22325]

Mr. Rooker: The Government have continued to support various initiatives to help restore and improve consumer confidence in beef. As a result we have seen significant improvements in the level of beef consumption, indicating the return of consumer confidence.

25. **Mr. Blizzard:** To ask the Minister of Agriculture, Fisheries and Food if he will continue to allow family butchers to remove beef from the bone. [22327]

Mr. Rooker: Yes. The Beef Bones Regulations 1997 permit bones to be removed from bone-in-beef in food premises, which include butchers' shops.

Fishing Industry

27. **Mr. Jenkin:** To ask the Minister of Agriculture, Fisheries and Food how many *(a)* Spanish and *(b)* Dutch fishermen fishing against the UK quota have had their licences removed since 1 May. [22329]

Mr. Morley: No owners of UK registered fishing vessels have had their licences removed since 1 May.

28. **Mrs. Humble:** To ask the Minister of Agriculture, Fisheries and Food when he last met the National Federation of Fishermen's Organisations. [22330]

Mr. Morley: I last met representatives of the National Federation of Fishermen's Organisations on 19 December 1997.

Mrs. Ewing: To ask the Minister of Agriculture, Fisheries and Food what relationship his Department envisages witht he Scottish Executive in negotiations on the common fisheries policy. [22302]

Mr. Morley: Scottish Executive Minsters and officials will be fully involved, as part of the UK team headed by this Department, in formulating and supporting the UK's negotiating line on Common Fisheries Policy matters.

Overseas Visits

Mr. Wilshire: To ask the Minister of Agriculture, Fisheries and Food if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him *(b)* the cost to public funds of each such visit. [23263]

Dr. John Cunningham *[holding answer 15 January 1998]:* I can confirm that under Rule 83 of the Ministerial Code, Mrs. Cunningham accompanied me on two official overseas visits, the details of which are given. Her costs, in respect of the visit to Rome, have not been met from public funds.

Date	*Location*	*Meeting*	*£*
25 May 1997–27 May 1997	Netherlands	May Informal Agriculture Council of EU Ministers	[1]2,288.00
10 October 1997–12 October 1997	Rome	Bilateral with Italian Agriculture Minister	1,062.00

[1] £457.60 for Mrs. Cunningham.

Countryside Stewardship Scheme

Mr. Lepper: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the number and location of Countryside Stewardship Scheme

public access sites in *(a)* the Brighton, Pavilion constituency and *(b)* East and West Sussex; what steps have been taken to inform the public of access to Countryside Stewardship Scheme access sites; and what sums his Department has (i) spent to date and (ii) contracted to spend in respect of payments for public access to these sites. [23936]

Mr. Morley: There are no Countryside Stewardship Scheme public access sites in the Brighton, Pavilion constituency.

There are 25 public access sites in East Sussex and 16 in West Sussex. Their locations are as follows:

East Sussex

1. Hole Farm, nr Herstmonceux
2. Forge Farms, nr Burwash Weald
3. Rocks Farm, nr Brede
4. Hempstead Farm, nr Hailsham
5. France Bottom, nr Alfriston, Willingdon levels, Folkington Hill
6. Hewenstreet Circuit, nr South Chailey
7. Wagmary Wood, nr Brede Broad Oak
8. Great Danegate Farm, nr Rotherfield
9. Pebsham Farm, nr Bexhill
10. Court Lodge Farm, nr Wartling
11. Lewes Brooks, nr Lewes
12. Highfields Circuit, nr Mayfield
13 Barelands, nr Wadhurst
14. Brightling Park, nr Brightling
15. Chilly Brooks, nr Lewes
16. Scrag Oak Farm, Nr Icklesham
17. Eridge Old Park, nr Frant
18. Foxhunt Park Farm, nr East Hoathly
19. Sunninglye Farm, nr Bells Yew Green
20. Ouse Banks, nr Uckfield
21. Pippins Farm, Pembury
22. Little Buds, Hastings
23. Lunsfold Farm, Hastings
24. Northease Farm, nr Lewes
25. Hale Court, Hartfield.

West Sussex

1. Wiggonholt Common, nr Wiggonholt
2. Kings. Barn Farm/Foxhall Farm, nr Steyning
3. Daylands Farm, nr Ashington
4. Pulborough Brooks, nr Pulborough
5. Quell Farm, nr Coldwaltham
6. Glebe Farm, nr Coldwaltham
7. Stonehill, nr East Grinstead
8. Church Farm South, nr Shipley Meadows
9. Chanctonbury Ring, Findon Park Farm, nr Washington
10. Sutton Common Lords Piece, nr Petworth
11. West Grinstead Downs Link, nr Cowfold
12. Frylands Farm, nr Wineham
13. Lower Fittleworth Meadows, nr Fittleworth
14. Apuldram Manor Farm, nr Chichester
15. Imberhorne Farm, nr East Grinstead.

The list includes sites on which grant is already being paid and new sites entered into the scheme in 1997 on which grant has yet to be paid.

The sums spent on these sites to date is:

East Sussex: £76,827

West Sussex: £82,163.

The sums contracted to be spent are:

East Sussex: £217,840

West Sussex: £198,687.

The figures for contracted expenditure include the total ten-year cost for each access agreement, i.e. the sums spent to date plus the value of payments scheduled for payment during the remaining years of the agreements.

The Department informs the public of access to Countryside Stewardship scheme access sites by actively promoting the location of the site, how to find it and features of interest. The details, which include a map of the site, are published annually in the Department's Conservation Walks register. This is sent to all interested national organisations such as the Rambler's Association and local Tourist Information offices, Councils and Libraries. It is also available on the Internet. Registers, which are available on a county basis, are regularly updated and copies can be requested from the Department's offices. Details of sites have also been included in several local authority and other publications and the register has been publicised through the "Country Walking" magazine.

Offshore Dredging

Mr. Blizzard: To ask the Minister of Agriculture, Fisheries and Food what research his Department has evaluated regarding the effect of offshore dredging for aggregates on sea defences and coastal erosion. [23699]

Mr. Morley: Licences for the extraction of marine aggregates are granted by the Crown Estate only if there has been a favourable response under the Government View Procedure, co-ordinated by the Department of the Environment, Transport and the Regions. In contributing to the Government View, this Department takes account of studies undertaken by independent experts for each licence application to assess the potential impact on the coastline.

Farming (New Entrants)

Mrs. Ballard: To ask the Minister of Agriculture, Fisheries and Food what plans he has for 1998–99 to provide financial support to new entrants into farming; and on what criteria such support will be based. [24361]

Mr. Morley: For many, the most appropriate way to enter the industry is through employment. Training is important. We are providing over £3 million in the next three years through the Department's contract with ATB-Landbase and through Sector Challenge to facilitate training as well as a grant to the National Federation of Young Farmers Clubs to support education and training activities. Newcomers to sheep and suckler cow farming may also apply to the National Reserve for free premium quota, subject to availability.

Whales

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what is his policy in respect of the applications by indigenous populations to recommend whaling. [23404]

Mr. Morley *[holding answer 19 Janaury 1998]:* The Government recognise the need to preserve the way of life and culture of indigenous peoples, and within the IWC has supported the granting of aboriginal subsistence quotas where these were justified by the needs of the indigenous people concerned and are fully sustainable. We consider it unlikely, however, that indigenous people who are not currently whaling will be able to demonstrate a valid need.

Agriculture Council

Ms Lawrence: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 19 and 20 January; and if he will make a statement. [24853]

Dr. John Cunningham: I chaired the first meeting of the European Union Council of Agriculture Ministers under the United Kingdom Presidency of the EU on 20 January in Brussels. My noble Friend, Lord Donoughue, Parliamentary Secretary responsible for the farming and food industry, represented the United Kingdom. My noble Friend, Lord Dubs, Under-Secretary of State in the Northern Ireland Office, was also present.

I informed EU Ministers of the United Kingdom's priorities in the Agriculture Council for the six months of the UK Presidency, emphasising in particular the priority we shall attach to starting negotiations on the CAP reform elements of Agenda 2000, on making progress on animal welfare proposals, on bringing the EU banana regime into line with the recent WTO ruling, whilst respecting the EU's obligations to ACP and EU producers, and completing the forthcoming CAP price fixing.

In the course of the Council, the Commissioner gave a presentation of his recent proposal to amend the EU banana regime, and Ministers gave their initial reactions to this. I undertook to take forward the technical work on this proposal as rapidly as possible in order to facilitate early agreement in the Council in the interests of all those, in particular producers in the ACP countries, who are affected by the WTO ruling.

I invited colleagues to give their views on the Commission's recent reports on the operation of the agri-environmental and forestry regulations introduced as part of the 1992 CAP reforms. This gave rise to a useful debate which will inform the Commission's preparations for the agri-environmental and rural development elements of the forthcoming Agenda 2000 proposals.

The Agriculture Commissioner gave a brief report to the Council on the recent ruling by the WTO Appellate Body on hormones in beef. The Council will hear further reports from the Commission on the handling of this ruling once there has been time to analyse its implications in greater detail. The Commissioner also reported in depth his recent exchanges with the United States Agriculture Secretary about issues in discussion between the EU and the US concerning the adoption of a veterinary equivalence agreement. Commissioner Fischler emphasised the constructive and positive nature of recent exchanges, and expressed the hope that an agreement could be concluded in the near future. I emphasised my wish to see this achieved as soon as possible during the UK Presidency.

Countryside Access Legislation

Mr. Blunt: To ask the Minister of Agriculture, Fisheries and Food what consultation there will be with the farming community in discussions preceding any countryside access legislation. [22307]

Mr. Morley: The Government have already had preliminary discussions with a number of organisations including those representing the farming community. It will hold further meetings and will consider carefully all points made in response to the consultation document which will be issued shortly.

SCOTLAND

Health Service Trusts (Appointments)

Mr. Godman: To ask the Secretary of State for Scotland if he will list the names of the persons he has appointed to the posts of chairmen/women and non-executive directors of National Health Service trusts; and if he will make a statement. [19712]

Mr. Galbraith *[holding answer 10 December 1997]:* The information requested has been placed in the Library and lists all appointments to Health Boards and NHS Trusts since 1 May 1997. In making these appointments, I have ensured that the voice of Scotland's local communities will be heard in the boardroom of these health bodies.

Dental Services

Mr. Wallace: To ask the Secretary of State for Scotland how many dentists were engaged in NHS practice on *(a)* 31 October 1992 and *(b)* 31 October 1997, in each health board area in Scotland. [18703]

Mr. Galbraith *[holding answer 8 December 1997]:* The information requested is contained in the table:

Number of principal dentists offering NHS general dental services in Scotland[1]

Health Board[2]	*September 1992*[3]	*October 1997*
Ayrshire and Arran	121	128
Borders	34	35
Argyll and Clyde	160	166
Fife	100	124
Greater Glasgow	348	356
Highland	68	80
Lanarkshire	145	165
Grampian	144	159
Orkney	4	4
Lothian	282	311
Tayside	142	141
Forth Valley	83	82

Number of principal dentists offering NHS general dental services in Scotland[1]

Health Board[2]	*September 1992*[3]	*October 1997*
Western Isles	12	13
Dumfries and Galloway	36	38
Shetland	7	7
Scotland	1,686	1,809

[1] Includes principal dentists only—excludes vocational trainees and assistants.

[2] A dentist is counted in only one Health Board even if he/she practises in more than one Health Board area.

[3] Figures for October 1992 are not available from the Common Services Agency's Dental Practice Division. The nearest available date is September 1992.

Human Identification Centre

Mr. Cohen: To ask the Secretary of State for Scotland what assessment he has made of the facial reconstruction techniques carried out by the Human Identification Centre at Glasgow University; and if he will make a statement on their application. [20251]

Mr. McLeish: The Scottish Office is aware of the work in this field being carried out at the University of Glasgow. The work, which is not yet complete, has the potential to benefit a wide range of disciplines, including plastic surgery and the modelling of facial characteristics based on skulls with no other form of identification.

Locate in Scotland

Mr. Ancram: To ask the Secretary of State for Scotland if he will make a statement about the resources available to Locate in Scotland. [22033]

Mr. Wilson: Locate in Scotland's total budget for the current financial year is £8.8 million. This covers staff costs, operations and marketing.

Welfare to Work

Mr. Gorrie: To ask the Secretary of State for Scotland what estimate he has made of the number of places likely to be offered and the number of likely applicants for places in the New Deal and welfare to work programmes in each area within Scotland. [22253]

Mr. Wilson: Current estimates suggest that in 1998–99 in Scotland around 30,200 young people who have been claiming Jobseeker's Allowance for six months or more will enter the Gateway stage of the programme. Of these around 40 per cent. are expected to find un-subsidised jobs and the remainder will take up one of the programme's four options. The table provides a breakdown into each of the 23 New Deal delivery areas in Scotland.

Planning for the New Deal for people aged 25 or over who have been unemployed for two years continues. The information required is not yet available.

Estimates for 1998–99 of 18–24 year olds who have been claiming jobseeker's allowance for six months or more

New Deal delivery area	*Claiming JSA for six months or more*	*Numbers entering gateway stage*	*Numbers moving to one of the four New Deal options*
Argyll and the Islands	300	300	180
Ayrshire	2,660	2,660	1,596
Borders	290	290	174
Caithness and Sutherland	190	190	114
Dumfries and Galloway	760	760	456
Dunbartonshire	1,430	1,430	858
Edinburgh, East and Midlothian	2,860	2,860	1,716
Fife	2,180	2,180	1,308
Forth Valley	1,730	1,730	1,038
Glasgow	5,870	5,870	3,522
Grampian	1,240	1,240	744
Inverness and Nairn	420	420	252
Lanarkshire	4,200	4,200	2,520
Lochaber	90	90	54
Moray, Badenoch and Strathspey	370	370	222
Orkney	60	60	36
Renfrewshire	1,830	1,830	1,098
Ross and Cromarty	300	300	180
Shetland	60	60	36
Skye and Lochalsh	60	60	36
Tayside	2,431	2,431	1,459
West Lothian	730	730	438
Western Isles	150	150	90
Total	30,211	30,211	18,127

Economic Policies

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the Government's economic policies for Scotland. [22748]

Mr. Wilson: The Government's central economic objective is to achieve high and stable levels of economic growth and employment so that higher living standards and greater job opportunities can be shared by all. The conduct of UK macroeconomic policy is based on creating economic stability, with low inflation and low public borrowing, and improving the environment for long-term investment in technology and in education and training.

The specific requirements of the Scottish economy are being addressed by The Scottish Office in conjunction with Scottish Enterprise, Highlands and Islands Enterprise, the Local Enterprise Companies and the other economic development agencies. By raising skill levels and increasing investment, we will work towards the goal of improving living standards across the country.

Unemployment

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the trends in respect of long-term unemployment in Scotland. [22749]

Mr. Wilson: The Office for National Statistics (ONS) produces two measures of unemployment. The first is derived from the quarterly Labour Force Survey, and is defined on a consistent and internationally recognised

basis set out by the International Labour Organisation (ILO) and counts as unemployed people who are: *(a)* without a paid job; *(b)* available to start work within the next two weeks and *(c)* have either looked for work in the last four weeks or are waiting to start a job already obtained.

ONS also publishes figures on the number of people who are claiming Jobseeker's Allowance or National Insurance Credits. This is published monthly and known as the Claimant Count.

Defining long term unemployment as those who have been unemployed for 12 months or more, the data requested are shown in the table.

Number of people in Scotland ILO unemployed for 12 months or more

Summer 1992 to Summer 1997 (not seasonally adjusted)

	Number
Summer 1992	96,000
Summer 1993	102,000
Summer 1994	92,000
Summer 1995	92,000
Summer 1996	75,000
Summer 1997	70,000

Source:
Office for National Statistics, Labour Force Survey.

Poor People

Mr. Pond: To ask the Secretary of State for Scotland if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23340]

Mr. Wilson: The Scottish Office recognises the need to assess the impact of its policies on all groups in the community.

A key factor in improving the income and living standards of the poorest 30 per cent. of the population will be the creation of better employment opportunities. The New Deal programmes for the young and long-term unemployed, for lone parents and for those with a disability or long-term illness are designed to help participants into real, lasting and worthwhile employment.

We shall shortly be issuing a consultation paper on social exclusion in Scotland to take views on current policies and practices and on options and priorities for the future. This consultation process will be followed by a "summit" to discuss the way forward. We have also established a "Social Exclusion Network" of senior officials to co-ordinate the efforts of Government departments and Agencies in Scotland.

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for Scotland if he will list all overseas visits made since 1 May 1997 on which he or any other Minister in his Department has been accompanied under Rule 83 of the Ministerial Code, indicating *(a)* who accompanied him or her *(b)* the cost to public funds of each such visit. [23250]

Mr. Dewar *[holding answer 15 January 1998]:* None.

Urban Transport

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his statement of 12 January 1998, *Official Report*, column *22*, if he will list *(a)* the legislative requirements and *(b)* the financial resources needed to meet the integration needs of Scotland's urban transport system. [23309]

Mr. McLeish *[holding answer 16 January 1998]:* My right hon. Friend is to publish in the spring a Transport White Paper setting out our proposals for an integrated, sustainable and effective transport system appropriate for the people of Scotland. The legislative requirements and the financial resources needed will depend upon the policies to be pursued.

Broadcasting

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his statement on 12 January 1998, *Official Report*, column *63*, when he will make a statement on the position of the Scottish Parliament and broadcasting. [23311]

Mr. McLeish *[holding answer 16 January 1998]:* The Scotland Bill provides for broadcasting to be reserved. The White Paper indicated that the Scottish Parliament will be able to invite broadcasters operating in Scotland to give evidence to it. The provisions in the Bill are consistent with that. There will be opportunities to debate broadcasting in the Committee and subsequent stages of the Bill.

Devolution

Mr. Dalyell: To ask the Secretary of State for Scotland on what basis the Minister of State asserted in his oral statement on 13 January 1998, *Official Report*, column 157, that asymmetric devolution should improve the government of the United Kingdom. [23532]

Mr. McLeish *[holding answer 16 January 1998]:* My hon. Friend's statement reflects the Government's belief that the government of the United Kingdom will be improved by the decentralisation of power throughout Britain. The Government are committed to a programme of devolution appropriate to the needs and aspirations of each part of the United Kingdom which brings government closer to the people and gives people more control over their own affairs.

Scottish Parliament

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his statement of 12 January 1998, *Official Report*, column *115*, on which devolved matters, arising out of clause 27(7) of the Scotland Bill, the United Kingdom Parliament can legislate after the Scottish Parliament is established. [23304]

Mr. McLeish *[holding answer 16 January 1998]:* Clause 27(7) of the Scotland Bill makes it clear that the ability of the Scottish Parliament to make legislation does not affect the power of the Parliament of the United Kingdom to make laws for Scotland. This applies in respect of all matters whether devolved or reserved.

NHS Primary Care

Mr. McAllion: To ask the Secretary of State for Scotland what sums were spent on NHS primary care services in Scotland in (i) 1994–95, (ii) 1995–96 and (iii) 1996–97, broken down by *(a)* pharmaceutical services, *(b)* general medical services, *(c)* general ophthalmic services and *(d)* general dental services; and what percentage of the total each represented in each of the above years. [23842]

Mr. Galbraith: The information requested is set out in the table:

FHS Expenditure

	1994–95		1995–96		1996–97	
	£'000	Percentage of total	£'000	Percentage of total	£'000	Percentage of total
Pharm Services	469,294	50.60	510,501	51.70	550,559	52.35
General Medical Services	286,249	30.86	303,145	30.7	19,959	30.42
Gen Dental Services	146,618	15.81	147,025	14.89	152,664	14.52
Gen Ophthalmic Services	25,048	2.70	26,108	2.64	28,186	2.68
Misc (refund of patient charges not due)	214	0.02	666	0.07	285	0.03
Total	927,423		987,445		1,051,653	

Mr. McAllion: To ask the Secretary of State for Scotland what sums have been allocated to the NHS primary care service in Scotland in 1997–98, and the total broken down into *(a)* pharmaceutical services, *(b)* general medical services, *(c)* general ophthalmic services and *(d)* general dental services; and what percentage of the total each of these represents. [23841]

Mr. Galbraith: The information requested is set out in the table:

FHS 1997–98

	£(000)	Percentage
Pharmaceutical Services	599,481	53.16
General Medical Services	336,372	29.83
General Dental Services	162,192	14.38
General Ophthalmic Services	29,288	2.60
Misc. (refund of patient charges not due)	282	0.03
Total	1,127,615	

Mr. McAllion: To ask the Secretary of State for Scotland if he will list the sums paid for drugs, medicines, dressings and appliances prescribed and dispensed by dispensing doctors in Scotland under the NHS primary care service in *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97, and the allocation for 1997–98, and the budget from which these sums were drawn. [23826]

Mr. Galbraith: The amounts reimbursed to dispensing doctors in respect of items dispensed in the financial years 1994–95 to 1996–97 are set out in the table.

No specific allocation has been made for the reimbursement of dispensing doctors in 1997–98.

The budget from which reimbursement is made is on Class XIII, Vote 4 Hospital, Community Health, Family Health, and other health services and Welfare Food, Scotland.

Dispensing doctors' payments

	1994–95 £	1995–96 £	1996–97 £
Net ingredient cost	12,879,981	13,421,024	14,780,332
VAT	2,266,539	2,361,167	2,599,494
Totals	15,146,520	15,782,191	17,379,826

Mr. McAllion: To ask the Secretary of State for Scotland what proportion of the Scottish NHS primary care pharmaceutical budget was allocated to the remuneration of pharmacy contractors in *(a)* 1994–95, *(b)* 1995–96 and *(c)* 1996–97; how this proportion is determined, and what proportion of the sums allocated to the Scottish NHS primary care pharmaceutical budget for 1997–98 has been made available for this purpose. [23840]

Mr. Galbraith: The proportion of the Scottish NHS primary care pharmaceutical budget allocated to the remuneration of pharmacy contractors in 1994–95, 1995–96 and 1996–97 and 1997–98 is set out in the table.

Remuneration of community pharmacists is not determined as a proportion of the budget but is determined in negotiation with the profession within the parameters of the Government's policy in relation to public sector pay.

The amount allocated for the remuneration of pharmacy contractors in 1997–98 reflects the introduction of local contracts for certain pharmaceutical services. £3.82 million was top sliced from the amount allocated for remuneration and distributed to health boards to pay for locally contracted services.

Remuneration of pharmacy contractors as a proportion of the NHS in Scotland primary care pharmaceutical budget

1994–95 percentage	1995–96 percentage	1996–97 percentage	1997–98 percentage
14.94	14.08	13.46	12.12

Mr. McAllion: To ask the Secretary of State for Scotland if he will list the fees and allowances paid to dispensing doctors in Scotland under the NHS primary care service in (i) 1994–95, (ii) 1995–96 and (iii) 1996–97 and the allocation for 1997–98; from which budget these sums were drawn; and for what reason. [23839]

Mr. Galbraith: The information for Scotland for the financial years 1994–95 to 1996–97 is shown in the table.

No specific allocation has been made for dispensing doctors' remuneration in 1997–98.

The budget from which these sums were voted is on Class XIII, Vote 4 Hospital, Community Health, Family Health, and other health services and Welfare Food, Scotland.

Dispensing doctors' payments

	1994–95 £	1995–96 £	1996–97 £
Fees and Allowance	3,208,762	3,251,736	3,450,439

Agricultural Subsidies

Mr. Paice: To ask the Secretary of State for Scotland if he will give the levels of payment per hectare for *(a)* cereals, *(b)* set-aside and *(c)* oilseeds in Scotland for each of the last five years at cash prices and at 1997 prices. [23482]

Mr. Macdonald *[holding answer 16 January 1998]:* The information is set out in the table.

	LFA Cash £/Hectare	LFA 1997 Prices £/Hectare	Non-LFA Cash £/Hectare	Non-LFA 1997 Prices £/Hectare
1993				
Cereals	114.07	129.51	131.39	149.16
Set-Aside	205.33	233.11	236.50	268.50
Oilseeds	368.85	418.75	445.67	505.96
1994				
Cereals	156.98	171.70	180.52	197.45
Set-aside	255.65	279.63	293.99	321.56
Oilseeds	337.50	369.16	407.11	445.30
1995				
Cereals	238.09	251.91	254.41	269.18
Set-aside	301.58	319.08	322.25	340.96
Oilseeds	421.17	446.19	502.34	531.50
1996				
Cereals	236.06	244.07	246.08	254.42
Set-aside	299.01	309.14	311.70	322.27
Oilseeds	413.23	427.24	480.83	497.13

Note:
Please note that all payment rates have been given to two decimal places.

Mr. Paice: To ask the Secretary of State for Scotland if he will give the levels of *(a)* suckler cow, *(b)* ewe premium and *(c)* HLCA payments for beef and sheep per animal at cash prices and at 1997 prices for each of the last five years and his proposals for 1998–99. [23483]

Mr. Macdonald *[holding answer 16 January 1998]:* Set out below are the levels of payment per animal under the three schemes, at cash prices and at 1997 prices, except for proposed rates for 1998–99 which are not yet known. Rates for the Sheep Annual and Suckler Cow Premium Schemes are fixed by the Commission. The 1998 rates of Hill Livestock Compensatory Allowance have yet to be finalised and approved by the Commission following the 1997 Autumn Review of Economic Conditions in the Hills and Uplands.

Sheep annual premium scheme (ewe premium)

	Rate including LFA Supplement £ Cash price	Rate including LFA Supplement £ 1997 price	Rate excluding LFA Supplement £ Cash price	Rate excluding LFA Supplement £ 1997 price
1993	24.41	27.32	19.25	21.55
1994	22.21	24.08	16.96	18.54
1995	26.95	28.47	21.26	22.46
1996	19.04	19.64	13.66	14.09
1997	Rate not yet finalised			

Suckler cow premium scheme

	Rate including extensification premium £ Cash price	Rate including extensification premium £ 1997 Price	Rate excluding extensification premium £ Cash price	Rate excluding extensification premium £ 1997 Price
1993	93.90	105.12	65.73	73.58
1994	115.12	125.83	87.49	95.63
1995	143.04	151.10	114.43	120.88
1996	155.15	160.03	124.12	128.02
1997	—	—	117.36	117.36

	Cash price	1997 price
Rate including lower rate extensification premium £		
1997 total	146.52	146.52
Rate including higher rate extensification premium £		
1997 total	159.48	159.48

Hill livestock compensatory allowance scheme

Rates:	Cash price 1993 £	1997 price 1993 £	Cash price 1994 £	1997 price 1994 £	Cash price 1995 £	1997 price 1995 £	Cash price 1996 £	1997 price 1996 £	Cash price 1997 £	1997 price 1997 £
SD: Non-HIE										
SQF	6.50	7.28	5.75	6.28	5.75	6.07	5.75	5.93	5.75	5.75
QF	3.60	4.03	3.00	3.28	3.00	3.17	3.00	3.09	3.00	3.00
Hill cows	63.30	70.86	47.50	51.92	47.50	50.18	47.50	48.99	97.50	97.50
SD: HIE (Highlands and Islands)										
SQF	7.14	7.99	6.39	6.98	6.39	6.75	6.39	6.59	6.39	6.39
QF	3.60	4.03	3.00	3.28	3.00	3.17	3.00	3.09	3.00	3.00
'A' Cows	66.35	74.27	50.55	55.25	50.55	53.40	50.55	52.14	103.76	103.76
'B' Cows	74.89	83.83	59.09	64.58	59.09	62.42	59.09	60.95	121.29	121.29
'C' Cows	79.16	88.61	63.36	69.25	63.36	66.93	63.66	65.35	121.49	121.49

Hill livestock compensatory allowance scheme

Rates	Cash price 1993 £	1997 price 1993 £	Cash price 1994 £	1997 price 1994 £	Cash price 1995 £	1997 price 1995 £	Cash price 1996 £	1997 price 1996 £	Cash price 1997 £	1997 price 1997 £
Disadvantaged land										
Sheep	2.86	3.20	2.44	2.67	2.44	2.58	2.65	2.73	2.65	2.65
Cattle	31.65	35.43	23.75	25.96	23.75	25.09	23.75	24.50	69.75	69.75

Key:
LFA—Less favoured area
SD—Severely disadvantaged land
HIE—Highlands and Islands Enterprise
SQF—Specially qualified flock
QF—Qualified Flock
'A'—Cows-Hill Cattle maintained on 'A' graded land
'B'—Cows-Hill Cattle maintained on 'B' graded land
'C'—Cows-Hill Cattle maintained on 'C' graded land.

Paedophiles

Mr. Dalyell: To ask the Secretary of State for Scotland if he will make a statement on his proposals to set up a mechanism to track paedophiles throughout the United Kingdom. [23738]

Mr. McLeish *[holding answer 19 January 1998]:* The Sex Offenders Act 1997, which came into force on 1 September 1997, requires certain convicted sex offenders, including those who have been convicted for sexual offences against children, to register with the police their name, current address and date of birth, and any subsequent changes to these details. This is a UK Act, which will help the police in each territorial jurisdiction to keep track of such offenders even when they move between jurisdictions.

Section 48 of the Crime and Punishment (Scotland) Act 1997, which was brought into force in November 1997, extended police powers to take DNA and other samples from persons convicted of certain serious sexual or violent offences. This will significantly enhance the national DNA database, which is a vital tool in the investigation of such crimes.

The Sex Offender Orders, proposed in the Crime and Disorder Bill currently before Parliament, will provide a further measure of protection for the public by prohibiting behaviour by convicted sex offenders where that is causing concern for public safety, and obliging them to register with the police.

I know that the police in Scotland are fully committed to their operational role in monitoring the whereabouts of known sex offenders and given that the Sex Offenders Act is a UK measure there is full co-operation between Forces across the UK.

Rights of the Child

Mr. Gorrie: To ask the Secretary of State for Scotland if the Scottish Office will respond separately to the UN Committee Report on the United Kingdom's performance in implementing the UN Convention on the Rights of The Child. [24343]

Mr. Galbraith: No. The obligation to report to the UN Committee applies to the UK as a whole. The forthcoming Report to the Committee will therefore be a UK Report, although it will fully recognise the significant contribution Scotland is making in implementing the Convention.

Mr. Gorrie: To ask the Secretary of State for Scotland what plans he has to appoint a children's rights commissioner in Scotland. [24345]

Mr. Galbraith: The Government have no plans to appoint a children's rights commissioner in Scotland. There are already in place independent complaints procedures and inspection arrangements for services provided by local authorities. Voluntary organisations such as ChildLine and the Scottish Child Law Centre, which are both supported with Government grant, also play an important part. However in the process of preparing the Second UK Report to the United Nations Committee on the Rights of the Child this year, an assessment may be made of the potential contribution such an appointment might bring to safeguard the interests of children.

Mr. Gorrie: To ask the Secretary of State for Scotland what plans he has to involve young people in Scotland in the process of preparing the Government's response to the report on the United Kingdom's performance in implementing the UN Convention on the Rights of the Child. [24342]

Mr. Galbraith: During 1998 the Government will be preparing the Second United Kingdom Report to the United Nations Committee on the Rights of the Child in accordance with the requirements of Article 44 of the Convention on the Rights of the Child, 1989. Early in that process there will be a UK wide Launch Conference at which children will be making a presentation. We are currently considering the means by which the views of Scottish young people can best be reflected in the Scottish contribution to the Report.

Forestry Stewardship Certification Scheme

Mr. Paice: To ask the Secretary of State for Scotland when he expects Forest Enterprise to commit itself to the Forestry Stewardship Certification Scheme. [24311]

Mr. Macdonald *[holding answer 20 January 1998]:* The subject of the question relates to matters undertaken by Forest Enterprise. I have asked its Chief Executive, Dr. Bob McIntosh, to arrange for a reply to be given.

Letter from Bob McIntosh to Mr. James Paice, dated 22 January 1998:

The Secretary of State for Scotland has asked me to reply to your Question about when it is expected that Forest Enterprise will commit itself to the Forestry Stewardship Certification Scheme.

Forest Enterprise has no current plans to seek certification by the Forestry Stewardship Council. The wider issue of certification of British forests is being actively debated within the UK forestry community and the Forestry Stewardship Council is a party to these discussions. It is hoped that a scheme which satisfies all parties can be brokered by the Forestry Commission and at that stage Forest Enterprise will decide whether, in addition to independent certification, it sees market advantages in seeking endorsement by the Forestry Stewardship Council or indeed any other similar body.

I hope this answers your question, but please come back to me if you would like further information.

Unpasteurised Milk

Mr. Connarty: To ask the Secretary of State for Scotland what proposals he has to lift the ban on the sale of raw unpasteurised milk for drinking in Scotland. [24737]

Mr. Galbraith: None.

Mr. Connarty: To ask the Secretary of State for Scotland if he will make a statement on the practice of consumers in Scotland purchasing raw unpasteurised milk for drinking which originated from outlets in England. [24738]

Mr. Galbraith: The Dairy Products (Hygiene) (Scotland) Regulations 1995 prohibit the sale in Scotland of unpasteurised cows' milk for drinking. They do not prevent consumers purchasing, for their own use, raw cows' drinking milk in England and returning with it to Scotland.

EDUCATION AND EMPLOYMENT

National Curriculum (Swimming)

Valerie Davey: To ask the Secretary of State for Education and Employment what effect the proposed revision of the curriculum structure for Key Stage II, in respect of literacy and numeracy, will have on the swimming requirement. [24390]

Ms Estelle Morris: The measures announced by my right hon. Friend on 13 January were designed to encourage a sharper focus on literacy and numeracy and will give primary schools greaterflexibility in how they approach six National Curriculum foundation subjects including physical education. Schools will continue to be required to teach all these subjects, and will be required to have regard to their existing programmes of study.

Valerie Davey: To ask the Secretary of State for Education and Employment what percentage of children in 1996–97, achieved the minimum swimming requirement of the national curriculum at Key Stage II, and on what basis the calculation was made. [24389]

Ms Estelle Morris: This information is not currently collected by the Department.

School Population

Mr. Dorrell: To ask the Secretary of State for Education and Employment by how much he expects the school population to increase in the summer of 1998 as a result of the introduction of a single school leaving date of 30 June. [24299]

Ms Estelle Morris *[holding answer 20 January 1998]:* The single school leaving date for 1998 and successive years is the last Friday in June in the school year in which child reaches age 16. In 1998 the date will be Friday 26 June. It has been estimated that under the previous arrangements as many as 17,000 young people, many of them capable of securing good GCSE results, had been leaving school earlier in the year with no qualifications.

Education Spending (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment how much was spent in total on education in Northumberland at constant prices in each of the last 10 years. [23994]

Mr. Byers: The following table shows total gross expenditure by Northumberland local education authority from 1987–88 to 1996–97, the latest year for which figures are available. These figures have not been adjusted for any changes of function.

Total gross expenditure: (1997–98 prices)

Year	*£000s*
1987–88	143,673
1988–89	147,984
1989–90	149,737
1990–91	155,365
1991–92	163,844
1992–93	167,115
1993–94	151,660
1994–95	142,108
1995–96	136,734
1996–97	[1]138,392

[1] Provisional.

Nursery Education

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what is the current average cost of providing a full-time nursery place in Northumberland Education Authority. [24017]

Mr. Byers: In 1996–97, the latest year for which data are available, the net institutional expenditure per nursery pupil was £2,000.

Education Expenditure

Shona McIsaac: To ask the Secretary of State for Education and Employment if he will list the amount spent per pupil in each unitary authority in England for 1996–97 and the projected investment per pupil for the year, indicating the percentage change between the figures. [24060]

Mr. Byers: The following table gives the information requested for those unitary authorities formed as a result of Local Government Reorganisation. The figures are derived from the budget and outturn statements produced by the local education authorities under section 122 of the 1996 Education Act, for the financial year 1996–97.

	£ per pupil		
	Budget GSB	*Outturn GSB*	*Percentage change*
Bath and North-east Somerset	2,498	2,542	0.02
Bristol	2,637	[1]n/r	—

	£ per pupil		
	Budget GSB	*Outturn GSB*	*Percentage change*
North Somerset	2,442	2,525	0.03
South Gloucestershire	2,517	2,466	-0.02
Hartlepool	2,197	2,063	-0.06
Middlesbrough	2,635	2,675	0.02
Redcar and Cleveland	2,274	2,259	-0.01
Stockton on Tees	2,273	2,247	-0.01
Hull	2,241	2,211	-0.01
East Riding	2,396	2,417	0.01
North-east Lincolnshire	2,328	2,325	0.00
North Lincolnshire	2,413	2,444	0.01
North Yorkshire	2,307	2,326	0.01
York	2,186	2,209	0.01
Isle of Wight	2,298	2,407	0.05

[1] n/r indicates 1996–97 Outturn Statement not yet completed by the LEA.

The General Schools Budget (GSB) for any financial year for each LEA is defined as the amount appropriated by the authority for meeting expenditure in the year in respect of all schools required to be covered in the year by an scheme made by the authority (s101(3)a Education Act 1996).

Class Sizes

Mr. Gill: To ask the Secretary of State for Education and Employment what is the average class size in the Ludlow constituency of *(a)* primary schools and *(b)* secondary schools. [24429]

Mr. Byers: The average class size of classes taught by one teacher in maintained primary and secondary schools in the Ludlow constituency in January 1997 were 26.4 and 20.2 respectively.

Temporary Classrooms

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment how many temporary classrooms are at present located on *(a)* nursery, *(b)* primary and *(c)* secondary school sites in Northumberland Education Authority's area. [23988]

Mr. Byers: Figures supplied by Northumberland Education Authority indicate that they have 5 nursery units in temporary classrooms on primary school sites, 44 single and 9 double other temporary classrooms located on primary school sites and 36 single and 10 double temporary classrooms on secondary school sites. There are also 4 single and 1 double temporary classrooms on sites at special schools.

Classroom Technicians

Mr. Sawford: To ask the Secretary of State for Education and Employment if he will list the numbers of classroom technicians broken down to show those employees in *(a)* part-time, *(b)* full-time, *(c)* permanent part-time and *(d)* all other categories. [24061]

Mr. Byers: The latest available information is shown in the following table.

These figures supersede those shown in the Answer given on 8 December 1997, *Official Report* column *432;* the figure for special schools is a revised figure.

Full-time equivalent numbers of technicians[1] in schools in England: January 1997

	Full-time	*Part-time*	*Total*
Nursery	n/a	n/a	n/a
Primary	n/a	n/a	n/a
Middle	24.2	148.5	172.6
Secondary	6,488.1	5,933.0	12.421.1
Special[2]	85.9	67.5	153.4
Pupil referral units	n/a	n/a	n/a
City Technology Colleges	125.0	18.0	143.0
Independent	n/a	n/a	n/a

n/a = not available.

[1] Includes laboratory assistants/technicians, design technology assistants/technicians (including home economics assistants, craft technicians), IT technicians.

[2] Includes maintained and non-maintained special schools.

Due to rounding there may be discrepancies between the sum of constituent items and the total shown.

Northumberland Education Authority

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what were the numbers of staff and the administrative costs of the Northumberland Education Authority and the number of school pupils for which the authority was responsible in the last three years for which figures are available. [24018]

Mr. Byers: The following table sets out the requested information for the years 1994–95 to 1996–97, the latest year for which all three sets of figures requested are available. Data for different years may not be directly comparable, owing to changes in the pattern of direct service delivery by the LEA.

Northumberland

	Administration expenditure	*Pupil numbers*	*Lecturers and teachers*		*Others*			
Year	*£000s*		*Non-manual full-time*	*Non-manual part-time*	*Non-manual full-time*	*Non manual part-time*	*Manual full-time*	*Manual part-time*
1994–95	6,505	44,153	2,365	936	649	2,166	197	1,955
1995–96	5,990	45,414	2,600	888	811	1,873	220	1,999
1996–97	6,070	45,372	2,555	914	798	1,134	278	2,918

Rugby

Mr. MacShane: To ask the Secretary of State for Education and Employment if he will list by name, nationality and club *(a)* ruby league and *(b)* rugby union players who are not British citizens and have permission to work in the United Kingdom. [22730]

Mr. Alan Howarth: The Department is not able to provide the information in the form requested. Work permits are not required by citizens of the European Economic Area (EEA) or their spouses or by some Commonwealth citizens through their UK ancestry. During 1997 the Overseas Labour Service issued 124 work permits for rugby league players and 32 permits for rugby union players.

Beef Industry

Mr. Salmond: To ask the Secretary of State for Education and Employment what estimate he has made of the impact on rural employment levels of the current crisis in the beef industry. [22596]

Mr. Andrew Smith: The Department for Education and Employment has made no estimate but the Ministry of Agriculture, Fisheries and Food has commissioned an independent study to provide a comprehensive assessment of the economic impact of BSE across the whole UK economy and within particular regions. For those whose employment prospects may have been adversely affected, the Department for Education and Employment has a wide variety of programmes to help unemployed people find work or improve employability through education and training.

Student Loans

Mr. Willis: To ask the Secretary of State for Education and Employment what would be the maximum a student studying for a B.Ed honours degree paying full tuition fees on the grounds of parental income could borrow under the student loan scheme; how much of the loan the student would be expected to repay in the first year of a teaching career; and how many years are permitted for the repayment of the whole of the loan. [22866]

Dr. Howells: The maximum amount that a student can borrow will depend on the length of the course and the place of study, as well as the student's and his or her parents' or spouse's income. A student completing a four-year course outside London which began in 1999 who took out the full loan available each year might expect to have borrowed a total of between £10,470 and £13,710 in 1998 prices, depending on his or her individual, parental or spouse's income.

A typical graduate teacher earning £14,463 in the first year of his or her career (in 1998 prices) would be expected to repay about £33.50 per month, slightly less than 3 per cent. of income. The length of the repayment period for the whole of the loan would depend on the individual graduate's income throughout his or her career and on the total amount borrowed. The more the graduate earned, the quicker he or she would repay the loan. We estimate that a typical teacher might take around 11 years to repay.

Outstanding loans will be cancelled if borrowers have not repaid by the time they reach the age of 65, provided there has been no default.

Mr. Willis: To ask the Secretary of State for Education and Employment when the sale of the existing tranche of the Student Loan portfolio will be completed; and what level of subsidy to the private sector has been agreed. [22867]

Dr. Howells: Final bids from the shortlisted bidders are due on Friday 16 January and the sale will be completed before the end of the financial year. The level of subsidy will depend on the outcome of the competition.

Tuition Fees

Mr. Cousins: To ask the Secretary of State for Education and Employment if he will estimate the distribution of households in each region of England between the income bands he recommends for the assessment of future tuition fees; and if he will estimate the marginal fee contribution increase rate against household income increase in the income band where a fee contribution short of the total amount is required. [22975]

Dr. Howells: On the basis of the most recent information reported by the LEAs for English and Welsh domiciled students attending institutions in the UK we have estimated that just over 30 per cent. of students (where parental income is taken into account) will make no contribution to fees. This corresponds to a *residual* family income of less than £16,945. Just under 30 per cent. of students will contribute less than £1,000, corresponding to a residual family income between £16,945 and £27,115.

Under the present mandatory awards regulations, parental contributions are calculated on the basis of residual income, which is derived by subtracting certain allowances from parents' gross income for income tax purposes. Total household incomes will thus usually be higher than the figures for gross income and residual income quoted above, but the figures will vary from household to household according to their family circumstances.

The table sets out figures for 1995–96 for each of the regions of England, as requested.

Mandatory Awards in England[1,2]
Dependent Students
Assessed parental contributions academic year 1995–96

Per cent.

Government Office region	*Nil parental contribution*	*Parental contributions up to £1,000*
North East	34.3	28.6
North West	35.6	26.1
Merseyside	38.7	27.6
Yorkshire and Humberside	34.3	27.0
East Midlands	32.2	28.3
West Midlands	36.5	27.4
Eastern	27.7	23.9
London	39.9	21.1
South East	26.2	21.7
South West	34.2	26.7

[1] Made by LEAs in England to Students normally domiciled in their area.

[2] Regional totals have been grossed to compensate for missing returns.

In academic year 1998–99 a students contribution to the £1,000 tuition fee will be calculated as follows: Students with residual family income between £16,945 and £21,659 will be required to contribute £1 for every extra £13 of residual parental income above £16,945. Students are then expected to contribute a further £1 for every £9.20 by which residual family income exceeds £21,660.

Higher and Further Education Institutions (Mergers)

Mr. Willis: To ask the Secretary of State for Education and Employment who has the ultimate responsibility for

agreeing the merger of higher and further education institutions; and what is his Department's policy on such mergers. [22868]

Dr. Howells: Final decisions are for my right hon. Friend the Secretary of State, normally on the basis of advice from the Further Education Funding Council for England following consultation with interested parties. He will consider each case on its merits. He would welcome closer working relationships between FE and HE institutions, whether or not a formal partnership is involved.

Student Support Agency

Mr. Swayne: To ask the Secretary of State for Education and Employment what estimate he has made of the efficiency savings which will result from the operation of the Student Support Agency. [24424]

Dr. Howells: Much would depend on the functions of the agency, the timetable for its introduction and the alternatives.

The National Committee of Inquiry into Higher Education recommended reforms to student support. It recommended that student support should be administered centrally, to improve efficiency and reduce costs. The Government see some attractions in this approach but consider that it needs to be examined in more detail.

The Government are also conscious that there are complex transitional arrangements which form part of the Dearing student support reforms. Until the academic year 1999–00, there will be very many different entitlements for students in the HE system. Therefore the Government are adopting a traditional approach which will allow the new arrangements to bed down. After that, it is the Government's intention to review the means of administering student support.

For the transitional period we shall be setting rigorous performance standards for LEAs, and the specific grant funding regime will be based on these standards. The Government are keen to ensure that students are given a high level of service that inspire confidence in the reforms. Our review, which will report in 2000, will consider this fully.

Written Answers to Questions

Friday 23 January 1998

HOME DEPARTMENT

Lewes Prison (Suicide)

Mr. Baker: To ask the Secretary of State for the Home Department if he will make a statement on the circumstances surrounding the suicide of a prisoner within Lewes Prison on Tuesday 20 January. [25000]

Ms Quin: The inquest into the apparent suicide of a prisoner in Lewes prison on 19 January has been opened and adjourned. It would, therefore, be inappropriate for me to comment at this stage in detail on the circumstances surrounding the death.

Political Advisers (Support Staff)

Mr. Bercow: To ask the Secretary of State for the Home Department how many secretarial and support staff work full-time in support of his political advisers. [25195]

Mr. Straw: Three—the same number as supported the previous Administration's special advisers.

Departmental Publicity

Mr. Bercow: To ask the Secretary of State for the Home Department what has been the cost of media presentations and press conferences which he has given, other than those held at his Department. [25147]

Mr. Straw: Media presentations and press briefings on Home Office subjects are, by and large, held at the Home Office. Where I meet the media on, for example, regional visits, there is little or no additional cost added to the visit costs. I have not held any media presentations outside the Department which have attracted expenditure.

Overseas Visits

Mr. Bercow: To ask the Secretary of State for the Home Department how many overseas visits have been made by his Department's political advisers at public expense since 1 May. [25149]

Mr. Straw: One—to Brussels to attend the Justice and Home Affairs Council meeting in May 1997.

Sex Offenders

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to introduce national standards for the supervision of serious sexual offenders; and if he will make a statement. [25051]

Ms Quin: I am awaiting the report of a recent thematic inspection by Her Majesty's Inspectorate of Probation on the role of the probation service in protecting the public from sex offenders; and will consider what further guidance or standards might be useful in the light of the report's conclusions.

Paedophiles

Mr. Mullin: To ask the Secretary of State for the Home Department what was the outcome of recent discussions regarding the release from prison of convicted paedophiles; and if he will make a statement. [24663]

Ms Quin: We are still considering, in the light of problems arising in recent cases involving the placement of sexual offenders following release from prison, what further legislation or other changes would help to protect the public.

Prisons (Drug Tests)

Mr. Beith: To ask the Secretary of State for the Home Department if he will list the prisons that are participating in willing anonymous salivary HIV/Hepatitis B surveillance studies conducted under the auspices of the Public Health Laboratory Service at Communicable Disease Surveillance Centre, London, in collaboration with HM Prison Service's Directorate of Healthcare. [25057]

Ms Quin: The following prisons are participating in the unlinked anonymous survey of HIV and hepatitis in the prison population of England and Wales: Dartmoor; Feltham; Ford; Holloway; Leyhill; Littlehey; Manchester; and Wakefield.

Immigration and Nationality Directorate

Mr. Edward Davey: To ask the Secretary of State for the Home Department what is the average queuing time for the Public Inquiry Office at the Immigration and Nationality Directorate in Croydon; what is the average time taken to answer *(a)* telephone inquiries and *(b)* inquiries by letter to the Immigration and Nationality Directorate in Croydon; and if he will make a statement. [23915]

Mr. Mike O'Brien: During the last quarter of 1997, the average time for a case to be decided in the Croydon Public Inquiry Office was 5 hours 30 minutes and, for telephone inquiries to the Telephone Inquiry Bureau to be answered, 3 minutes and 24 seconds. A sample of 2,370 letters of inquiry between June and September 1997 showed that in 92 per cent. a full or holding reply had been given within the target of 20 working days.

Poor People

Mr. Pond: To ask the Secretary of State for the Home Department if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23337]

Mr. Straw: Crime and the fear of crime disproportionately affect those who are most disadvantaged in our society. Our policies for tackling crime and its causes are designed therefore to have a particular impact on those estates and neighbourhoods where crime and antisocial behaviour are most prevalent. We are also pursuing initiatives to strengthen the family, promote a vigorous voluntary sector and tackle social exclusion (including by enhancing training and treatment programmes for offenders). The Home Office Research and Statistics Directorate will continue to manage a varied

programme of research to evaluate the effectiveness of our policies, including their impact in reducing social deprivation.

AGRICULTURE, FISHERIES AND FOOD

Poor People

Mr. Pond: To ask the Minister of Agriculture, Fisheries and Food if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23341]

Mr. Morley: The Department evaluates policies against a number of criteria for their impact. One of our key priorities is to reform the Common Agriculture Policy of the European Union on more rational lines and reduce its costs as the CAP imposes costs on consumers of food as well as tax payers.

Agricultural Aid

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his policy towards *(a)* capping of aid to individual farms, *(b)* livestock quotas, *(c)* the future of milk quotas, *(d)* the linkage of aid to production units and *(e)* the linkage of aid with environmental measures. [25071]

Mr. Rooker: The Government's long-term objective is to secure a Common Agricultural Policy free from production controls, moving away from production-related farm support and with many resources directed to targeted agri-environmental and rural development objectives.

Flood Defences (Sussex)

Mr. Waterson: To ask the Minister of Agriculture, Fisheries and Food what extra funding is being made available for flood defences in Sussex; and if he will make a statement. [24850]

Mr. Morley: I should like to express both my sympathy for residents in Sussex who suffered distress and damage in the recent storms and my appreciation to the staff of local operating authorities in responding to the immediate effects.

There are two main sources of funding for the Environment Agency's flood defence programme; this Department provides grant aid towards the cost of capital works and local authorities provide cover for maintenance and the balance of capital expenditure. Discussions are continuing between the Ministry and the Agency to clarify the break down of any additional spending in Sussex between those two sources. Until that issue is resolved, no decisions can be taken on any change in funding allocations.

SCOTLAND

Devolution

Mr. Dalyell: To ask the Secretary of State for Scotland, pursuant to his statement of 12 January 1998, *Official Report*, column 32, what advantages in Brussels have accrued to *(a)* Catalonia, *(b)* Andalucia and *(c)* Baden-Württemberg which are not currently available to the Scottish Office in Brussels; and if he will list the special arrangements which exist within the (i) European Commission and (ii) Council of Ministers for dealing with matters relating to devolved legislative entities within member states. [23310]

Mr. Dewar *[holding answer 16 January 1998]:* From the contacts I have had with the Catalonia and Baden-Württemberg offices, I conclude that these offices have contributed to improving the quality of information available to their regional governments and have helped those governments contribute to their domestic debate on European proposals. Although there are frequent informal contacts between devolved governments and the European institutions, there are no special arrangements for dealing with matters relating to devolved legislative bodies within the Commission and the Council.

Council Leisure Services

Ms Squire: To ask the Secretary of State for Scotland if he will make a statement on the future provision of council leisure services with particular reference to outsourcing. [23832]

Mr. MacDonald: It is the responsibility of local authorities to decide how best to provide services for their communities, and in particular to decide whether those services are provided directly by the council, or outsourced and supplied by a private sector contractor or another body. In making such decisions, councils must of course abide by any relevant legislation, including Regulations dealing with any relevant transfer of employees affected, and in particular have to bear in mind their statutory obligation to make arrangements to secure the best value for money in the services they provide.

Commission on Local Governments and the Scottish Parliament

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he is able to announce the remit and membership of the proposed commission on local government and the Scottish Parliament. [25431]

Mr. Dewar: I can today announce the remit and membership of the Commission on Local Government and the Scottish Parliament.

The Commission will:

- consider how to build the most effective relations between local government and the Scottish Parliament and Scottish Executive so that collectively they can best serve Scotland's people;
- consider how councils can best make themselves responsive and democratically accountable to the communities they serve; and
- report to the first Minister of the Scottish Parliament as soon as possible after his or her election. In addtion, the Commission may choose, or be asked to submit, an interim report to the Secretary of State for Scotland.

The Commission's final report should be considered by the Scottish Parliament.

Mr. Neil McIntosh has agreed to serve as Chairman of the Commission. The other Commissioners are Professor Alan Alexander, Mr. Andrew Cubie, Mr. Graham Leicester, Miss Eileen Mackay, Councillor Margraet Millar, Mr. Matt Smith, and Miss Maureen Watt.

DEFENCE

Manchester Ringway and Buxton Weather Stations

Mr. Levitt: To Ask the Secretary of State for Defence (1) if he will list the categories of meteorological data which are currently available from the weather stations at *(a)* Manchester Ringway and *(b)* Buxton; [24086]

(2) if he will give the *(a)* average daily maximum temperatures, *(b)* average daily minimum temperatures and *(c)* number of days of snowfall, month by month, from the Manchester Ringway and Buxton weather stations for the most recent 12 month period available [24085]

Mr. Spellar: This is a matter for the Chief Executive of the Meteorological Office. I have asked the Chief Executive to write to my hon. Friend.

Letter from Peter Ewins to Mr. Tom Levitt, dated 23 January 1998:

I am replying to your Questions to the Secretary of State for Defence about meteorological data available from Manchester Ringway and Buxton weather stations and the temperature readings recorded there for the last twelve months. As Chief Executive of the Meteorological Office, this matter falls within my area of responsibility.

I enclose a list of the categories of meteorological data observed on a daily basis at the weather stations concerned, together with details of the average temperatures and snowfall levels at the two sites for the year ending 31 December 1997.

MANCHESTER RINGWAY

(1) *Hourly Weather Data (sent to Met Office HQ each hour)*

Hourly values of the following:

(a) 10 minute mean wind speed
(b) 10 minute mean wind direction
(c) maximum gust speed in the previous hour
(d) air temperature (dry bulb)
(e) dew point temperature
(f) atmospheric pressure
(g) pressure change over last 3 hours
(h) present weather (code)
(i) past weather (code)
(j) visibility
(k) cloud base heights(s)
(l) cloud amount(s)
(m) cloud type(s)
(n) hourly mean wind speed
(o) hourly modal wind direction
(p) direction of maximum gust
(q) time of maximum gust
(r) precipitation total
(s) sunshine duration
(t) snow depth

(2) *Climatological data (sent to met Office HQ each day)*

Observed at 0900

(a) minimum air temperature 2100–0900
(b) maximum air temperature 2100–0900
(c) minimum grass temperature dusk–0900
(d) minimum concrete temperature dusk–0900
(e) precipitation 2100–0900
(f) snow depth
(g) state of ground

Observed at 2100

(a) minimum air temperature 0900–2100
(b) maximum air temperature 0900–2100
(c) precipitation 0900–2100

Daily 9000–2400

(a) daily sunshine duration
(b) significant weather (sleet, snow, hail etc.)

BUXTON

Climatological Data (daily values sent to Met Office HQ at end of month)

Observed at 0900

(a) air temperature (dry bulb, wet bulb)
(b) minimum air temperature 0900–0900
(c) maximum air temperature 0900–0900
(d) minimum grass temperature 0900–0900
(e) 10 cm soil temperature
(f) 20 cm soil temperature
(g) 30 cm soil temperature
(h) 50 cm soil temperature
(i) 100 cm soil temperature
(j) precipitation total 0900–0900
(k) snow depth
(l) present weather (code)
(m) state of ground (code)
(n) total cloud cover
(o) wind speed
(p) wind direction
(g) visibility (code)

Daily 0000–2400

(a) daily sunshine duration
(b) significant weather (sleet, snow, hail etc.)

Monthly averages of daily maximum air temperatures, daily minimum air temperatures and number of days with snowfall during 1997 at Manchester—Ringway and Buxton

Manchester 1997

	Daily max. temp. (degs. C)	*Daily min. temp. (degs. C)*	*Snow lying at 0900 (days)*	*Sleet/snow falling (days)*
January	5.7	0.8	5	4
February	9.6	4.2	0	0
March	12.0	4.6	0	0
April	12.9	5.2	0	0
May	16.7	7.2	0	2

Monthly averages of daily maximum air temperatures, daily minimum air temperatures and number of days with snowfall during 1997 at Manchester—Ringway and Buxton

Manchester 1997

	Daily max. temp. (degs. C)	*Daily min. temp. (degs. C)*	*Snow lying at 0900 (days)*	*Sleet/snow falling (days)*
June	17.8	10.2	0	0
July	21.0	12.5	0	0
August	23.5	14.2	0	0
September	17.2	10.7	0	0
October	13.6	6.6	0	0
November	11.1	6.2	0	0
December	8.2	3.7	0	3

Temperature maxima refer to 09–21GMT and minima to 21–09GMT.

Buxton 1997

	Daily max. temp. (degs. C)	*Daily min. temp. (degs. C)*	*Snow lying at 0900 (days)*	*Sleet/snow falling (days)*
January	3.7	–1.2	11	6
February	7.3	2.3	0	7
March	9.8	3.6	0	1
April	10.6	3.6	0	0
May	14.7	5.2	0	3
June	15.7	8.8	0	1
July	19.4	10.9	0	0
August	21.5	12.3	0	0
September	15.1	8.9	0	0
October	11.2	4.5	0	0
November	8.7	5.0	0	0
December	6.6	2.5	0	5

Temperature maxima and minima refer to 09–09GMT.

Army Prosecuting Authority

Mr. Blunt: To ask the Secretary of State for Defence, pursuant to his answer of 19 January 1998, *Official Report*, columns *408–09*, if he will investigate the origin of the statement from an MoD source contained in the Press Association report of 1 December. [24986]

Dr. Reid: The author of the Press Association report in question contacted my Department's Press Office on 30 November, following up a story in that day's *Sunday Telegraph*. He was informed by my officials that the Army Prosecuting Authority, an independent body, had decided not to prosecute Major Joyce at that time. Responding to a question about the reference in *The Sunday Telegraph* to a letter from the Lord Chancellor, my Department's Press Office drew on the reply I gave the hon. Member for Mid-Norfolk (Mr. Simpson) of 17 November 1997, *Official Report*, column *69*.

CULTURE, MEDIA AND SPORT

New Opportunities Fund

Mr. Martyn Jones: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on his plans to include the environment as one of the themes within the New Opportunities Fund. [24466]

Mr. Banks: The National Lottery Bill currently before Parliament will establish the New Opportunities Fund to support time-limited initiatives in health, education and the environment. The first three initiatives will provide ICT training for teachers and librarians and content digitisation; out of school hours activities; and healthy living centres. The Bill also provides for future initiatives to be determined by Order, after consultation. Those future initiatives will include support for the environment, which will also continue to benefit from Lottery funding through the other good causes.

TREASURY

Ecclesiastical Buildings

Mr. Hoyle: To ask the Chancellor of the Exchequer, pursuant to the answer of 19 December 1997, *Official Report*, column *335*, concerning VAT on church and cathedral maintenance, what criteria the Financial Secretary used to arrive at the response given; when the decision was discussed; and who the decision was discussed with. [23203]

Dawn Primarolo: The Government believe that using the VAT system to relieve the expenditure of churches is an inefficient way of preserving the heritage. We prefer to target direct support through grants. A relief of the kind envisaged would contravene our agreements with our European partners.

Private Pensions (ACT)

Mrs. Lait: To ask the Chancellor of the Exchequer what estimate he has made of the number of current and future pensioners with private pension plans who will be affected by the changes to advance corporation tax. [23910]

Mr. Geoffrey Robinson: No such estimate is available. A large number of factors influence the private pensions people can expect to receive. It is therefore not possible to produce meaningful estimates for the effect of particular factors in isolation. The corporation tax changes

introduced in the last Budget will be good for the economy as a whole and so should benefit pensioners along with everyone else.

Public Expenditure

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what consultation he intends to introduce with respect to future Government plans for public expenditure; and if he will make a statement. [24718]

Mr. Darling *[holding answer 22 January 1998]:* New plans will be announced following the conclusion of the Comprehensive Spending Review which involves 24 departmental reviews and six cross-departmental reviews. The terms of reference of these reviews have been made public to encourage comments from those interested; departments are also consulting interested bodies. The results of the reviews will be announced to Parliament for scrutiny and examination in keeping with the principles of openness to which the Government are committed.

IT Equipment

Mr. Barnes: To ask the Chancellor of the Exchequer what is his Department's policy regarding the recycling of information technology equipment within his Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23281]

Mrs. Liddell *[holding answer 21 Janaury 1998]:* The disposal of information technology (IT) equipment within the Treasury is governed by the objective of obtaining the best value for money. Our current procedure is firstly to see if it can be used elsewhere in the Department, and then if internal recycling is not possible to dispose of it to a third party organisation for refurbishment and recycling elsewhere.

Until the latter part of last year we had a contract for the disposal of surplus IT equipment with RD Computers Ltd., which was awarded following a procurement competition initiated about two years ago. We currently have arrangements with the Disposal Sales Agency of Ministry of Defence and ware constantly seeking for companies who can improve the value for money aspects of this process.

Child Benefit

Mr. Gibb: To ask the Chancellor of the Exchequer what is his estimate of the revenue which would be raised from taxing child benefit, assuming no change to separate taxation of spouses. [24127]

Dawn Primarolo *[holding answer 20 January 1998]:* I refer the hon. Member to the reply that my hon. Friend the Paymaster General gave to my hon. Friend the Member for Pendle (Mr. Prentice) on 22 December 1997, *Official Report*, column *470*.

WALES

Gross Domestic Product

Mr. Denzil Davies: To ask the Secretary of State for Wales what estimate he has made of the average annual GDP growth over the three years 1998 to 2000 in *(a)* South West Wales and *(b)* Wales; and what was the corresponding average in each case for each of the three years 1995 to 1997. [23602]

Mr. Hain: The Welsh Office has not made a forecast of annual GDP growth over the three years 1998 to 2000. No GDP data exist for South West Wales. The most recent GDP figures for Wales and for the old counties of Wales, relative to the UK, are given in the following table.

GDP per head Wales and Welsh Counties as percentages of UK

	1993	*1995*
Clwyd	89.9	93.9
Dyfed and Powys	76.0	72.4
Gwent	85.8	88.0
Gwynedd	74.2	76.2
Mid Glamorgan	62.2	67.3
South Glamorgan	113.1	114.2
West Glamorgan	81.2	80.9
Wales	82.7	84.3
UK	100	100

Source: Office for National Statistics Economic Trends No. 530.

Hawarden Airport

Mr. Barry Jones: To ask the Secretary of State for Wales (1) what plans he has to encourage the more frequent use of Hawarden Airport; [24162]

(2) if he will visit Hawarden Airport; and if he will make a statement. [24163]

Mr. Hain: The development of Hawarden Airport is a matter for British Aerospace, the owners of the Airport.

As part of my continuing discussions about the scope for developing north–south transport links, I am due to visit Hawarden on 6 February to meet senior representatives of British Aerospace. I would hope to hear the company's views about making use of Hawarden for scheduled air services, and to see the facilities at the Airport.

Income Statistics

Mr. Denzil Davies: To ask the Secretary of State for Wales what is his estimate of the personal disposable income per head for Wales as a percentage of the United Kingdom average in each of the last three years for which figures are available. [23596]

Mr. Hain: The information requested, for the years 1993, 1994 and 1995, is given in the following table.

Personal disposable income per head, Wales as a percentage of United Kingdom

	Percentage
1993	87.0
1994	88.2
1995[1]	86.3

Note:
[1]Provisional.
Source:
Office for National Statistics

Redundancies (Deeside)

Mr. Barry Jones: To ask the Secretary of State for Wales what action he is taking to ameliorate the impact upon Deeside of the proposed redundancies announced by Kimberley Clark at Deeside Industrial Park. [24160]

Mr. Hain: The TEC (CELTEC) and the Employment Service in North Wales are liaising with the company's consultants to see what help can be given to the staff who are to be made redundant. The TEC consider this redundancy to be a significant one and covered by the definition of "significant redundancy". This means that employees can be considered for Training for Work immediately (rather than having to wait six months). The local authority, as well as the Welsh Office and its other agencies, also stand ready to offer every possible assistance.

Rail Investment

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet Shotton and Buckley town councils to discuss investment in the rail infrastructure; and if he will make a statement. [24164]

Mr. Hain: My right hon. Friend and I have no plans to meet Shotton and Buckley Town Councils to discuss investment in the rail infrastructure, which is principally a matter for Railtrack. However, I understand that the company confirmed during 1997 target dates for investment at seven local railway stations—Shotton High Level, Hawarden, Buckley, Penyffordd, Hope, Caergwrle and Cefn-y-Bedd. In addition, North Western Trains are taking forward over the next few years a £5 million programme of enhancements, including the provision of real-time information and improved security and lighting, which I understand will include stations in the Shotton and Buckley areas.

Mr. Barry Jones: To ask the Secretary of State for Wales what consultations he has had with Railtrack and Northwest Railways concerning the establishment of a rail station in the vicinity of Deeside Industrial Park. [24161]

Mr. Hain: The provision of railway infrastructure, including track, signalling and stations is principally a matter for Railtrack. However, I was pleased to announce on 10 December 1997 as part of the 1998–99 Transport Grant settlement the award to Flintshire County Council of £480,000 in support of the Deeside Integrated Transport Strategy.

Part of this award will be used by the County Council to begin to develop plans for a railway station to serve the Deeside Industrial Park. The first stage is expected to comprise mainly preliminary and design studies to identify, for example, the required size and location of a new station and the necessary associated infrastructure. In taking forward this work, I understand that the County Council plans to collaborate closely with local public transport operators, neighbouring local authorities and Railtrack.

Modern Apprenticeships

Mr. Rowlands: To ask the Secretary of State for Wales how many modern apprenticeships have been started in 1997–98 in each TEC area to the latest date, and which of the TECs have exhausted their approved starts and budgets for 1997–98. [24358]

Mr. Hain: The number of Modern Apprenticeship starts up to 30 November 1997 by TEC area in Wales is shown in the following table. These figures will be subject to updates in future periods. At this date none of the TECs in Wales were indicating that they had exhausted their approved starts and budgets for 1997–98. Welsh Office officials are monitoring the situation closely.

Modern Apprenticeship Starts to period 8 (30 November 1997)

TEC	*Starts*
CELTEC	480
Gwent	745
Mid Glamorgan	592
Powys	109
South Glamorgan	244
West Wales	900
Total	3,070

Source: TEC Management Information.

Education Spending

Mr. Ruane: To ask the Secretary of State for Wales if he will list the average amount spent per pupil of *(a)* primary and *(b)* secondary school age in each of the local authorities in Wales. [24168]

Mr. Hain: The information requested is given in the following table.

Local authority net current expenditure per pupil on primary and secondary education[1]

£ per pupil

Authority	*Primary*	*Secondary*
Blaenau Gwent	1,785	2,819
Bridgend	1,740	2,502
Caerphilly	1,774	2,628
Cardiff	1,747	2,385
Carmarthenshire	2,089	2,530
Ceredigion	2,279	2,842
Conwy	1,800	2,810
Denbighshire	1,731	2,576
Flintshire	1,707	2,621
Gwynedd	2,013	2,915
Isle of Anglesey	1,943	2,729
Merthyr Tydfil	1,773	2,587
Monmouthshire	1,849	2,576
Neath Port Talbot	2,141	2,782
Newport	1,723	2,499
Pembrokeshire	2,081	2,620
Powys	2,023	2,937
Rhondda Cynon Taff	1,857	2,510
Swansea	1,965	2,626
The Vale of Glamorgan	1,806	2,538
Torfaen	1,776	2,439
Wrexham	1,582	2,552
Wales average	1,860	2,602

[1]Provisional outturn for 1996–97 divided by provisional full-time equivalent pupil numbers as at January 1997. Includes recharged management and support services, education of under fives in primary schools and payment of independent school fees. Excludes special schools, grant maintained schools and school catering.

Rail Fares

Mr. Wigley: To ask the Secretary of State for Wales what representations he has received from rail users concerning the differences between fare levels for journeys within Wales and for journeys from Wales to English or Irish destinations; and if he will make a statement. [24295]

Mr. Hain: I have received one representation about this matter. The regulation of rail fares is the responsibility of the Franchising Director. I understand that he has powers to regulate fares where it would be in the interests of passengers to do so.

The Franchising Director has imposed a cap on the price of key fares and operators are not able to increase such fares overall above the rate of inflation. From January 1999, those fares will be capped at one percentage point below the rate of inflation for each of the next four years.

Train operators are free to make available discounts which they believe will attract more passengers and fill seats which would otherwise remain empty. Such discounts are a commercial matter for the operators and outside the scope of the Franchising Director's regulation of fares. However, operators are under no obligation to offer discounts between particular destinations, or to price their services in a way which reflects the inclusive deals offered by other operators or agencies.

Hospital Trusts

Mr. Barry Jones: To ask the Secretary of State for Wales when he will announce his proposed reconfiguration of hospital trusts; and if he will make a statement. [25319]

Mr. Win Griffiths: I hope to be able to make an announcement by early April this year about the proposed shape of trusts on which public consultation will take place. A final decision can be taken only after detailed consideration of the response to that consultation. I expect this to be in about October or November 1998.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Sewage Treatment

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many sewage treatment plants in the United Kingdom include ultra-violet treatment systems; and if he will list their locations. [23716]

Angela Eagle: A list from the Environment Agency on locations of the thirty-five sewage treatment works which include ultra-violet treatment in England and Wales is attached in the table. The information relating to Scotland and Northern Ireland is a matter for my right hon. Friends the Secretaries of State for Scotland and for Northern Ireland respectively.

Waste Water Treatment Works in England and Wales with UV Disinfection as at January 1998

Agency Region	*Treatment Works*
South West	Lyme Regis
	Exmouth
	Menagwins (St. Austell)
	St. Columb Major
	Gorran Haven
	Ashford (Barnstaple)
	Porthilly (Rock)
	Trecerus (Padstow)
	Porthleven
	St. Agnes
Southern	New Romney (Littlestone)
	Dymchurch
	Camber
Thames	None
Anglian	Newton Marsh
	Mablethorpe
	Wells-Next-The-Sea
	Heacham
	West Mersea
	Kings Lynn
North East	None
North West	Newbiggin
	Ashkham-in-Furness
	Silloth
Midlands	None
Welsh	Newgale
	Aberystwyth
	Llanelli (Bynea)
	Tywyn/Aberdyfi
	Criccieth
	Laugharne
	Amroth
	Tenby
	Dale
	Llangrannog
	Pwllhelli
	Treborth (Bangor)
	Beaumaris

Northern Uplands Programme

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions what funds remain available in the current financial year and until 1999 allocated to the Northern Uplands Programme; and if he will list the programme of expenditure for the current and succeeding financial years. [23661]

Angela Eagle: Within the Northern Uplands Objective 5(B) Programme unallocated funds of £40.39 million are still to be committed to projects. This amounts comprises ERDF, ESF and EAGGF. Projects may continue to be submitted for approval up to the end of 1999 with those gaining approval then having a further two years in which to incur expenditure.

We would assume that of the total programme funding of £86.93 million the expenditure, in terms of grant claimed in respect of projects, would follow the following schedule.

1998–00: 73 per cent. (£63.46 million)

2000–02: 27 per cent. (£23.47 million).

M65–M6 Link (Colne)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on Colne of the increased traffic resulting from the completion of the M65–M6 link; and if he will make a statement. [23373]

Ms. Glenda Jackson: The M65 Blackburn Southern Bypass, Junctions 1 to 6 opened on 15 December 1997 linking the existing M65 at J6 Whitebirk with the National Motorway network at the M61 and M6.

During the planning stages, the Highways Agency predicted that completion of the road would result in a 10 per cent. increase in traffic on the existing M65 east of Blackburn (Junctions 6 to 7).

Colne is some 15 miles east of the end of the Blackburn Southern Bypass and we have no reason to believe that the traffic impact on Colne will be any greater than that 10 per cent. estimation. We will be monitoring traffic flows on the new section of M65 as soon as possible during the coming year once traffic patterns have settled down.

Housing (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for the Environment, transport and the Regions what is his estimate of the number of local authority tenants not in receipt of housing benefit in Blyth Valley. [24029]

Ms Armstrong: Precise figures are not collected by the Department but it is estimated that about one third (around 3,000) of the local authority tenancies in Blyth Valley were not in receipt of housing benefit in May 1997, the latest date for which data are available.

Road Safety

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what new measures he plans to improve road safety in the vicinity of schools. [23829]

Ms Glenda Jackson: Much of what the Government need to do to improve road safety in the vicinity of schools involves advising local authorities about the measures that are known to be effective.

DETR guidance to local authorities on their 1998–99 TPP submissions stressed the priority we attach to bids that focused on safer routes to school projects. Despite severe financial pressures, we have supported packages which seek to improve the road safety of children going to and from school in Hampshire, Oxfordshire, Hertfordshire and Surrey. Local authorities can also implement safety engineering schemes in the vicinity of schools using the local safety scheme element of their TPP allocation. Self enforcing 20 mph zones, employing traffic calming measures, may be installed to slow traffic in the vicinity of a school. It is for the local highway authority to decide if and where such zones would be suitable.

Helping children develop the skills needed to cope with traffic is a high priority for local authorities. Publicity plays a role and we are launching a new "Hedgehog" child safety campaign later this month promoting the 'Stop, Look, Listen, Live' message.

We are looking at the number, type and effectiveness of measures set up in England and Wales to try to improve the safety of children going to and from school. We will issue guidance to local authorities on this next year.

As part of the work on the road safety strategy we will consider what further measures could be introduced to improve the safety of children on our roads.

Overseas Visits

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions how many times his wife has accompanied him on overseas visits; and what was the cost of her travel and other expenses. [25158]

Mr. Prescott: I refer the hon. Member to the reply I gave the hon. Member for Spelthorne (Mr. Wilshire) on 15 January 1998, *Official Report*, column *265*.

Political Advisers (Support Staff)

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions how many secretarial and support staff work full-time in support of his political advisers. [25194]

Angela Eagle: The special advisers to my right hon. Friend, the Secretary of State for the Environment, Transport and the Regions are supported by one administrative officer and one personal secretary.

SSAs

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the changes in SSA methodology introduced for 1998–99, showing the effect of each change on *(a)* SSAs for each class of authority and *(b)* SSA for each local authority in England in (i) percentage and (ii) cash terms. [24521]

Ms Armstrong: Tables showing the effects of the proposed methodology changes have been placed in the House of Commons Library.

Council Tax Benefit

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each local authority the total amount of council tax benefit paid to residents and the figure in each case expressed as a percentage of the total council tax collected in each local authority. [24522]

Ms Armstrong: I have today placed in the Library of the House a table showing the amounts which each billing authority estimated as the amount of Council Tax benefit granted to Council Tax payers in respect of 1996–97 Council Taxes, and the figure in each case expressed as a percentage of the sum of the estimated 1996–97 Council Tax receipts in 1996–97 and the estimated amount of Council Tax benefit granted to Council Tax payers in 1996–97.

Workplace Safety

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Safety Assessment Federation and CEOC have not been invited to participate in the International

Conference on the Importance of Good Design and Manufacture of Machinery in Improving Safety in the Workplace to be held by his Department in April. [25029]

Angela Eagle: Registration forms for the 'Safety by Design' Conference, should be available in early February. Copies will be sent to the Safety Assessment Federation and CEOC. I hope that they will apply for registration and participate in the Conference, which will be in Manchester on 29–30 April.

The Conference is aimed at an international audience and industry: Speakers reflect that audience. The role of conformity assessment and the involvement of Notified Bodies in securing high levels of safety on machinery will be addressed by the Swedish Board for Accreditation and Conformity Assessment and an official from the European Commission who has specific responsibility for this area of work.

I hope that the hon. Member will join me in wishing this important conference, which is being run as part of the United Kingdom's Presidency of the European Council of Ministers, every success.

Planning Inspectorate

Mr. Geraint Davies: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the Planning Inspectorate's Annual Report and Accounts for 1996–97. [25604]

Mr. Caborn: The Planning Inspectorate's Annual report and Accounts has been published. Copies are available in the Library of the House.

The Inspectorate have just completed the first year of a demanding three year programme to restore appeal handling times to optimum levels. They have succeeded in meeting the majority of their business targets in 1996–97 and even on those that were missed substantial progress has been made: handling times have improved; new inspectors have been appointed; and measures taken to reduce the time to arrange inquiries and hearings.

The Agency has also been able to maintain the programme of development plan inquiries and has once again met its targets for handling this work. This will help ensure that full coverage of up to date development plans is achieved as soon as possible, providing greater certainty for all involved in the planning process.

FOREIGN AND COMMONWEALTH AFFAIRS

Greece

Mr. Letwin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's policy in relation to the conditions of mentally and physically handicapped children in institutions in Greece. [24530]

Mr. Doug Henderson: We have discussed the treatment of mentally and physically handicapped children with the Greek authorities. The Greek Health and Welfare Minister announced on 20 January that a bill was currently being drafted to reform the welfare system in Greece. The Greek Under-Secretary for Welfare has said that the national welfare system (PIPKA) is to be merged with the children's foundation (MITERA), so that services can be better organised.

Israel

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 12 January 1998, *Official Report*, column 22, when he expects Israel to provide copies of the internal legislation relevant to the implementation of the origin and mutual assistance protocols annexed to the EC/Israel Interim Agreement. [24555]

Mr. Doug Henderson: In accordance with the agreement at the 28 November EC/Israel Co-operation Committee, Israel has now provided the European Commission with copies of this internal legislation. These are being examined by EC officials.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs if Israel's current internal legislation on the application of rules of origin to exported goods *(a)* incorporates the same definition of the borders of Israel as that accepted by the EC and *(b)* distinguishes between goods produced within the internationally recognised borders of Israel and those produced in Israeli settlements outside these borders; and how the current legislation differs from that in effect from 1 January 1996 in relation to control mechanisms envisaged in the EC/Israel agreement. [24556]

Mr. Doug Henderson: The EC/Israel Interim Agreement came into force on 1 January 1996. Israel has since revised its internal legislation to ensure that the conditions for benefiting from preferential rates of duty in the EC are respected. Copies of this legislation are now being examined by EC officials. This internal legislation gives no definition of the borders of Israel nor makes any reference to Israeli settlements. Certain goods produced in the West Bank and Gaza are eligible for preferential access to EU markets under the EC/PLO Interim Association Agreement. No information is available on the internal legislation in effect before 1 January 1996.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs when Israel will repay to the EC the import duty lost by mislabelling of Brazilian orange juice as Israeli. [24557]

Mr. Doug Henderson: Under EC law, it is the importer or his representative, not the exporting country, who is liable for any customs debt which arises where goods imported at a preferential rate are found not to meet the appropriate rules of origin. Any financial assistance provided by the exporting country to the EC importer is therefore a commercial matter between the two parties.

US–UK Mutual Defence Agreement

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs on which occasions since 1968 the US Government have notified Her Majesty's Government of changes in their policy towards the importing of plutonium from the UK under the UK–US Mutual Defence Agreement 1958; and what form such notifications took. [23807]

Mr. Spellar: I have been asked to reply.

The United States Government have not notified the United Kingdom of any policy changes regarding the importation of plutonium during this period.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations the United States Government had with Her Majesty's Government prior to the release on 22 December of a US Department of Energy fact sheet on the quantity of plutonium acquired by the United States from the United Kingdom under the US–UK 1958 Mutual Defence Agreement on Atomic Energy matters. [23796]

Mr. Spellar: I have been asked to reply.

There was full consultation between the Ministry of Defence and the United States Department of Energy prior to the release of the fact sheet, during which we gave our agreement to the text.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what variations have been made to Article 2 of the Amendment of 27 September 1968 to the agreement for co-operation on the uses of atomic energy for mutual defence purposes, of 3 July 1958. [23793]

Mr. Spellar: I have been asked to reply.

Article 2 of the 1968 amendment refers to Article III bis of the 1958 UK-US Mutual Defence Agreement. Variations made to the wording of Article III bis since 1968 have been to extend the time limits for transfers of special nuclear materials together with two textual amendments. An amendment, Cmnd 9434, which entered into force on 16 November 1984 added a new paragraph C referring to the transfer from the United States of enriched uranium for military purposes. The most recent amendment to Article III bis is Cm 2785 which entered into force on 23 December 1994. This amendment *(a)* extends the time limit to December 31, 2004 and *(b)* advises of a textual change to one phrase in paragraph C.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what quantities of plutonium with a plutonium-240 content in the range two to 10 per cent. the United Kingdom has exported to the United States under the provisions of the 1958 US-UK Mutual Defence Agreement on atomic energy matters. [24049]

Mr. Spellar: I have been asked to reply.

Between 1960 and 1979 the United Kingdom exported 0.1 metric tonnes of plutonium with a pu 240 content between 2 per cent. and 10 per cent. to the United States under the provisions of the 1958 Mutual Defence Agreement. I am withholding further information concerning other transfers under Category 1 of the exemptions to the Code of Practice on Access to Government Information concerning defence, security and international relations.

NORTHERN IRELAND

TSN Resources

Mr. Trimble: To ask the Secretary of State for Northern Ireland what progress has been made to date in the consultations with interested parties, with particular reference to future TSN values and methods of allocations and funding for grounds. [21229]

Mr. Worthington: Under changes announced to LMS formulae for 1998–99 the overall TSN allocation to the voluntary grammar school sector will be reduced to reflect the fact that they do not have significant problems of educational disadvantage. Further consultations with educational interests on the allocation of TSN resources will begin later this year. Those consultations will focus on more effective targeting of TSN money at the most needy schools.

Funding for voluntary grammar schools' grounds and pitches will be retained in 1998–99, at a reduced rate, pending further consideration of the issue. A further round of consultations with schools on this and other proposals for further changed in the formula finding arrangements will also be held later this year.

Graffiti

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will give the RUC the power to obliterate or remove graffiti and markings of a sectarian nature; and if she will make a statement. [23689]

Mr. Ingram: Article 18 of the Local Government (Miscellaneous Provisions) (NI) Order 1985 provides District Councils with the power to remove or obliterate graffiti which is considered detrimental to the district; the exercise of such powers is a matter for district councils.

The Roads (NI) Order 1993 provides power for the Department of the Environment (NI) to remove graffiti from the public road: the Roads Service of the Department uses these powers where it considers it appropriate to do so.

There are no plans to transfer responsibility for this work to the RUC.

Document Leaks

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland in what respects her Department applied different procedures in respect of *(a)* the leak of the Drumcree memorandum differently, *(b)* the leak of personnel files from the Department of Agriculture Private Office; what factors underlay differences in procedure; and if she will make a statement. [23693]

Marjorie Mowlam: The letter I sent to the hon. and learned Member on 14 August 1997 explained the background to these cases. When it became clear that the investigation into the leak of personnel files from the Department of Agriculture involved only members of the Northern Ireland Civil Service, each individual was informed of their right of silence under paragraph 1081 of the NICS Pay and Conditions of Service Code. Given the particular seriousness of the leak of the Drumcree memorandum which might have put at risk the lives of a number of civil servants, as well as threatening to undermine the Government's handling of the marching issue, all individuals questioned were informed of their right of silence but no undertaking about not drawing adverse inferences was given. In the event of the Drumcree inquiry no member of staff who was questioned chose to exercise their right of silence.

Giro Fraud

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland (1) how many awards were made in 1997 to Post Office staff for assistance in relation to DHSS giro fraud; and what was the total expenditure on such awards; [23690]

(2) if she will require originals of replaced giros to be held back by the Post Office on encashment for inspection by her Department for evidential purposes. [23691]

Mr. Worthington: Responsibility for the subject has been delegated to the Social Security Agency under its Chief Executive, Mr. Chris Thompson. I have asked him to arrange for a response to be given.

Letter from Chris Thompson to Mr. Robert McCartney, dated 21 January 1998:

I have been asked to reply to your recent Parliamentary Questions on the number and value of awards made under the Post Office award scheme in 1997 and on the possibility of the Post Office retaining the originals of replaced giros.

The number of awards made in 1997 to Post Office staff for assistance in relation to DHSS giro fraud was 83 and the total expenditure on such awards was £830.

As to retaining the originals of replaced giros, I should explain that the Social Security Agency is covered by an arrangement between the Benefits Agency in Great Britain and Girobank Plc whereby Girobank provides for the encashment of girocheques through Northern Ireland Post Offices.

Under the arrangements, encashed girocheques are accounted for weekly by Post Office and retained for 1 week. They have then returned to the Agency's Finance Branch of reconciliation and accounting purposes. All reconciled giros are retained in date and Post Office order for a period of 12 months from their encashment and are available for follow-up investigation and evidential purposes.

If a benefit office has doubts about the authenticity of a request for a replacement giro, practical precautions are taken, which may include contacting the relevant Post Office to determine if the original giro was cashed or otherwise, to try to prevent later encashment. Where the Post Office indicates that an original has been cashed and is still held, benefit offices may, on occasions, consider it appropriate to retrieve the giro directly.

More normally however, reconciliation and accounting action will proceed in the knowledge that follow up action on both originals and replacements is taken in every instance by the Agency's Fraud Branch. I would, therefore, not consider it of advantage to ask the Post Office to hold back originals of replaced giros.

I hope this explains the position for you but I would be happy to provide any further information you require.

Legislation (Staff Costs)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many staff are employed in each Northern Ireland Office/Civil Service Department on preparing legislation; and what are the total and average staff costs in each Department. [23694]

Mr. Paul Murphy: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Stolen Army Weapons

Mr. Maginnis: To ask the Secretary of State for Northern Ireland, pursuant to the answer of 10 December 1997, *Official Report*, columns *554–58*, concerning weapons stolen from the Army during the past 10 years, how many of the recovered weapons were known to be in the possession of *(a)* Loyalists, *(b)* Republicans and *(c)* others. [22801]

Dr. Reid: I have been asked to reply.

The information requested is set out below for all British Army weapons lost, stolen or otherwise unaccounted for in Northern Ireland in each of the past ten years.

		Number of weapons recovered from:		
Year	*Total recovered*	*Loyalists*	*Republicans*	*[1]Others*
1988	4	—	3	1
1989	7	4	1	2
1990	3	1	—	2
1991	4	—	2	2
1992	3	1	[2]2	—
1993	—	—	—	—
1994	3	—	1	2
1995	2	—	—	2
1996	2	—	—	2
1997	1	—	—	1

[1]Others—Non-terroris'/criminal/not known.

[2] I regret that the answer I gave the hon. Member on 10 December incorrectly placed one weapon in the "Not Known" category which should have been shown under Republican.

PRIME MINISTER

Royal Family (Gifts)

Mr. Baker: To ask the Prime Minister what is his policy in respect of gifts received by the sovereign or members of her family on behalf of the nation in respect of their retention, their public availability and the availability of information in respect of all gifts so received. [24301]

The Prime Minister *[holding answer 20 January 1998]:* Details of official gifts to the Sovereign or other Members of the Royal Family are generally made public through press releases at the time they are received. All official gifts are recorded and retained in public museums, the Royal Library or royal palaces, and are displayed to the public or used on public occasions where possible. Requests from members of the public for information about gifts to The Queen and other Members of the Royal Family are answered by members of the Royal Household.

No. 10 Downing Street

Mr. Burstow: To ask the Prime Minister (1) what access and toilet facilities No. 10 Downing Street provides for people who are wheelchair users; [23776]

(2) what plans he has to make adaptions to No. 10 Downing Street to improve access facilities for wheelchair users. [23777]

The Prime Minister *[holding answer 20 January 1998]:* No. 10 Downing Street has a number of facilities for the disabled. Portable ramps are available to give access to the house; a passenger lift which can accommodate wheelchairs and which gives access to all floors; a stair climber to enable wheelchairs to be taken

up the main stairs; and a wheelchair lift to facilitate access to the State Rooms. A disabled toilet has also been installed.

Whilst no further work is planned, provision for the disabled is kept under review.

Vitamin B6

Mr. Paice: To ask the Prime Minister if he was consulted about the proposed new restrictions on the retail sale of vitamin B6 prior to the announcement; and what representation he was received and what discussions he has had with the Minister of Agriculture, Fisheries and Food on this subject. [24307]

The Prime Minister *[holding answer 20 January 1998]:* I have received a large number of representations on the subject of the proposed controls on dietary supplements containing vitamin B6.

The Ministry of Agriculture, Fisheries and Food will be consulting on the draft regulations to introduce new controls.

Millennium Compliance

Mrs. Gillan: To ask the Prime Minister if he will make a statement on the division of responsibility within Government in respect of the year 2000 problem. [24733]

The Prime Minister: The Chancellor of the Duchy of Lancaster is co-ordinating action across the civil service and its agencies. A Ministerial Group (MISC 4), chaired by the President of the Board of Trade, is co-ordinating work to ensure that the national infrastructure is not damaged by the failure of electronic systems related to the 2000 date change. Secretaries of State are responsible for action within their own Departments.

Official Entertainment

Mr. Bercow: To ask the Prime Minister how many receptions he has held at Chequers since he took office; how many people have attended; and what was the cost of these events. [25141]

The Prime Minister: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Newport, West (Mr. Flynn) on 30 October 1997, *Official Report*, column *858*.

HEALTH

Premature Mortality Rates

Helen Jones: To ask the Secretary of State for Health what action he intends to take to reduce premature mortality rates in deprived areas; and if he will make a statement. [24828]

Ms Jowell: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Gravesham (Mr. Pond) on 20 January 1998, *Official Report*, column *499*.

Dental Caries and Angina

Mr. Martyn Jones: To ask the Secretary of State for Health what evidence his Department has assessed over the last 10 years which indicates a relationship between incidences of *(a)* dental caries and *(b)* angina with diet; and what new steps he plans to take to tackle these diseases. [24463]

Ms Jowell: The evidence linking diet with dental caries which the Committee on Medical Aspects of Food and Nutrition Policy (COMA) considered is cited in its reports *Dietary Sugars and Human Disease* published in 1989, and *Dietary Reference Values for Food Energy and Nutrients for the United Kingdom* published in 1991. Evidence also came from the *National Diet and Nutrition Survey: children aged 1½ to 4½ years Volume 2 Report of the dental survey* published in 1995. Copies of these reports are available in the Library. Angina is a symptom of cardiovascular disease (CVD) and the evidence reviewed by COMA linking diet with CVD is cited in its report *Nutritional Aspects of Cardiovascular Disease* published in 1994.

We will be setting out our new strategy to reduce the burden of CVD shortly in our Green Paper *Our Healthier Nation*. As part of our strategy for reducing dental caries the Health Education Authority (HEA) has been commissioned to provide an update on oral health for health visitors and school nurses which will cover dietary concerns and we have commissioned a further similar resource from the HEA for the carers of pre-school children.

District Nurses

Helen Jones: To ask the Secretary of State for Health what action he is taking to increase the provision of district nurses in areas with the greatest health care needs. [24827]

Mr. Milburn: The Government are employing a twin strategy to match supply and demand by investing in more training and strategies to improve the recruitment, retention and return to practice of trained staff.

In 1997–98, a total of £766 million is being spent on non-medical education and training which incudes: provision for an extra 1,300 new nurse training places, and an allocation of £10.4 million to support recruitment and retention initiatives such as return to practice programmes.

In 1998–99, a further £50 million will be invested in health professional training—including a further £30 million for new nursing and PAMs training commissions. The extra money will also support improved facilities for expanding training opportunities in primary care.

Community nurses, working within Primary Care Groups, will play a key role in delivering the aims of the Government's new NHS White Paper.

Drug Users Database

Mr. Fitzpatrick: To ask the Secretary of State for Health what plans he has to extend the regional database of drug users into a reconstituted national database; and if he will make a statement. [23924]

Ms Jowell: The Regional Drug Misuse Databases hold anonymised information about people presenting to services for problem drug users for the first time or for the first time for six months. Data from each of the databases are collected and analysed centrally by the Department of Health and published as the Statistical Bulletin "Drug Misuse Statistics", which presents data both at national and regional levels. Copies of the most recent bulletin for the six month period ending 31 March 1996 have been placed in the Library.

The Department is currently at an early stage of work with health authorities, database managers and other interests on the strategic development of the Regional Drug Misuse Databases.

Hypertension

Mr. Martyn Jones: To ask the Secretary of State for Health what evidence his Department has assessed on the relationship between the incidence of hypertension and the consumption of salt in the diet. [24462]

Ms Jowell: The evidence assessed by the Committee on Medical Aspects of Food and Nutrition Policy is cited in their 1994 report *Nutritional Aspects of Cardiovascular Disease*. Copies of the report are available in the Library.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for Health what discussions he has had with pharmaceutical companies in respect of the British medical Association's report on the therapeutic uses of cannabis; and if he will make a statement. [24836]

Mr. Boateng: We have had no official discussions with pharmaceutical companies in respect of the British Medical Association's report on the therapeutic uses of cannabis. However, the Home Office and the Medicines Control Agency have always indicated that they are prepared to look at well founded research proposals in this area.

Private Residential and Nursing Homes

Dr. Gibson: To ask the Secretary of State for Health what plans he has to subject the accounts of private residential and nursing homes to a public auditing procedure. [24821]

Mr. Boateng: We have no plans to do so.

LORD CHANCELLOR'S DEPARTMENT

Libel Actions

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many libel actions have been decided by *(a)* a judge and *(b)* a jury in each of the last 10 years. [24000]

Mr. Hoon: The information is not held centrally, and could be provided only at disproportionate cost.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what conditions have to be satisfied for the courts to allow a libel action to proceed without a jury. [24036]

Mr. Hoon: It is a matter of judicial discretion as set out in the Rules of the Supreme Court Order 33 rule 5.

Magistrates Courts

Mr. Bob Russell: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list, by country, those localities where magistrates courts have been closed in each of the last five years and those localities where magistrates courts have been proposed or agreed for closure in 1998. [23958]

Mr. Hoon: The information requested is not collected centrally and could be collected only at a disproportionate cost.

Magistrates courts are provided by the local paying authority for the use of the magistrates courts committee (MCC). Closure decisions are for the MCC to determine, although the paying authority may appeal to the Lord Chancellor against a proposed closure.

The administration of the magistrates courts is based on units known as MCCs, not counties. Whilst MCCs have tended to be based on the old county boundaries, the effect of local government reorganisation and the amalgamation of MCCs means this is now changing.

EDUCATION AND EMPLOYMENT

Special Educational Needs

Dr. Cable: To ask the Secretary of State for Education and Employment if he will list for each education authority the number and percentage of *(a)* primary and *(b)* secondary pupils statemented as having special needs. [23654]

Ms Estelle Morris: The information requested is shown in the following table.

Number and percentage of pupils with statements of special educational needs in maintained primary and secondary schools by Local Education Authority Area in England, January 1997

	Primary schools		*Secondary schools*	
	Number of pupils with statements	*Percentage of pupils with statements*	*Number of pupils with statements*	*Percentage of pupils with statements*
City of London	2	1.0	n/a	n/a
Camden	226	2.0	382	3.5
Greenwich	374	1.7	348	2.6
Hackney	216	1.2	201	2.7
Hammersmith and Fulham	202	2.1	146	2.4

Number[1] and percentage of pupils with statements of special educational needs in maintained primary and secondary schools by Local Education Authority Area in England, January 1997

	Primary schools		Secondary schools	
	Number of pupils with statements	*Percentage of pupils with statements*	*Number of pupils with statements*	*Percentage of pupils with statements*
Islington	382	2.4	268	3.5
Kensington and Chelsea	77	1.2	73	2.2
Lambeth	237	1.2	131	2.0
Lewisham	254	1.2	303	2.8
Southwark	398	1.7	231	2.5
Tower Hamlets	405	1.8	407	3.1
Wandsworth	194	1.1	239	2.6
Westminster	137	1.4	164	2.1
Barking and Dagenham	316	1.8	232	2.3
Barnet	279	1.1	360	1.8
Bexley	241	1.1	277	1.8
Brent	265	1.2	255	1.9
Bromley	735	3.0	420	2.3
Croydon	208	0.7	200	1.3
Ealing	221	0.8	167	1.2
Enfield	204	0.8	264	1.4
Haringey	257	1.2	193	1.9
Harrow	386	1.9	291	3.5
Havering	409	1.9	431	2.9
Hillingdon	285	1.3	426	2.8
Hounslow	240	1.2	316	2.1
Kingston upon Thames	164	1.4	155	1.9
Merton	245	1.5	213	2.8
Newham	469	1.6	578	3.7
Redbridge	128	0.6	197	1.2
Richmond upon Thames	145	1.2	208	2.7
Sutton	246	1.7	196	4.6
Waltham Forest	227	1.1	240	2.0
Birmingham	964	0.9	791	1.2
Coventry	193	0.6	196	1.0
Dudley	165	0.5	111	0.6
Sandwell	242	0.7	159	0.8
Solihull	195	0.9	256	1.8
Walsall	377	1.3	409	2.0
Wolverhampton	257	1.0	315	2.0
Knowsley	146	0.7	289	3.0
Liverpool	504	1.0	547	1.7
St. Helens	461	2.6	432	3.6
Sefton	373	1.3	503	2.6
Wirral	358	1.1	479	2.1
Bolton	413	1.4	473	2.7
Bury	247	1.4	424	3.8
Manchester	254	0.5	398	1.8
Oldham	106	0.4	101	0.6
Rochdale	132	0.6	196	1.5
Salford	219	0.9	210	1.7
Stockport	286	1.1	417	2.7
Tameside	323	1.4	305	2.1
Trafford	178	0.8	203	1.5
Wigan	457	1.5	721	3.6
Barnsley	428	1.9	473	3.7
Doncaster	939	3.0	772	3.7
Rotherham	438	1.7	310	1.6
Sheffield	736	1.6	709	2.6
Bradford	410	1.0	1,021	2.2
Calderdale	311	1.5	267	1.9
Kirklees	902	2.3	874	3.4
Leeds	1,418	2.0	1,322	3.0
Wakefield	514	1.6	420	2.1
Gateshead	173	0.9	146	1.2
Newcastle upon Tyne	221	1.0	198	1.1
North Tyneside	199	1.2	286	2.0
South Tyneside	163	1.0	143	1.5
Sunderland	428	1.4	392	2.0
Isles of Scilly	1	0.6	3	2.8
Bath and North East Somerset	248	1.9	254	2.2
City of Bristol	853	2.5	611	3.7
North Somerset	275	1.9	250	2.1
South Gloucestershire	364	1.6	387	2.5
Hartlepool	108	1.0	55	0.9

Number[1] and percentage of pupils with statements of special educational needs in maintained primary and secondary schools by Local Education Authority Area in England, January 1997

	Primary schools		Secondary schools	
	Number of pupils with statements	*Percentage of pupils with statements*	*Number of pupils with statements*	*Percentage of pupils with statements*
Middlesborough	107	0.6	223	2.6
Redcar and Cleveland	115	0.7	171	1.7
Stockton on Tees	296	1.4	188	1.5
City of Kingston upon Hull	351	1.2	356	2.4
East Riding of Yorkshire	263	1.0	357	1.7
North East Lincolnshire	214	1.2	232	2.1
North Lincolnshire	185	1.2	181	1.7
North Yorkshire	652	1.4	702	1.9
York	219	1.5	180	1.9
Bedfordshire	561	1.3	1,048	2.3
Berkshire	1,105	1.7	915	1.8
Buckinghamshire	1,157	1.7	876	2.3
Cambridge	1,107	1.8	929	2.2
Cheshire	1,740	1.9	1,869	2.8
Cornwall	1,268	3.0	1,497	5.0
Cumbria	1,246	2.8	1,210	3.7
Derbyshire	1,626	1.8	2,047	3.5
Devon	1,519	1.8	1,685	2.7
Dorset	526	1.1	703	1.6
Durham	1,134	2.0	1,090	2.9
East Sussex	764	1.4	740	2.0
Essex	1,361	1.0	1,373	1.4
Gloucestershire	627	1.4	743	2.1
Hampshire	1,358	1.0	1,813	2.1
Hereford and Worcester	704	1.3	982	2.1
Hertfordshire	1,286	1.4	1,523	2.1
Isle of Wight	105	1.4	211	1.9
Kent	1,979	1.4	2,529	2.4
Lancashire	2,562	1.9	3,106	3.6
Leicestershire	1,478	1.8	1,734	2.8
Lincolnshire	956	1.8	1,233	3.1
Norfolk	1,560	2.3	1,469	3.5
Northamptonshire	899	1.6	775	1.7
Northumberland	282	1.3	599	2.0
Nottinghamshire	381	0.4	286	0.4
Oxfordshire	535	1.2	785	2.1
Shropshire	885	2.3	1,150	4.4
Somerset	527	1.4	773	2.7
Staffordshire	1,085	1.1	1,522	2.1
Suffolk	750	1.6	1,697	3.4
Surrey	1,321	1.7	1,071	2.1
Warwickshire	468	1.1	543	1.8
West Sussex	735	1.3	927	2.3
Wiltshire	799	1.5	697	1.9
England	63,551	1.4	70,080	2.3

[1]Includes full and part-time pupils.
n/a: not applicable.

Mr. Willis: To ask the Secretary of State for Education and Employment how many children are currently being taught in mainstream *(a)* primary and *(b)* secondary schools; and how many children in each category have statements of special education needs. [22870]

Mr. Byers: The latest available information is shown in the following table.

Number of pupils[1] with statements of special educational needs being taught in maintained[2] primary and secondary schools in England, January 1997

	Pupils with statements	*All pupils*
Primary schools	63,551	4,429,043
Secondary schools	70,080	3,041,584

[1]Includes full and part-time pupils.
[2]Includes grant maintained schools.

Mr. Willis: To ask the Secretary of State for Education and Employment how many children are currently being taught in *(a)* grant-maintained and *(b)* grammar schools; and how many in each category have statements of special education needs. [22869]

Mr. Byers: The latest available information is shown in the following table.

Number of pupils[1] with statements of special educational needs being taught in grant maintained[2] and grammar schools in England, January 1997

	Pupils with statements	*All pupils*
Grant maintained schools	14,147	739,104
Grammar schools	172	128,712

[1]Includes full and part-time pupils.
[2]Includes grant maintained special schools.

GCSE Results

Mr. Don Foster: To ask the Secretary of State for Education and Employment what were the percentage declines in the average annual percentage point rates of increase in each of the percentages of all 15 year old pupils, excluding only those in special schools, achieving at least *(a)* 5 GCSEs at grades A*–C, *(b)* 5 GCSEs and *(c)* 1 GCSE in the quinquennial period 1992 to 1997, compared with the corresponding average annual rates of increase in the quadrennial period 1988 to 1992. [23653]

Dr. Howells: The information requested in respect of GCSEs is shown in the following tables.

Percentage of 15-year-old pupils in schools (excluding special schools) in England
(a) Achieving at least 5 GCSE grades A–C*[1]

	Percentage achieving 5+A–C*	*Percentage point increase (i)*		*Percentage achieving 5+A*–C*	*Percentage point increase (ii)*	*Difference (ii)–(i)*
1992	39.0	—	1988	29.9	—	
1993	42.0	3.0	1989	32.8	2.9	
1994	44.2	2.2	1990	34.5	1.7	
1995	44.5	0.3	1991	36.8	2.3	
1996	45.6	1.1	1992	39.0	2.2	
1997	46.3	0.7				
Average increase 1992 to 1997		1.5	Average increase 1988 to 1992		2.3	0.8

[1] The 1997 figures include the relevant GNVQ equivalents.

(b) Achieving at least 5 GCSEs[1]

	Percentage achieving 5+GCSE	*Percentage point increase (i)*		*Percentage achieving 5+GCSE*	*Percentage point increase (ii)*	*Difference (ii)–(i)*
1992	83.8	—	1988	74.7	—	
1993	85.9	2.1	1989	79.3	4.6	
1994	87.2	1.3	1990	80.3	1.0	
1995	87.6	0.4	1991	83.0	2.7	
1996	88.1	0.5	1992	83.8	0.8	
1997	88.6	0.5				
Average increase 1992 to 1997		1.0	Average increase 1988 to 1992		2.3	1.3

[1] The 1997 figures include the relevant GNVQ equivalents.

(c) Achieving at least 1 GCSE[1]

	Percentage achieving 1+GCSE	*Percentage point increase (i)*		*Percentage achieving 1+GCSE*	*Percentage point increase (ii)*	*Difference (ii)–(i)*
1992	93.1	—	1988	89.9	—	
1993	94.5	1.4	1989	92.5	2.6	
1994	93.7	–0.8	1990	92.7	0.2	
1995	93.6	–0.1	1991	93.2	0.5	
1996	93.9	0.3	1992	93.1	–0.1	
1997	94.1	0.2				
Average increase 1992 to 1997		0.2	Average increase 1988 to 1992		0.8	0.6

[1] The 1997 figures include the relevant GNVQ equivalents.

Schools (Private Finance Initiative)

Mr. Dorrell: To ask the Secretary of State for Education and Employment if he will list those new capital schemes for school developments which have been approved under the PFI since 2 May 1997. [23106]

Mr. Byers: Since 2 May 1997, the Department has approved the PFI scheme to provide replacement buildings and facilities management for the Colfox School in Dorset. The contract (worth £15 million in capital investment) was signed in November 1997. In addition, the PPP scheme to build and operate a new primary school in the Victoria Dock area of Kingston-upon-Hull (with a capital value of £2 million) has received conditional approval from the Department.

Furthermore, many local authorities are actively developing PPP schemes to provide a range of asset-based services, including energy management, IT systems and catering facilities—over 20 of which are receiving support from the Department. More than 25 local authorities have expressed an interest in becoming one of 5 large-scale pilot PPP projects under the New Deal for Schools. PPP schemes to provide a range of asset-based services for grant maintained and voluntary aided schools are also receiving support from the Department.

Further and Higher Education

Mr. Cousins: To ask the Secretary of State for Education and Employment what will be his Department's

budget in cash and constant 1996–97 prices for (i) further and (ii) higher education and in England *(a)* in 1996–97, *(b)* 1997–98 and *(c)* planned for 1998–99; and what sums these figures represent for each WTE Student in each of those years. [22976]

Dr. Howells: The total level of the Department's budget in cash and constant 1996–97 prices for (i) further education and (ii) higher education, and the Government funding per full-time equivalent student are shown in the following table:

£

	1996–97	*1997–98*	*1998–99*
FE			
Cash	3,154 million	3,138 million	3,114 million
Constant 1996–97 prices	3,154 million	3,056 million	2,952 million
Cash figure per full time equivalent student (to the nearest £10)	2,860	2,820	2,780
Constant 1996–97 figure per full time equivalent student (to the nearest £10)	2,860	2,750	2,640
HE			
Cash	6,410 million	6,601 million	6,799 million
Constant 1996–97 prices	6,410 million	6,427 million	6,440 million
Cash figure per full time equivalent student (to the nearest £10)	6,370	6,470	6,650
Constant 1996–97 figure per full time equivalent student (to the nearest £10)	6,370	6,300	6,300

Equal Opportunities

Ms Perham: To ask the Secretary of State for Education and Employment how much Government money was spent on the Equal Opportunities Commission in *(a)* 1995–96 and *(b)* 1996–97; and what estimate he has made of the annual gross cost of enforcing the Sex Discrimination Acts in (i) 1995–96 and (ii) 1996–97. [23472]

Mr. Andrew Smith: The Department for Education and Employment made the following grant-in-aid payments to the Equal Opportunities Commission: *(a)* £6.429 million in 1995–96 and *(b)* £5.821 million in 1996–97. There is no estimate of the annual gross cost of enforcing the Sex Discrimination Act 1975 in these years.

SOCIAL SECURITY

Jobseeker's Allowance

Mr. Watts: To ask the Secretary of State for Social Security when the regulations to extend the number of waiting days in Jobseeker's Allowance from three to seven with effect from April 1999 will be laid. [25724]

Mr. Keith Bradley: As I announced on 2 July, we are proceeding with the previous Government's decision that the number of waiting days before Jobseeker's Allowance becomes payable will be increased from three days to seven days from April 1999.

The Jobseeker's Allowance (Amendment) Regulations 1998 (S.I. 1998/71) which extend the number of waiting days in Jobseeker's Allowance from April 1999, together with the Social Security Advisory Committee's Report (Command Paper Number 3829), have been laid in the House.

As the Committee is aware, we have taken steps to ensure that no one will have to wait longer than under the current system before benefit becomes payable. We have also agreed to follow the Committee's recommendation to monitor carefully how the administrative easement works in practice.

For those participating in the New Deal for young unemployed people, the Government have introduced a change to the linking rules so that jobseekers will not have to serve a further set of waiting days if they claim Jobseeker's Allowance at the end of their time on the New Deal. Our priority is getting people back to work. Our Welfare to Work measures will do this.

Disability Living Allowance

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to the answer to the hon. Member for Chorley (Mr. Hoyle) of 22 December 1997, *Official Report*, column *458*, when she expects *(a)* the range of options for those with long-term health problems or disability to move into work to be *(i)* fully tested and *(ii)* the comprehensive spending review of such benefits to be complete; and if her departmental spending plans for 1998–99 and succeeding years require her to make savings in such benefits before the range of options financed by the windfall tax have been fully tested. [22998]

Mr. Denham: The Government believe that work is the best form of welfare for people of working age, and have set aside £195 million to fund a programme improving opportunities for people with disabilities or long-term illness who want to work. This money has been set aside over the lifetime of the current Parliament, during which the programme will be developed, implemented and evaluated. One key element will involve funding a number of innovative schemes to test ways of helping people to move into or stay in work, and a tendering exercise was launched on 9 December. The first schemes will start later this year, and will run for 12 months initially. Plans for introducing personal advisers will also be announced later this year.

My right hon. Friend the Chief Secretary announced the Comprehensive Spending Review, expected to take about a year to complete, on 11 June last year. This Department's spending plans for 1998–99 and subsequent years make no assumptions about possible changes in expenditure on benefits arising from either the Comprehensive Spending Review or the welfare to work programme.

Mr. Steen: To ask the Secretary of State for Social Security when she expects to make a decision on the

review of the eligibility of Mrs. E. Otter of 9 Crowder Meadow, South Brent, for disability living allowance; and if she will make a statement as to the delay. [24717]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Rxecutive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Anthony Steen, dated 22 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking when a decision will be made to Mrs. E. Otter's claim for Disability Living Allowance (DLA) and the reasons for the delay.

The Benefit Integrity Project (BIP) was set up in response to the recent Benefit Review of DLA. Over the next two years, specially trained staff will make enquiries by postal questionnaire or home visit in over 400,000 cases to establish whether DLA is being paid correctly. Mrs. Otter was contacted through the enquiry work of BIP.

Mrs E. Otter's DLA was reviewed on 31 October 1997. The Adjudication Officer (AO) decided that there had been a relevant change in her circumstances which meant that Mrs Otter was no longer entitled to either the higher rate of mobility or middle rate of care from 28 August 1997. Mrs Otter requested a review of this decision on 7 November 1997. In the light of additional information submitted by Mrs Otter, the AO requested a report from an Examining Medical Practitioner, which was completed and returned to the Disability Benefits Directorate on 13 January, 1998. On 15 January, an AO reviewed the decision made on 31 October and Mrs Otter was sent a notification of this decision on 20 January 1997.

The Disability Benefits Directorate aims to complete 60% of review decisions within 55 working days, and 80% within 75 working days. These targets have been set to take account of the fact that reviews can take time to complete, because the review process involves the gathering of further information. It is expected that Mrs Otter's case will meet this target and be completed within 55 working days.

I hope you find this reply helpful.

Administration Costs

Dr. Lynne Jones: To ask the Secretary of State for Social Security what is the cost, as a percentage of the money disbursed, in administering *(a)* income support, *(b)* incapacity benefit, *(c)* disability living allowance, *(d)* attendance allowances, *(e)* social fund loans, *(f)* Social Fund grants, *(g)* child benefit, *(h)* state retirement pension, *(i)* SERPS and *(j)* maternity benefit. [22997]

Mr. Denham: Administration costs of the main benefits expressed as a percentage of benefit expenditure are shown in the Social Security Departmental Report. The 1997 Report is available in the Library of the House and shows the following figures for financial year 1995–96:

	Per cent.
Income Support	9
Incapacity Benefit	5.1
Disability Living Allowance	4
Attendance Allowance	4.4
Social Fund[1]	36.7
Child Benefit	2.2
Retirement Pension[2]	1.1
Maternity Allowance	15.1

[1]The Social Fund figure covers both loans and grants.

[2]SERPS is covered by Retirement Pension.

Figures for financial year 1996–97 are being finalised and will be included in the 1998 Departmental Report scheduled for publication following the Spring Budget Statement.

Appeals

Dr. Lynne Jones: To ask the Secretary of State for Social Security what has been the success rate at social security tribunals of appellants against withdrawal of benefits through failure to pass the all work test *(a)* before December 1996 and *(b)* since January 1997. [23148]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

The proportion of all Tribunal decisions given in the appellants' favour relating to the all work test

Per cent.

	Decisions in appellants' favour
Before December 1996 (i.e. of the appeals heard and decided between September 1995 and December 1996)	45.0
Since January 1997 (i.e. of the appeals heard and decided up to the end of September 1997)	42.4

The table includes cases where entitlement to National Insurance Credits is at issue but where no benefit is in payment.

SERPS

Mr. Webb: To ask the Secretary of State for Social Security how much would be saved in each of the next 10 financial years by ending the accrual of rights to state earnings-related pensions in respect of years of employment after 1998–99. [23111]

Mr. Denham: The information is provided in the table.

Estimated reduction in expenditure on SERPS if the scheme was closed to future accruals from April 1999

Millions

Year	*Reduction in expenditure*
1999–2000	0
2000–01	negligible
2001–02	£10
2002–03	£30
2003–04	£70
2004–05	£120
2005–06	£180
2006–07	£250
2007–08	£340
2008–09	£440

1. All figures are rounded to the nearest £10 million and are in constant 1997–98 prices.

2. Due to the way SERPS is calculated, the pension of people reaching State pension age in 1999–2000 is not affected by the ending of SERPS accruals in that year.

3. Changes to National Insurance revenue have not been included.

Disabled Drivers Association

Dr. Cable: To ask the Secretary of State for Social Security what was the outcome of consultations with Disabled Drivers Association on the disablement living allowance. [23515]

Mr. Denham: Following the meeting between the Disabled Drivers Association (DDA) and my noble Friend the Under-Secretary on the 26 November 1997, information was supplied to the DDA on the number of disabled people who had their mobility component of Disabled Living Allowance suspended as a result of admission to hospital and the emerging findings on the Benefit Integrity Project.

Pensioner Incomes

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate the numbers and percentages of pensioners in each region of the United Kingdom who are *(a)* dependent on means-tested benefits, *(b)* in each quartile of national income distribution, *(c)* in each quartile of national pensioner income distribution, *(d)* taxpayers and *(e)* dependent on pension income other than the state basic retirement or supplementary pension of more than £2,500. [23667]

Mr. Denham: The information is not available in the form requested. Such information as is available is set out in tables available in the House of Commons Library.

Maternity Pay

Mr. Gordon Prentice: To ask the Secretary of State for Social Security how many women received statutory maternity pay in excess of *(a)* £1,000, *(b)* £2,000, *(c)* £5,000 and *(d)* £18,000 per week over the latest 12 months for which figures are available. [23283]

Mr. Denham: The information is not available in the form requested and can be obtained only at disproportionate cost.

Lone Parents

Mrs. Ballard: To ask the Secretary of State for Social Security if she will publish the number of lone parents in each parliamentary constituency. [23523]

Mr. Keith Bradley: The information is not available in the form requested. Estimates of the number of one parent families are available by local authority area from the 1991 Census. This information can be obtained from the 1991 Census County Reports, Part 2, Table 89—which are available in the House of Commons Library.

Income Support

Mr. Gibb: To ask the Secretary of State for Social Security what is the percentage uptake in respect of those entitled to receive income support among pensioners in terms of *(a)* numbers of people and *(b)* expenditure. [24879]

Mr. Keith Bradley: In 1995–96, the estimated take-up of Income Support by pensioners was between 60 per cent. and 66 per cent. by numbers of people and between 72 per cent. and 78 per cent. by expenditure.

We are determined to get help to those pensioners not claiming their Income Support, and have commissioned research to help find out why they do not claim. From April, we will be running a number of pilot exercises to find out how best to encourage them to claim.

Mr. Gibb: To ask the Secretary of State for Social Security what is the percentage uptake in respect of those entitled to receive income support in terms of *(a)* numbers of people and *(b)* expenditure. [24878]

Mr. Keith Bradley: In 1995–96, take-up of Income Support was estimated to be between 76 per cent. and 82 per cent. by numbers of people, and between 88 per cent. and 92 per cent. by expenditure.

Occupational Pension Schemes

Mr. Gibb: To ask the Secretary of State for Social Security how many occupational pension schemes which were previously contracted-out on the contracted-out salary-related scheme basis have elected to be contracted-out as contracted-out money purchase schemes since 2 July 1997. [24880]

Mr. Denham: During the period 2 July 1997 to 21 January 1998, the Contributions Agency received 285 elections from contracted-out salary-related schemes switching, under the provisions of regulation 76A of the 1996 Contracting-Out regulations (SI 1172),— to contracting-out on a money purchase basis. Of these, 173 have been processed.

Child Poverty

Mr. Webb: To ask the Secretary of State for Social Security what definition of poverty is being used by her Department in its Welfare Reform Focus Files publication in relation to the estimate of the number of children living in poverty. [25030]

Mr. Keith Bradley: There are various measures which point to this figure of nearly 4 million children. There are 4.2 million children in households whose income (after housing costs) is below half the average income (3.3 million before housing costs). There are 3.8 million children in households whose income (after housing costs) is in the bottom quintile of the income distribution (3.6 million before housing costs). These are indicators of the scale of the problem to be addressed in reforming welfare.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 304**

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This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

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Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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